

To: Akash Sriram on behalf of the Centre for Internet & Society

Date: 15 August 2018

Re: Request No. 20180716-1

This is in response to your request for documentary information (Request), which was submitted on 16 July 2018 through the Internet Corporation for Assigned Names and Numbers' (ICANN organization) Documentary Information Disclosure Policy (DIDP) on behalf of the Centre for Internet & Society (CIS). For reference, a copy of your Request is attached to the email forwarding this Response.

Items Requested

Your Request seeks the following documentary information “relating to the racial diversity of the employees at ICANN [org]:

1. What is the percentage of representation of employees by race at each employee level across the globe?
2. What is the percentage of representation of employees by citizenship at each employee level across the globe?”

Response

A. ICANN's Commitment to Diversity

ICANN org is committed to ensuring global diversity at various levels in its Board, community and the organization. Since its inception in 1998, the ICANN Bylaws have mandated diversity among ICANN Board of Directors and some of its constituent bodies to ensure inclusiveness and representation of the global Internet community. (See ICANN Bylaws, Art. 7, Sections 7.2, 7.3, and 7.5; Art. 8, Section 8.5; Art. 9, Section 9.1(b); Art.10, Section 10.3(a); and Art. 11, Section 11.3 <https://www.icann.org/resources/pages/governance/bylaws-en>.) Included as a Core Value of the ICANN's Bylaws under Section 1.2(b)(ii) is a commitment to diversity which promises to:

[seek] and [support] 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.

(ICANN Bylaws, 18 June 2018, Art. 1, Section 1.2(b)(ii)).

ICANN's commitment to diversity is also reflected within the ICANN organization. ICANN employees work in more than 30 different countries and speak more than 50 different languages. ([https://www.icann.org/careers.](https://www.icann.org/careers)) ICANN org is an equal opportunity employer. Employment selection and related decisions are made without regard to sex, race, age, disability, religion, national origin, color or any other protected class. ICANN values diversity and gives preference to candidates with demonstrated skills in languages in addition to proficient written and spoken English. (*Id.*) As you can see, personnel profiles on [icann.org](https://www.icann.org) reflect diversity in gender, geography and areas of expertise within the organization. (See [https://www.icann.org/organization?profile_search%5Bsearch_text%5D=Government.](https://www.icann.org/organization?profile_search%5Bsearch_text%5D=Government))

B. Your Request

Item No. 1

Item 1 seeks documentary information on “the percentage of representation of employees by race at each employee level across the globe.”

ICANN org is an organization with offices in various locations around the globe. (See [https://forms.icann.org/en/contact.](https://forms.icann.org/en/contact)) In ICANN org's Los Angeles office, the information responsive to your request is collected annually by ICANN org pursuant to its reporting requirements under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended, which requires that any organization with 100 or more employees, to file the Employer Information EEO-1 Report (EEO-1 Report). (See [https://www.eeoc.gov/employers/eeo1survey/legalbasis.cfm.](https://www.eeoc.gov/employers/eeo1survey/legalbasis.cfm)) The EEO-1 Report is an US based requirement that requires employment data to be categorized by race/ethnicity, gender and job category. (See <https://www.eeoc.gov/employers/eeo1survey/faq.cfm>; and [https://www.eeoc.gov/employers/eeo1survey/2007instructions.cfm.](https://www.eeoc.gov/employers/eeo1survey/2007instructions.cfm)) In ICANN org's Singapore office, information on race is collected from each employee to determine which Self-Help Group fund an employee should contribute to under Singapore law. (See [https://www.cpf.gov.sg/Employers/EmployerGuides/employer-guides/hiring-employees/contributions-to-self-help-groups-\(shgs\)-and-share-donations.](https://www.cpf.gov.sg/Employers/EmployerGuides/employer-guides/hiring-employees/contributions-to-self-help-groups-(shgs)-and-share-donations)) In all its remaining office, ICANN org does not collect any information on race.

As part of ICANN org's processing of your Request in line with the [DIDP Response Process](#), ICANN org has identified that the information collected from its Singapore based employees to administer the Self-Help Group fund, and information collected from its Los Angeles based employees to compile the EEO-1 reports, the EEO-1 report itself and any drafts thereof are subject to the following DIDP [Defined Conditions of Nondisclosure](#) (Nondisclosure Conditions) and are therefore not appropriate for disclosure:

- Information provided by or to a government or international organization, or any form of recitation of such information, in the expectation that the information will be kept confidential and/or would or likely would materially prejudice ICANN's relationship with that party.

- Personnel, medical, contractual, remuneration, and similar records relating to an individual's personal information, when the disclosure of such information would or likely would constitute an invasion of personal privacy, as well as proceedings of internal appeal mechanisms and investigations.
- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication.

Notwithstanding the applicable Nondisclosure Conditions identified in this Response, ICANN org has also considered whether the public interest in disclosure of the information subject to these nondisclosure conditions at this point in time outweighs the harm that may be caused by such disclosure. ICANN org has determined that there are no current circumstances for which the public interest in disclosing the requested information outweighs the harm that may be caused by the requested disclosure.

Item No. 2

Item 2 seeks the disclosure of “the percentage of representation of employees by citizenship at each employee level across the globe.”

ICANN org is a global organization with its headquarters in Los Angeles and various other locations around the globe. (See <https://forms.icann.org/en/contact>.) As a general practice, ICANN org does not collect information on employee citizenship, unless, it is necessary to fulfil a payroll or work permit requirement in a regional office. As such, there is no documentary information in ICANN org’s possession, custody or control that is responsive to this request.

About DIDP

ICANN org’s DIDP is limited to requests for documentary information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, please see <http://www.icann.org/en/about/transparency/didp>. ICANN makes every effort to be as responsive as possible to the entirety of your Request. As part of its accountability and transparency commitments, ICANN continually strives to provide as much information to the community as is reasonable. We encourage you to sign up for an account at ICANN.org, through which you can receive daily updates regarding postings to the portions of ICANN's website that are of interest. We hope this information is helpful. If you have any further inquiries, please forward them to didp@icann.org.