CCWG-Accountability-WS2

Draft Recommendations to Improve ICANN's Diversity

February 2018 ~~October 2017~~

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Executive Summary

ICANN has since its incorporation in 1998 made an effort to ensure global diversity at various levels in its staff, community and board. Since its inception in 1998, ICANN Bylaws mandate diversity among ICANN board of directors and some of its constituent bodies to ensure inclusiveness and representation of the global Internet community.

The CCWG-Accountability-WS2 Diversity project obtains its mandate and scope from the ICANN bylaws and the CCWG-Accountability, WS1 Final report which included the following as part of Recommendation 12:

> *As part of Work Stream 2, the CCWG-Accountability proposes that further enhancements be made to a number of designated mechanisms:*

> *• Considering improvements to ICANN's standards for diversity at all levels.*

Annex 12, which details Recommendation 12, also included the following recommendations with regards to diversity:

> *Comments received on the Second Draft Proposal revealed that incorporating the diversity component into Accountability and Transparency reviews may overburden Review Teams. Therefore, the CCWG-Accountability recommends the following actions with the view to further enhancing ICANN's effectiveness in promoting diversity:*

> - *Including diversity as an important element for the creation of any new structure, such as the Independent Review Process (IRP) (for diversity requirements for the panel) and the ICANN Community Forum.*
> - *Adding Accountability, Transparency, and Diversity reviews of SOs and ACs to structural reviews as part of Work Stream 2.*
> - *Performing, as part of Work Stream 2, a more detailed review to establish a full inventory of the existing mechanisms related to diversity for each and every ICANN group (including Stakeholder Groups, Constituencies, Regional At-Large Organizations, the Fellowship program, and other ICANN outreach programs). After an initial review of the current documents, it became clear that they do not address the full concerns raised by the wider community on the issue of diversity.*
> - *Identifying the possible structures that could follow, promote, and support the strengthening of diversity within ICANN.*
> - *Carrying out a detailed working plan on enhancing ICANN diversity as part of Work Stream 2.*
> - *Strengthening commitments to outreach and engagement in order to create a more diverse pool of ICANN participants, so that diversity is better reflected in the overall community and thus more naturally reflected in ICANN structures and leadership positions.*

The Diversity sub-group focused on requirements 3, 4 and 5 for its work. This report presents a discussion of diversity at ICANN and identifies a number of diversity elements by which diversity may be characterized, measured and reported. It provides a summary of diversity provisions in the new ICANN Bylaws, and is informed by feedback from ICANN SO/AC/groups through a Diversity Questionnaire. Finally, it proposes a number of recommendations by which ICANN may define, measure, report, support and promote diversity:

RECOMMENDATIONS

Defining Diversity

Recommendation 1: SO/AC/groups should agree that the following 7 key elements of diversity should be used as a common starting point for all diversity considerations within ICANN:

- Geographic/regional representation
- Language
- Gender
- Age
- Physical Disability
- Diverse Skills
- Stakeholder group or constituency

Recommendation 2: Each SO/AC/group should identify which elements of diversity are mandated in their Charters or ICANN Bylaws and any other elements that are relevant and applicable to each of its levels including leadership (Diversity Criteria) and publish the results of the exercise on their official web sites.

Measuring and Promoting Diversity

Recommendation 3: Each SO/AC/group, supported by ICANN staff, should undertake an initial assessment of their diversity for all of their structures including leadership based on their Diversity Criteria and publish the results on their official website.

Recommendation 4: Each SO/AC/group should use the information from their initial assessment to define and publish on their official website their Diversity Criteria objectives and strategies for achieving these, as well as a timeline for doing so.

Recommendation 5: Each SO/AC/group, supported by ICANN staff, should undertake a regularn annual update of their diversity assessment against their Diversity Criteria and objectives at all levels including leadership. Ideally this update should be carried out annually but not less than every 3 years. They should publish the results on their official website and use this information to review and update their objectives, strategies and timelines.

Supporting Diversity

Commented [BT1]: Based on comment 1.03

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Commented [BT4]: No changes approved.

Commented [BT5]: Based on comment 5.03.

Recommendation 6: ICANN staff should provide support and tools for the SO/AC/groups to assist them in assessing their diversity in an appropriate manner. ICANN should also identify staff or community resources that can assist SO/ACs or other components of the community with diversity related activities and strategies.

Recommendation 7: ICANN staff should support SO/AC/Groups in developing and publishing a process for dealing with diversity related complaints and issues.

Recommendation 8: ICANN staff should support the capture, analysis and communication of diversity information, seeking esternal expertise if needed, in the following ways:

- Create a Diversity section on the ICANN website.
- Gather and maintain all relevant diversity information in one place.
- Produce an Annual Diversity Report for ICANN based on all the annual information and provide a global analysis of trends and summarize SO/AC/groups recommendations for improvement, where appropriate. This should also include some form of reporting on diversity complaints.
- Include diversity information derived from the Annual Diversity Report in ICANN's Annual Report.

Note: In the context of the Diversity Questionnaire and throughout this report, the term SO/AC/groups refers to:

SO – ccNSO, GNSO, ASO

AC – ALAC, GAC, RSSAC, SSAC

Groups – ICANN Board, ICANN staff, NomCom, Stakeholder Group or Constituency, RALO

When recommendations in this report refer to ICANN, it means all of those entities included in SO/AC/groups.

Scope

Diversity within ICANN is important in ensuring a comprehensive representation of the global Internet community, stakeholders, interest groups, staff and CEO and for assuring that ICANN has an extensive range of perspectives in skills and experience. In Recommendation #12 of the CCWG-Accountability Work Stream 1 report, the group assessed diversity requirements based on ICANN's governance documents (Bylaws, AOC, ATRT1, ATRT2, documents from each of ICANN's SOs and ACs).

The following is excerpted directly from the CCWG-Accountability Work Stream 1 report:

> *"Comments received on the Second Draft Proposal revealed that incorporating the diversity component into Accountability and Transparency Reviews may overburden Review Teams. Therefore, the CCWG-Accountability recommends the following actions with the view to further enhancing ICANN's effectiveness in promoting diversity:*
>
> - *Including diversity as an important element for the creation of any new structure, such as the Independent Review Process (IRP) – for diversity requirements for the panel – and the ICANN Community Forum.*
> - *Adding Accountability, Transparency, and Diversity reviews of SOs and ACs to structural reviews as part of Work Stream 2.*
> - *Performing, as part of Work Stream 2, a more detailed review to establish a full inventory of the existing mechanisms related to diversity for each and every ICANN group (including Stakeholder Groups, Constituencies, Regional At-Large Organizations, the Fellowship program, and other ICANN outreach programs). After an initial review of the current documents, it became clear that they do not address the full concerns raised by the wider community on the issue of diversity.*
> - *Identifying the possible structures that could follow, promote and support the strengthening of diversity within ICANN.*
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The scope of the Diversity Sub-Group Task has been to focus on actions 3 to 5 identified in the CCWG-Accountability Work Stream 1 report above.

Background and Supporting Information

Background and supporting information is contained in Annexes as follows:

- Annex A: Lightning Talks on Diversity
- Annex B: Information and Resources from ICANN Staff on Diversity
- Annex C – Extracts from ICANN Bylaws related to diversity
- Annex D – Diversity Questionnaire

Description of Issues

Definition of Diversity:

The working group began by agreeing on the meaning of diversity and identifying elements of diversity they considered important across ICANN as a whole. It was agreed that Diversity within ICANN refers to: 'the creation/existence of an inclusive environment in various aspects of stakeholder representation and engagement throughout all levels of the staff, community and board'.

The Elements of Diversity:

During the discussion, a number of elements of diversity were identified and these are presented and discussed below in no particular order:

- Geographic/regional representation
- Language
- Gender
- Age
- Physical Disability
- Diverse Skills
- Stakeholder group or constituency

In considering the following discussion, the Sub-Group recognizes that this list may not be exhaustive. However, all identified elements of diversity are relevant and may have varying importance in different contexts, situations or groups within ICANN. Furthermore, the discussion of diversity is appropriate to general participation in ICANN and not just to leadership positions.

Geographic/regional representation: Ensures that there is a balanced geographical representation throughout the organization. While already applied to the selection of ICANN board members, discussions have indicated that this criterion should be extended to all levels within ICANN.

Language: All languages should be possible to be represented in ICANN for the organization to position itself as a fully global multi-stakeholder entity. There is a need to improve the balance between the six official languages at ICANN: Arabic, Chinese, English, French, Russian and Spanish. However, ICANN manages the IANA functions that offers IDN services to some entities who do not use any of these six official languages, and it is very important that ICANN improve its ability to communicate with this group of stakeholders so that they can be better engaged.

Gender: Equitable gender representation should be sought at all levels of ICANN. Currently, ICANN's approach to gender is binary: male or female. The representation of women in all areas of ICANN remains a challenge. It is critical that in all official community roles, equality between genders be achieved. It is no longer acceptable that there be a gender difference of more than 10% in the makeup of any leadership group with regard to the community from which it is drawn. It is also important for ICANN to note the evolving issue of equitable consideration of more complex gender identification.

Gender expression: Given societal changes and the acceptance of variance in gender that goes beyond the binary classifications, the subgroup considers it is important to create a welcoming environment for persons who don't conform to binary gender. There should also be further work done to ensure that there are no obstacles to inclusion or to the participation of those with gender variance in the various leadership roles. ICANN should accept the voluntary open identification of those who are gender variant while at the same time respect those for whom such identification is a private matter. Consideration should be given to adding 'do not wish to disclose', 'other', or something similar, in the gender identification portion of forms.

Age: This element refers to variations that facilitate inclusion of the range of age groups across ICANN, from older generations through to the next generations. Moreover, youth engagement should be taken into consideration whenever possible in the activities of the ICANN community, fostering the exchange of experience between generations.

Physical Disability: This element refers to the consideration of individuals across a range of different physical disabilities to participate in ICANN activities at various levels.

Diverse Skills: Diversity in skills contributes to the quality of ICANN policy formulation, decision-making and outreach. It is important to highlight and advocate the advantages of individuals bringing different and diverse skills sets into ICANN's many activities. All activities and groups within ICANN will benefit from having a diverse range of skills available. Outcomes formulated from diverse skills and knowledge will have a higher probability of being accepted by a diverse community. Increased diversity would help expand the diversity of skills within ICANN. Thus, achieving diversity in skills should not be seen as a choice between skills and diversity which excludes participation, but rather one which values many skills sets and facilitates inclusion and broad participation.

Stakeholder group or Constituency: Diversity of stakeholder group or constituency participation in ICANN is important in meeting the multi-stakeholder goals of ICANN. This may or may not require a designated representative of a stakeholder group to participate in the various activities. However, attention needs to be paid to the selection process to ensure participation by both declared stakeholder groups with direct interests as well as minorities and underrepresented groups.

Related to, but broader than, stakeholder group diversity is the requirement that all relevant views, opinions and perspectives are appropriately taken into account in decision-making.

ICANN will not be a truly diverse organization if it merely conforms to diversity relating to the fixed characteristics of participants, while systematically marginalizing minority viewpoints or beliefs from consideration in decision-making.

Measuring elements of diversity: Of importance to the working group is which of and how the various elements of diversity can be successfully measured. When measuring diversity, it is not sufficient to use a static approach or 'head-count'. Rather, a more dynamic approach should be considered. There are elements of diversity that are important to observe but difficult to measure by 'head count'. For example, to determine 'active diverse participation' will require a combination of quantitative (statistics) and qualitative (the quality of engagement that is whether they take the floor, make contributions, participate in email exchanges). From the discussions, the following indicators of diversity has been identified, which are based on the definitions provided above:

Geographic/regional representation: This is currently being applied to the selection of ICANN board members appointed through the NomCom. The data shared by AFNIC and Dalila Rahmouni indicated the need for the statistics to be based on both a regional analysis and country-by-country analysis. The geographic diversity being considered is in three forms: 1. the region in which one lives, 2. the region in which one was born, and 3. the region with which one identifies culturally. This data could be collected using the best-practices identified by the NomCom process, adding the granular approach suggested by AFNIC and Dalila Rahmouni.

Language: The ability of ICANN stakeholders, staff and board to communicate in the six official languages should be measured and consideration should be given to assessing the ability to communicate in selected other languages. The extent to which translation and interpretation services for these and any other languages are requested by, available and used by the various parts of ICANN should also be measured and documented.

Gender: Currently, gender equality at ICANN is limited. Within the community, women represent 26% of community leaders, although the overall percentage of women within the community is not accurately known. There are no statistics available on the overall gender diversity (beyond the female-male binary) in ICANN. There are studies that show that when gender equality is hard to achieve in representation or leadership, extra effort needs to be made, and positions often need to be left open until a proper balance can be achieved.

Age: Data on the age range of ICANN participants, staff and community leaders is not currently held but potentially can be collected and documented through a voluntary process.

Physical Disability: Some data on the number of requests to ICANN staff to respond to various disability challenges experienced by participants at various levels may be available for analysis but this data can be gathered more systematically in the future.

Diverse Skills: Consideration of the various skills sets relevant to different groups within ICANN (eg Board, SO/ACs, NomCom, etc) and the current representation of those skills within those groups would be worthy of data collection and analysis.

Stakeholder group: Within some groups (eg GNSO Constituencies, ccNSO, etc), it would be expected that individuals may well come from similar backgrounds and hold similar interests. However, within other groups (eg Board, NomCom, etc), the presence of individuals with diverse stakeholder backgrounds and interests is a key contributor to the quality of policy or decision making. Data on the diversity of stakeholder participation in relevant groups can be collected, recorded and analyzed to identify any gaps where specific stakeholders are not yet represented.

Data Collection: Data collection focused on the diversity elements identified in this paper should include the following:

Participation/Representation in:

- ICANN Meetings
- ICANN SO/ACs and Stakeholder Constituencies
- ICANN Board
- ICANN Staff
- Cross-Community Fora (eg CCWGs, PDP WGs)
- Leadership Roles/Positions in:
- ICANN SO/ACs and Stakeholder Constituencies
- ICANN Board
- ICANN Staff
- Cross-Community Fora (eg CCWGs, PDP WGs)

A reliable and stable data collection and storage framework should be determined which notes the methodology by which data will be sourced, and the frequency with which the data needs to be updated. The methodology may include:

- Self-declaration
- From ICANN SO/AC/group
- From ICANN Staff
- Research
- A combination of the above

Self-identification as group - Upon self-declaration in the data collection process, a confirmation of groups or self-identified minorities, disadvantaged populations or stigmatized groups can be described and pathways to foster inclusion can be drawn upon this identification for recommendations to act on a process to ensure diversity as a long term process.

Implementation of Diversity within ICANN During discussions it emerged that a majority of the members of the diversity sub-group agreed that the implementation of the recommendations should be left to the ICANN organization to determine appropriate mechanisms and structures. A number of CCWG-Accountability-WS2 diversity sub-group members thought this insufficient and believe it is essential to establish an Office of Diversity. The role of this office would be to independently support, record and keep track of issues including complaints from the community on diversity issues within the organization. The proposed office being a very specific structural adjustment to the organization it did not receive consensus from either the diversity group or the CCWG plenary. However further input and comments on this matter from the wider community is welcomed.

Current State of Play

Diversity Provisions in ICANN Bylaws: The following summary is informed by a previous working party on diversity in WS1 which reviewed the status of diversity within ICANN groups and by examination of the new ICANN Bylaws dated 1 October 2016. The new Bylaws reflect ICANN's commitment to diversity as a Core Value in Section 1.2 (b):

> "(ii) Seeking and supporting broad, informed participation reflecting the functional, geographic, and cultural diversity of the Internet at all levels of policy development and decision-making to ensure that the bottom-up, multistakeholder policy development process is used to ascertain the global public interest and that those processes are accountable and transparent;"

Additionally, there are specific provisions regarding regional diversity for some ICANN groups, but no references to other elements of diversity identified in this report. Relevant extracts from the ICANN Bylaws are provided in Annex C.

Diversity requirements from the ICANN Bylaws:

- ICANN Board: Requirements for diversity in the ICANN Board are contained in Sections 7.2, 7.3, 7.5 and 8.5 of the ICANN Bylaws. Relevant extracts are provided in Annex C. Essentially, Section 7.2 (b) of the ICANN Bylaws requires that:

    > "the Board is composed of Directors who, in the aggregate, display diversity in geography, culture, skills, experience, and perspective, by applying the criteria set forth..."

    > while Section 7.5 goes on to state:

    > "One intent of these diversity provisions is to ensure that at all times each Geographic Region shall have at least one Director, and at all times no region shall have more than five Directors on the Board (not including the President). As used in these Bylaws, each of the following is considered to be a "Geographic Region": Europe; Asia/Australia/Pacific; Latin America/Caribbean islands; Africa; and North America."

- NomCom: There are no Bylaws provisions for the diversity of the Nominating Committee itself, other than that resulting from the fact that members are appointed from the diverse groups within ICANN. However, in relation to the selection of Board Members, Section 8.5 of ICANN Bylaws state:

    > "In carrying out its responsibilities to select members of the ICANN Board (and selections to any other ICANN bodies as the Nominating Committee is responsible for under these Bylaws), the Nominating Committee shall take into

account the continuing membership of the ICANN Board (and such other bodies), and seek to ensure that the persons selected to fill vacancies on the ICANN Board (and each such other body) shall, to the extent feasible and consistent with the other criteria required to be applied by Section 4 of this Article, make selections guided by Core Value 4 in Article I, Section 2."

- ccNSO Council: Section 10.3 (a) of the ICANN Bylaws provide for some geographic considerations in the selection of ccNSO Council members:

    "The ccNSO Council shall consist of three ccNSO Council members selected by the ccNSO members within each of ICANN's Geographic Regions in the manner described in Section 10.4(g) through Section 10.4(i); (ii) three ccNSO Council members selected by the ICANN Nominating Committee; (iii) liaisons as described in Section 10.3(b); and (iv) observers as described in Section 10.3(c)."

- ASO: Section 9.1 (b) of the ICANN Bylaws recognizes that under the terms of the MoU signed between ICANN and the RIRs in October 2004, the NRO Number Council performs the role of the Address Council for the ASO. Geographic diversity on the Address Council is afforded by each RIR appointing its members.

- gNSO Council: Section 11.3 of the ICANN Bylaws describes the selection of gNSO Council members. While there are no specific provisions for some aspects of diversity, stakeholder diversity is afforded by appointments from each Stakeholder Group.
- GAC: No reference to diversity in ICANN Bylaws.
- SSAC: No reference to diversity in ICANN Bylaws.
- RSSAC: No reference to diversity in ICANN Bylaws.
- ALAC: Section 12.2 (d) (ii) of the ICANN Bylaws describes the selection of the 15 members of the At-Large Advisory Committee (ALAC). While there are no specific provisions for some aspects of diversity, geographic diversity is afforded by the requirement for 3 members to be appointed from each of the five geographic regions.

Diversity Provisions in Other ICANN Documents:

- ATRT: Section 4.6 (b) of the ICANN Bylaws makes no explicit requirements for diversity to be addressed as an issue in Accountability and Transparency Reviews. There have been some references to diversity in past Reviews, but no specific recommendation with regard to Board/SO/AC diversity has been made by the ATRT.
- ICANN Staff: No reference to diversity within ICANN documentation.

Response to the Diversity Questionnaire:

The Working group on diversity sent out a questionnaire, attached at Annex D, to assess the state of diversity within different groups and received the following responses:

- Diversity is an important issue to the ICANN Community and groups within ICANN. While many of the identified elements of diversity are relevant to various groups within ICANN, the levels of importance of these elements varies from one stakeholder group to another.
- Geographical/regional diversity is of importance to the following groups that responded to the questionnaire GAC, NCSG, BC. However, it remains a challenge for contracted parties such as the RrSG that has its participation governed by the relationship of the members with ICANN. SSAC considers geographic/regional diversity of secondary importance in as far as its role within ICANN is concerned.
- Language diversity is of importance to the following groups:

    i. GAC who have requested interpretation in the 6 UN languages and Portuguese.

    ii. Business Constituency who ensures interpretation of their newsletter into French, Spanish and Portuguese.

    iii. NCUC which has organized outreach events and webinars in multiple languages.

    iv. RrSG also pointed out a need to adapt to language diversity, having translated its charter into Chinese due to community demand.

- Gender diversity is essential and part of the criteria for positions in leadership at NCSG, it is also identified as important to the BC; of secondary importance to SSAC and a challenge to achieve in all groups.
- Age diversity is limited to the level of representation within various groups. Despite ICANN's recent regional programs such as Nextgen to encourage participants from 18-30 years old to volunteer at AC/SOs. The responses received from the questionnaire indicate:
    i. RrSG pointed out limitation of participation by age due to the nature in which they are constituted.
    ii. Both BC and NCUC have pointed out investing in training and mentorship programs.
    iii. Several groups signaled efforts towards capacity building to newcomers in the community.

    However, for all the groups there were no indications provided of their respective age representation range.

- Physical disability representation is limited to those able to participate within the various groups. Only the RrSG mentioned considering physical disability in level of representation.

- Diverse Skills are of primary importance to the role and function of the SSAC and BC. GAC also noted taking skillset into account when considering the composition of members to their observers group. NCSG takes into account unique skills in their membership composition. The RSSAC sees skills as a diversity element in which they are limited by the composition of its associate organizations. The Board, however, highlighted skills as the first priority in its consideration of elements of diversity.

- A diversity of stakeholder group/constituencies is of importance to the NCSG but not a structure present in the other groups. The Board noted the importance of stakeholder group diversity for the whole ICANN ecosystem and emphasized the importance to not discriminate any specific stakeholder group or any other element of diversity.

Additional elements of diversity

Each of the groups does have some elements of diversity that are important to them based on their role within ICANN but not necessarily important to other groups across ICANN. Some of the additional elements of diversity received include:

- SSAC: Of secondary relevance or lesser importance to skills SSAC identified Career background, time involved in ICANN, education and sexual orientation
- GAC: Developed, developing and underserved regions
- RrSG: Varying Business Models, Varying resources
- NCSG: Sexual Orientation, less developed regions, mixed backgrounds
- BC: Varying Types of Businesses, Varying Sizes of Businesses, Varying Viewpoints

Current measurement of diversity

The SSAC, NCSG and BC have in their responses indicated that they undertake measurement for the diversity elements that are important to them. This is achieved through various mechanisms presented as follows: surveys, tracking of participation in activities such as outreach programs, mentorship program and webinars. Measurement of diversity in ICANN is low since it has not received sufficient attention to by all the groups that have responded to the questionnaire. The GAC requests that a matrix for measuring diversity be developed to guide on how diversity can be measured to enable them to appropriately respond to the question. The NCUC has a mentorship program designed to ascertain a quantity of members with structural barriers to participation and up-skill them, enabling more participation in its processes.

Educational and Informational initiatives

The groups that responded have held Outreach sessions, Workshops, Newcomer education, Newsletters and Translation of various communication materials. The BC and NCSG seem to pay more attention to diversity educational and informational concerns amongst the responses received. None of the SO/ACs educational or informational initiatives pointed out having an evaluation process of such initiatives, or even discussions about how they can evolve.

Formal and informal practices and policies

Based on the received responses; the SSAC has an unwritten policy to promote diversity by taking into consideration diversity aspects of secondary importance in a situation where diversity aspects of primary importance are met. The RrSG and BC have budget allocations to facilitate diversity participation in their activities. The NCSG informally strives to facilitate diversity in its appointment to leadership roles and also invests in informal messaging channels initiated by their members to create speedier exchange of information to various regions In conclusion, while there are a number of existing mechanisms related to Board/NomCom/SO/AC diversity, these provisions are primarily related to geographic/regional or stakeholder elements of diversity. While some diversity arrangements exist within ICANN documents, diversity does not appear as one of the areas where ICANN continuously strives to improve.

Recommendations

This report offers a proposed common starting point for all diversity considerations within ICANN by identifying 7 key elements of diversity. Each SO/AC/Group within ICANN should define what diversity means to them individually, initially in terms of these elements. This can be reviewed and augmented over time but any revisions should always, as a minimum, include these elements.

Defining Diversity

Recommendation 1: SO/AC/groups should agree that the following 7 key elements of diversity should be used as a common starting point for all diversity considerations within ICANN:

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- Gender
- Age
- Physical Disability
- Skills
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Recommendation 2: Each SO/AC/group should identify which elements of diversity are mandated in their Charters or ICANN Bylaws and any other elements that are relevant and applicable to each of its levels including leadership ("Diversity Criteria") and publish the results of the exercise on their official web sites.

Measuring and Promoting Diversity

Once identification of the key elements of diversity is completed, each SO/AC/group should perform an initial assessment of its diversity against their stated relevant elements for both participation and leadership. This information should then be used to formulate and publish on their official websites their diversity objectives and strategies for achieving these, as well as a timeline for doing so.

Having established a baseline, each SO/AC/group should perform an annual update of their individual diversity assessment against their diversity criteria and objectives for both participation and leadership. They should use this information to review their objectives, strategies and timelines and publish this on their official website.

Recommendation 3: Each SO/AC/Group, supported by ICANN staff, should undertake an initial assessment of their diversity for all of their structures including leadership based on their defined diversity criteria Diversity Criteria and publish the results on their official website.

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Recommendation 4: Each SO/AC/group should use the information from their initial assessment to define and publish on their official website their Diversity Criteria, diversity objectives and strategies for achieving these, as well as a timeline for doing so.

Recommendation 5: Each SO/AC/group, supported by ICANN staff, should undertake an regularannual update of their diversity assessment against their Diversity Criteria and objectives at all levels including leadership. Ideally this update should be carried out annually but not less than every 3 years. They should publish the results on their official website and use this information to review and update their objectives, strategies and timelines.

Supporting Diversity

ICANN staff should assist SO/AC/groups by capturing, analyzing and communicating diversity information. A Diversity section should be created on the ICANN website for the recording of all relevant diversity information in one place. This information should form the basis of an Annual Diversity Report that analyzes trends and complaints and provides high level information to be included in ICANN's annual report.

A process should be established for dealing with diversity related issues and complaints by members of the ICANN Community.

Recommendation 6: ICANN staff should provide support and tools for the SO/AC/groups to assist them in assessing their diversity in an appropriate manner. ICANN should also identify Staff or community resources that can assist SO/ACs or other components of the community with diversity related activities and strategies

Recommendation 7: ICANN staff should support SO/AC/Groups in developing and publishing a process for dealing with diversity related complaints and issues.

Recommendation 8: ICANN staff should support the capture, analysis and communication of diversity information, seeking external expertise if needed, in the following ways:

- Create a Diversity section on the ICANN website.
- Gather and maintain all relevant diversity information in one place.
- Produce an Annual Diversity Report for ICANN based on all the annual information and provide a global analysis of trends and summarize Community recommendations for improvement, where appropriate. This should also include some form of reporting on diversity complaints
- Include diversity information derived from the Annual Diversity Report in ICANN's Annual Report.

Note: In the context of the Diversity Questionnaire and throughout this report, the term SO/AC/groups refers to:

- SO – ccNSO, GNSO, ASO

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- AC – ALAC, GAC, RSSAC, SSAC
- Groups – ICANN Board, ICANN staff, NomCom, Stakeholder Group or Constituency, RALO

When recommendations in this report refer to ICANN, it means all of those entities included in SO/AC/groups.

LIGHTNING PAPERS ON DIVERSITY

(Presented at ICANN 56 in Helsinki)

At the onset of Work Stream 2 various lightning talks were presented to the CCWG members highlighting the importance of diversity to ICANN. Of the lightning talks presented, two provided statistics from ICANN on diversity that have provided a starting point for discussions on diversity. The highlights of the reports are as follows:

1. AFNIC:

Presented results of a pilot research on the extent of diversity within ICANN. Through the provision of a data collection framework, and a snapshot of ICANN's current diversity metrics, the pursued goal of the publication was to enable:

- In the short term, a quick and fact-based assessment of the current situation:
- In the medium to long term, provide a clear baseline for tracking progress.

The initial effort focused on 190 "ICANN community leaders". These 190 individuals, had at least one of the following roles within ICANN at the time of collection (April 2016):

- Board Director
- Supporting Organization or Advisory Committee member of the Council or equivalent
- gNSO Constituency Executive Committee or Bureau member
- Nominating Committee member
- CCWG-Accountability members

This analysis had led to the following early findings:

- ICANN community largely remains North American Region centric. Close to 40% of the 190 leaders considered in this study are from the North American Region. This is by far the largest delegation of the "ICANN leaders" population. On the other hand, Africa, Latin America and Asia are under-represented.

- The dominance of native English speakers within ICANN is very strong. Close to two-thirds of the "ICANN Leaders" speak English as their mother tongue. The repartition of languages within ICANN is in stark difference with the global population. It is unclear, of course, whether the fact that English is the working language is an outcome or a cause for this situation.
- 26% of "ICANN leaders" are women. While this is obviously far from gender balance, it remains difficult to assess whether this ratio is representative of the population of ICANN

participants in general. This ratio was not available at the time of writing. It is hard to find a reason for the very limited representation of women within the ICANN Board (4 out of 16) and Nomcom (2 out of 20). It would be useful to assess whether the gap in the Board is related to the gender imbalance in the Nominating Committee.

- Across the population of 190 "ICANN leaders", the business sector and academic / technical community are most prominently represented. They represent about 80% of the individuals in the study. On the other hand, Civil Society and Government represent only 10% each approximately.

2. DALILA RAHMOUNI:

Dalila Rahmouni presented a paper stating the importance of diversity to ICANN and proceeded to define diversity based on various elements. She observed that ICANN is not as diverse as it should based on the following statistics from her paper:

- 40% of ICANN community leaders come from North America and more than 63% are native English speakers.
- Women represent only 26% of ICANN community leaders.
- 80% of ICANN community leaders come from the technical community and the private sector, while civil society and government representatives each account for only 10%.

She provided various recommendations on how this diversity imbalance can be addressed, and her recommendations have been considered in this report.

INFORMATION AND RESOURCES FROM ICANN STAFF ON DIVERSITY

Information

The WS2 – Diversity SubGroup also invited various ICANN staff to share their observations and experiences from the data they have collected over time on diversity. DRDP staff were able to provide details on the sources of gender and geographic data across ICANN that was provided as input into WS2 on Diversity. They also outlined some of the challenges and opportunities that could help inform the community's discussion on next steps. The challenges can be summarized as follows:

1. Gender:
- Gender is not always self-selected. Best practice would be to have all individuals self-select their gender.
- Gender selection is often presented as a binary. Best practice would be to include male/female/other fields.
- Gender data compiled from salutations in meeting registration data is self-selected. However, titles, such as Dr. or Professor, are aggregated into the 'other' category along with blank or non-selected entries. Best practice would be to offer a gender field in registration forms that provides male/female/do not wish to disclose/other options; this field could either be required or optional.

2. Region:
- Human Resources uses 3 regional categories and Meetings uses 8 regional categories. Best-practice would be to identify a benchmark (i.e. ICANN regions), so that data collected is consistent across the ICANN community.
- Most ICANN groups collect regional information only, if the regions change, that data would become unhelpful. If raw data were collected instead – such as the country – the data can be reprocessed as necessary to align with any potential changes in ICANN's regional categories.

Resources

GNSO Review - The second independent Review of the GNSO, part of the Organizational Reviews mandated by the ICANN Bylaws, addressed diversity. Final Report issued by the Independent Examiner - https://www.icann.org/en/system/files/files/gnso-review-final-15sep15-en.pdf

https://www.icann.org/en/system/files/files/gnso-review-final-15sep15-en.pdf

Section 9.4 of the Final Report deals with Diversity. Recommendations relating to diversity were #6, 7, 32 - 36. GNSO has established a GNSO Review Working Group to develop an implementation plan for Board-approved GNSO Review recommendations, in July 2016. The work of this group can be seen at:

https://community.icann.org/display/GRWG/GNSO+Review+Working+Group+Homehttps://community.icann.org/display/GRWG/GNSO+Review+Working+Group+Home

https://community.icann.org/display/GRWG/GNSO+Review+Working+Group+Home

For statistics on diversity of past AoC Review Teams, please see AoC and Organizational Review presentation in Dublin at ICANN54: https://meetings.icann.org/en/dublin54/schedule/wed-aoc-org-reviews/presentation-aoc-org-reviews-21oct15-en; slide 8.

ICANN 51 Los Angeles – Showcasing Positive Trends and Business Diversity:

https://www.icann.org/news/blog/icann-51-los-angeles-showcasing-positive-trends-and-business-diversity-at-icann-public-meetingshttps://www.icann.org/news/blog/icann-51-los-angeles-showcasing-positive-trends-and-business-diversity-at-icann-public-meetings

https://www.icann.org/news/blog/icann-51-los-angeles-showcasing-positive-trends-and-business-diversity-at-icann-public-meetings

Afnic report on ICANN diversity

- Article about the report: http://www.circleid.com/posts/20160620_diversity_is_neither_an_option_nor_secondary_requirement_for_icann/http://www.circleid.com/posts/20160620_diversity_is_neither_an_option_nor_secondary_requirement_for_icann/
- The report in English: https://www.afnic.fr/medias/documents/Dossiers_pour_actualites/2016_Icann_Diversity_Data.pdfhttps://www.afnic.fr/medias/documents/Dossiers_pour_actualites/2016_Icann_Diversity_Data.pdf
- The report in French https://www.afnic.fr/medias/documents/Dossiers_pour_actualites/2016_Donnees_Diversite_ICANN.pdf.

On 26 June at ICANN56 in Helsinki, Dalila Rahmouni and Mathieu Weill presented lightning talks to the CCWG-Accountability on this topic. To view the presentations, please see: https://community.icann.org/x/rBWOAw.

Quarterly Stakeholder Call Presentation includes data on Global Stakeholder Engagement by region: https://www.icann.org/en/system/files/files/quarterly-report-18aug16-en.pdf, slide 27

WS1 WP3 Subgroup materials

- https://community.icann.org/display/acctcrosscomm/Diversityhttps://community.icann.org/display/acctcrosscomm/Diversity
- https://community.icann.org/display/acctcrosscomm/Diversity
- https://community.icann.org/download/attachments/56141553/Diversity_PC2.docx?version=1&modificationDate=1444735192000&api=v2https://community.icann.org/download/attachments/56141553/Diversity_PC2.docx?version=1&modificationDate=1444735192000&api=v2
- https://community.icann.org/download/attachments/56141553/Diversity_PC2.docx?version=1&modificationDate=1444735192000&api=v2
- https://community.icann.org/download/attachments/56141553/WP3%20Diversity.docx?version=1&modificationDate=1444293034000&api=v2https://community.icann.org/download/attachments/56141553/WP3 Diversity.docx?version=1&modificationDate=1444293034000&api=v2

https://community.icann.org/download/attachments/56141553/WP3 Diversity.docx?version=1&modificationDate=1444293034000&api=v2

WS2 – Diversity Working Group materials

Annex C

EXTRACTS FROM ICANN BYLAWS RELATED TO DIVERSITY

Section 7.2 DIRECTORS AND THEIR SELECTION; ELECTION OF CHAIR AND VICE-CHAIR

(b) In carrying out its responsibilities to nominate the Directors for Seats 1 through 8 for designation by the EC, the Nominating Committee shall ensure that the Board is composed of Directors who, in the aggregate, display diversity in geography, culture, skills, experience, and perspective, by applying the criteria set forth in Section 7.3, Section 7.4 and Section 7.5. At no time when it makes its nomination shall the Nominating Committee nominate a Director to fill any vacancy or expired term whose designation would cause the total number of Directors (not including the President) from countries in any one Geographic Region to exceed five; and the Nominating Committee shall ensure when it makes its nominations that the Board includes at least one Director who is from a country in each ICANN Geographic Region ("**Diversity Calculation**").

(c) In carrying out their responsibilities to nominate Directors for Seats 9 through 15 for designation by the EC, the Supporting Organizations and the At-Large Community shall seek to ensure that the Board is composed of Directors who, in the aggregate, display diversity in geography, culture, skills, experience, and perspective, by applying the criteria set forth in Section 7.3, Section 7.4 and Section 7.5. The Supporting Organizations shall ensure that, at any given time, no two Directors nominated by a Supporting Organization are citizens from the same country or of countries located in the same Geographic Region.

Section 7.3 CRITERIA FOR NOMINATION OF DIRECTORS

(c) Persons who will produce the broadest cultural and geographic diversity on the Board consistent with meeting the other criteria set forth in this Section 7.3.

Section 7.5. INTERNATIONAL REPRESENTATION

In order to ensure broad international representation on the Board, the nomination of Directors by the Nominating Committee, each Supporting Organization and the At-Large Community shall comply with all applicable diversity provisions of these Bylaws or of any memorandum of understanding referred to in these Bylaws concerning the Supporting Organization. One intent of these diversity provisions is to ensure that at all times each Geographic Region shall have at least one Director, and at all times no Geographic Region shall have more than five Directors on the Board (not including the President). As used in these Bylaws, each of the following is considered to be a "**Geographic Region**": (a) Europe; (b) Asia/Australia/Pacific; (c) Latin America/Caribbean islands; (d) Africa; and (e) North America. The specific countries included in each Geographic Region shall be determined by the Board, and this Section 7.5 shall be reviewed

by the Board from time to time (and in any event at least once every three years) to determine whether any change is appropriate, taking account of the evolution of the Internet.

Section 8.5. DIVERSITY

In carrying out its responsibilities to nominate Directors to fill Seats 1 through 8 (and selections to any other ICANN bodies as the Nominating Committee is responsible for under these Bylaws), the Nominating Committee shall take into account the continuing membership of the Board (and such other bodies), and seek to ensure that the persons it nominates to serve as Director and selects shall, to the extent feasible and consistent with the other criteria required to be applied by Section 8.4, be guided by Section 1.2(b)(ii).

Section 10.3. ccNSO COUNCIL

(a) The ccNSO Council shall consist of three ccNSO Council members selected by the ccNSO members within each of ICANN's Geographic Regions in the manner described in Section 10.4(g) through Section 10.4(i); (ii) three ccNSO Council members selected by the ICANN Nominating Committee; (iii) liaisons as described in Section 10.3(b); and (iv) observers as described in Section 10.3(c).

Section 11.3. GNSO COUNCIL

(a) Subject to Section 11.5, the GNSO Council shall consist of:

(i) three representatives selected from the Registries Stakeholder Group;

(ii) three representatives selected from the Registrars Stakeholder Group;

(iii) six representatives selected from the Commercial Stakeholder Group;

(iv) six representatives selected from the Non-Commercial Stakeholder Group; and

(v) three representatives selected by the ICANN Nominating Committee, one of which shall be non-voting, but otherwise entitled to participate on equal footing with other members of the GNSO Council including, e.g. the making and seconding of motions and of serving as Chair if elected. One Nominating Committee appointee voting representative shall be assigned to each House (as described in Section 11.3(h)) by the Nominating Committee.

Section 12.2 (d) At-Large Advisory Committee

(ii) The ALAC shall consist of (A) two members selected by each of the Regional At-Large Organizations ("RALOs") established according to Section 12.2(d)(vii), and (B) five members selected by the Nominating Committee. The five members selected by the Nominating

Committee shall include one citizen of a country within each of the five Geographic Regions established according to Section 7.5.

Annex D

DIVERSITY QUESTIONNAIRE

The CCWG Accountability Work Stream 2 Diversity Sub-Group wishes to gather information from ICANN SO/AC/groups on their current consideration of diversity and any actions they undertake to promote diversity. In this context, the term SO/AC/groups refers to:

- SO – ccNSO, GNSO, ASO
- AC – ALAC, GAC, RSSAC, SSAC
- Groups – ICANN Board, ICANN Staff, NomCom, Stakeholder Group or Constituency, RALO

Other groups and individuals are also welcome to complete this questionnaire and are requested to indicate their special interest and/or affiliation.

The Diversity Sub-Group has identified the following non-exhaustive list of elements of diversity as potentially relevant to ICANN SO/AC/groups:

A. Geographic/regional representation

B. Language

C. Gender

D. Age

E. Physical Disability

F. Diverse Skills

G. Stakeholder group or constituency

Your cooperation is sought to answer the following questions:

1. What relative importance does your SO/AC/group give to these seven dimensions of diversity?

2. What, if any, additional dimensions of diversity are important to your SO/AC/group?

3. How, if at all, does your SO/AC/group measure and track diversity issues related to its work?

4. How, if at all, does your SO/AC/group seek to promote diversity in its membership, its active participation, and its leadership?

5. What, if any, educational and informational initiatives does your SO/AC/group pursue to promote diversity awareness?

6. What, if any, formal or informal practices or written or unwritten policies are pursued in your SO/AC/group to promote diversity?

You are also welcome to append any additional general comments on the topic of diversity.