

# Unaffiliated Individuals Mobilization Working Party Report

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# Introduction

## Working Party Formation and Process

The Unaffiliated Individuals Mobilization Working Party (UIM-WP) was composed of 15 members from the five RALOs plus Roberto Gaetano (Chair), Alan Greenberg (ex officio, ALS-Mob-WP Chair), Maureen Hilyard (ex officio, ALAC Chair), Cheryl Langdon-Orr (ex officio, ARIWG) and Sébastien Bachollet (ex officio). The three members selected by each RALO were chosen to represent, whenever possible, the ALSes, the Individual Users, the RALO Leadership.

Additionally, participation was open, and all those who expressed an interest were added as participants (with full speaking rights). See

<https://community.icann.org/display/atlarge/Unaffiliated+Individuals+Mobilization+Working+Party#UnaffiliatedIndividualsMobilizationWorkingParty-Members> for full details.

The WP has met 24 times since 2020-08-13. At least one member from each region was present at most meetings. No decisions were taken at a single meeting and all WP Members had an opportunity to express their views. All decisions were made by consensus, and these were generally unanimous. Attendance records can be found at [https://docs.google.com/spreadsheets/d/1BO9m32pPQBMtO-vJprjID\\_BuUz\\_E6x2dJTV\\_DP\\_wSpv0/edit#gid=0](https://docs.google.com/spreadsheets/d/1BO9m32pPQBMtO-vJprjID_BuUz_E6x2dJTV_DP_wSpv0/edit#gid=0). A summary is provided in Appendix 1.

Much work was done in between calls, initially using email but later, when the discussions became more articulated and complex, using both the wiki and by email. For each issue raised, the WP created a separate page to have all contributions on the topic in the same place. Often, contributions were provided by email and pasted in the wiki for the record. See <https://community.icann.org/display/atlarge/Unaffiliated+Individuals+Mobilization+Working+Party#UnaffiliatedIndividualsMobilizationWorkingParty-Issues> for a list of the issues discussed.

The WP Chair occasionally got the “sense of the room” by creating Doodle polls on potentially controversial points. These polls remained open for a week or so, allowing to get the opinion also of people who did not attend a specific call. A summary of the polls is provided in Appendix 2.

There was much discussion, many views presented, and many alternatives proposed. Ultimately, there was a general agreement on the final results, although some minority views or concerns remained, and included in this report. The formal WP members

would have judged any contentious issue by consensus, giving equal weight to all regions. This action never proved necessary.

Occasionally, some points were raised that were considered out of scope but worth noting for further action. A chapter in this report has been dedicated to record them.

## Working Party Mandate and Objectives

A key aspect of the Board accepted At-Large Review Implementation was to ensure that At-Large Individual Users could fulfill one of their original mandates - provide an active communications path between ICANN At-Large and the Individual Users. The WP needed to do a comprehensive review of the criteria for an Individual User to be accepted as a RALO Individual Member, and once accepted, what was expected of a RALO Individual Member. The RALO Memoranda of Understanding and the ICANN Bylaws were also reviewed for possible changes.

## Glossary

The Working Party has proposed the following definitions:

- **RALO Individual Member** is an At-Large member who has been accepted as an individual member affiliated with one of the five RALOs, based on their residence or citizenship. A person may become an individual member regardless of any membership in an accredited ALS<sup>1</sup>;
- **Applicant** is an individual who submits an application to become a RALO Individual Member;
- **ALS Member** is a member of a accredited At-Large Structure;
- The **acceptance** is the process by which an Applicant will become a RALO Individual Member;
- The **rejection** is the process by which an Applicant is denied the status of a RALO Individual Member;
- The **withdrawal** of the membership is the process by which an accepted RALO Individual Member initiates the process to terminate her/his membership status.

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<sup>1</sup> Initially the term “Unaffiliated Individual Member” had been proposed, but “RALO Individual Member” has been retained

## Criteria and Expectations

A central recommendation of the Independent Reviewer in the At-Large Review was that the concept of ALSes be depreciated and that At-Large should depend solely on individuals unaffiliated with ALSes. However, there is a strong belief within the community that ALSes could and should still play a major part, and the role of individuals unaffiliated with ALSes must be enhanced and harmonized with the role of ALSes.

In other words, in addition to those who are ALS members, we should harness the potential of individuals who are not members of an ALS. This will allow the At-Large to widen its footprint by providing opportunities to interested individuals to participate in and strengthen the At-Large's contribution to ICANN processes and other community activities.

### Criteria for RALO Individual Member Acceptance

The following criteria will be applied in order to accept an Applicant:

1. An understanding of, and interest in, supporting the needs of non-technical and non-industry individual Internet users as they relate to ICANN's mandate.
2. A RALO Individual Member must agree to follow all the RALO rules;
3. A RALO Individual Member must subscribe to their respective public RALO mailing list;
4. A RALO Individual Member must submit a Statement of Interest (Sol) - see <https://community.icann.org/display/atlarge/At-Large+New+SOIs+Workspace> for reference
5. A RALO Individual Member must affirm her/his interest in learning about and/or participating in ICANN's policy processes
6. A RALO Individual Member must not be a Representative or a Leader of an ALS<sup>2</sup> to any RALO

### Applicability to Existing RALO Individual Members

The expectations above apply also to the existing individual members.

A grace period will be established by RALOs to allow the existing individual members to comply. Staff will be asked to check compliance.

### What We Will Expect from a RALO Individual Member

In order to meaningfully contribute to this goal, RALO Individual Members must:

1. Keep their subscription to the relevant RALO mailing list(s);
2. Keep their Statement of Interest (Sol) up-to-date;
3. Declare any potential conflict of interest, such as membership of another constituent part of ICANN;
4. Agree to and abide by the [ICANN Expected Standards of Behavior](#).

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<sup>2</sup> The ALS in EURALO comprised of individual members shall not be considered an ALS for the purpose of this criterion

In addition to the points listed above, each RALO Individual Member is encouraged to proactively take initiatives to increase the ability of the At-Large Community to bring forward the issues that are important for Individual Internet Users including, for instance:

5. Engage in and/or support the discussions of At-Large positions on policy development process, including participation in working groups or taking up a leadership position in them;
6. Disseminate information about ICANN and At-Large in their networks;
7. Keep their RALO informed and updated about their activities as well as their experience and expertise, according to procedures that will be decided by the RALOs;
8. Provide advice to the RALO(s) and/or to ALAC in topics related to their area(s) of expertise.

## Rights

### Privacy

RALO Individual Members may exercise their right to privacy by withholding their consent to being listed in their RALO's Individual Membership webpage in accordance with ICANN's personal data protection procedures.

### Voting

The RALO Individual Members exercise their right to vote when required consistent with their respective RALO rules. Each RALO will set its own procedure for such a vote. The WP recommends that all RALO Individual Members have a right to vote comparable to the right to vote of ALSes. The WP envisions that Individual Members as a group will have a single (or perhaps multiple) vote similar to how this is managed currently within the AF, AP, EU and NA RALOs.

## Notes

Some concerns have been expressed in relation to the recommendation formulated by this WP to allow ALS Members to be also RALO Individual Members. A summary of all the reasons given for and against this recommendation is given in Appendix 3.

## RALO Individual Member Acceptance Process

The RALO Individual Members Acceptance process must be thoroughly and carefully documented to help prospective applicants understand what they are entering into and committing to.

Included in this should be an explanation of the difference between the ALAC and At-Large.

Although not a major focus of this background information, there should be a pointer to the ICANN Bylaws which creates and governs the actions of At-Large and the ALAC as well as the ALAC and RALO governance documents.

RALO representatives and At-Large Staff may from time to time provide guidance to prospective RALO Individual Members as part of the ongoing Outreach and Engagement activities.

For the purposes of this process, the RALO Leadership is defined as the RALO Chair, Vice-Chairs (if any), and Secretariat. It is understood that the RALO Leadership can delegate any part of this process to an individual or a body of its choice, therefore whenever in this process “RALO Leadership” is mentioned it is understood that this will mean “RALO Leadership or delegated body or person”.

## Process Steps

### Submission

The Applicant fills in the application form designed by the RALO and submits it to Staff. The submission can be either online, via a web form, or via email.

### Review

At-Large Staff will review the application and perform necessary tasks in an effort to ensure that the established RALO Individual Member acceptance criteria have been/will be met and to facilitate the easy review of applications by the RALO Leadership.

This review may include, without limitation:

- Verifying that all required questions are answered and that the answers are clear.
- Checking references, if provided by the applicant;
- Confirming the identity/existence of the applicant.

Any relevant information accumulated during this process will be added (suitably annotated) to the application form or to the review form. The content of the original submitted application should not be altered.

At the end of this review the relevant information is transmitted to the RALO Leadership for a decision.

## Decision

Upon completion of the review process, the Application (annotated if applicable) and the review form completed by At-Large Staff will be forwarded to the relevant RALO Leadership for their consideration.

Each RALO will apply its own procedures for accepting or rejecting the application. These procedures may differ from RALO to RALO but must be described in detail and published.

## Completion

At the completion of the procedure, the RALO Leadership will inform At-Large staff whether:

- The RALO accepts the Applicant as RALO Individual Member
- The RALO does not accept the Applicant as RALO Individual Member

The RALO Leadership may choose to include a rationale for its decision. In particular, a decision to reject an application should normally include a rationale. A rationale from the RALO may suggest that the applicant reapply after a specific amount of time or after some other conditions are satisfied.

The RALO response should typically be provided no longer than 14 (fourteen) calendar days after receiving the documents.

At-Large Staff will notify the Applicant of its Acceptance/Rejection decision, and, if applicable, provide information on requesting a review of the decision, including filing a complaint with the ICANN Ombudsman. In the case of a decision to not accept, a rationale for the rejection should normally be included<sup>3</sup>.

## Withdrawal of the Application

An Applicant may withdraw her/his application at any time. There is no restriction on resubmitting an application that has been withdrawn by the Applicant.

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<sup>3</sup> The reason for not including a rationale must be comparable to the reasons for non-disclosure of information in accordance with the ICANN Documentary Information Disclosure Policy (<https://www.icann.org/resources/pages/didp-2012-02-25-en>).

## Withdrawal of Membership

A RALO Individual Member may have her/his membership withdrawn at her/his own request or by a decision of their RALO.

1. If a RALO Individual Member voluntarily gives up her/his membership status, this should be duly documented and the RALO Leadership informed. It is the responsibility of the RALO Chair to ensure that proper procedures have been followed and to ratify that the RALO Individual Member no longer has membership status.
2. A request for the RALO to withdraw Acceptance may be raised by:
  - o RALO Leadership;
  - o One or more ALS Representatives or RALO Individual Members through a request to their RALO Chair;
  - o At-Large Staff by notification of the ALAC Chair. Staff notification will generally come when Staff become aware of a RALO Individual Member who is no longer willing or able to meet her/his obligations.
3. If the withdrawal request is caused by a RALO Individual Member moving to a different region, the member must be informed of the possibility to apply in the new region.
4. Any request to withdraw membership status not voluntarily requested by the RALO Individual Member shall be accompanied by a rationale for such request.
  - o The RALO Individual Member should be notified of the request and given adequate opportunity to answer the request and to remedy the situation.
  - o A record of all communications or attempted communications must be maintained. The record will also document the rationale for the request to withdraw membership status.
5. At-Large records should maintain the history of RALO Individual Members who have had their membership withdrawn.

Besides permanent withdrawal, the RALO Individual Membership status can be put on hold following circumstances of a temporary nature like the member becoming an ALS Representative or a member of an ALS Leadership.



## Proposed Bylaw Changes

There are no Bylaw changes being recommended as a direct result of this Working Party's deliberations. However, the ALS Mobilization WP, in its review of the ICANN Bylaws, did discover one issue that is related to Individual RALO members. Those Bylaw changes are still under discussion (to be submitted shortly) but the one related to Individual RALO members has been reviewed by this WP and there were no objections.

## Next Steps

During the discussion there have been comments and proposals that were out of scope for the UIM-WP but nevertheless valid suggestions for follow-up actions. They are listed here.

1. It is important to know why people want to join as RALO Individual Members. The proposal is to launch a survey to get more data about their motivation and expectations. This could also help in improving our outreach strategy.
2. The At-Large "mobilization" work done in 2020 ([ALS Mobilization Working Party](#) and [UIM Working Party](#)) was important for the At-Large Community as a whole, however, the work was completed by two different, independent At-Large working parties. An opportunity to explore a coordinated, united "mobilization" of both the ALSs and the RALO Individual members towards the common At-Large mission should be explored in the future.
3. "Mobilization" is an important word that can be more directly connected to the mission of the At-Large community than what was discussed in the two 2020 working parties. The At-Large community has an opportunity in the future to explore what "mobilization" means in more detail. Specifically, more work should be done to understand how a united At-Large "mobilization" effort is connected to the activities defined in ICANN By-laws Section 12.2.d.x.
4. Unlike the case of ALS acceptance process, where the final decision will be made by an ALAC vote, the RALO Individual Member acceptance process is fully under the responsibility of the RALOs. In case of the rejection of an application this could constitute a risk and maybe the possibility of an appeal at the ALAC level should be considered before bringing the matter to the Ombuds Office.

## Appendix 1 - Attendance log

Region / Status	Name	Attended
Chair	Roberto Gaetano	100%
ALAC Chair	Maureen Hilyard	79%
Ex Officio	Alan Greenberg	100%
Ex Officio	Cheryl Langdon-Orr	96%
Ex Officio	Sébastien Bachollet	63%
AF	Sarah Kiden	88%
AF	Caleb Olumuyiwa Ogundele	17%
AF	Esther Patricia Akello	75%
AP	Nadira Al-Araj	92%
AP	Justine Chew	25%
AP	Hanan Khatib	50%
EU	Natalia Filina	71%
EU	Yrjö Länsipuro	63%
EU	Matthias M. Hudobnik	38%
LAC	Laura Margolis	75%
LAC	Alejandro Pisanty	17%
LAC	Carlos Raúl Gutiérrez	67%
NA	Jonathan Zuck	63%
NA	David Mackey	96%
NA	Judith Hellerstein	100%
Participant-AF	Seun Ojedeji	42%
Participant-AF	Abdulkarim Oloyede	75%
Participant-AP	Syuzan Marukhyan	8%
Participant-AP	Gopal Tadepalli	88%
Participant-AP/EU	Narine Khachatryan	13%
Participant-EU	Clément Genty	0%
Participant-NA	Eduardo Diaz	38%
Participant-NA	Bill Jouris	96%

## Appendix 2 - Poll Results

### Can a member of an ALS be also an individual member of a RALO?

Select one

Yes, without limitations	7
Yes, with limitations	4
No	2

### Acceptance criteria

What are the requirements for accepting an individual ad RALO Individual Member?  
Select all what applies

Acceptance of all the RALO rules	10
Subscription of the RALO mailing list	11
Submission of a Statement of Interest (Sol)	11
Affirmation of her/his interest in learning about and/or participating in ICANN's policy processes	11

### Can an ALS Leader be also a RALO Individual Member?

This poll refers to the discussion in the wiki about "Conditions to be met for allowing a member of an ALS be also a member of a RALO in his/her own capacity".

Select one

Yes, all members of the ALS leadership can be RALO Individual Members	0
The Official representative of the ALS can not be a RALO Individual Member	6
No member of the ALS Leadership can be a RALO Individual Member	5
Leave the matter to be decided by the RALO	0

## Voting rules for RALO Individual Members

*Select one*

No vote	0
One cumulative vote for all Individuals	12
a number of cumulative votes for all individuals that depend on the ratio between the number individuals and the number of ALS	5

## Appendix 3 - Can an ALS Member be a RALO Individual Member?

### Arguments in favour

- Not all ALSes diffuse information among their members nor consult their members before presenting a position to the RALO - cases have been mentioned during the UIM-WP meetings. Members of these ALSes have no way to participate fully unless they join on their own as RALO Individual Members.
- Many ALSes have as their core business something that is not directly related to Internet Governance. It does not make sense to prevent their members from taking a more active part becoming RALO Individual Members - quite the contrary, preventing this to happen might deprive At-Large from potentially valid contributors.
- The ban on being a RALO Individual Member for ALS Members is unenforceable because for virtually no ALS we have the membership list, so we simply do not know who the ALS Members are - or are we thinking to oblige all ALSes to provide a list of all their members so that we can enforce this rule? Or maybe asking all ALSes to do this check internally? What if they do not do it?
- What happens to a RALO Individual Member in case one of the organisations that he is a member of successfully applies to become an ALS? Must the individual resign or have the RALO Individual Membership put on hold? Is this considered fair? Even worse if the individual has been elected to a RALO or ALAC leadership position
- There is a difference, and not limited to just perception, between an individual who carries on At-Large activities - including participation to working groups - being a full RALO Individual Member or being simply a member of an ALS, and this will become even more embarrassing in case the spokesperson of the ALS takes a different position on an issue. In short, we are creating two classes of individual members, those who speak by their own authority as full RALO Individual Members, and the lesser members who can only speak because they are members of an ALS - but not even being authorised to speak for that ALS.
- The concern about potential harm of the presence of RALO Individual Members to the role of the ALSes has been abundantly taken care of in the decisions of the UIM-WP. For instance, we recommend that the total vote of the RALO Individual Members be comparable to the voting weight of one single ALS - so the impact is minimal. Also, we have eliminated the case of RALO Individual Members being at the same time the official representative or in the Leadership of an ALS. The main role played by the ALSes, with the RALO Individual Members only adding resources to At-Large, has never been challenged - the report says: "... there is a strong belief within the community that ALSes could

and should still play a major part, and the role of individuals unaffiliated with ALSes must be enhanced and harmonized with the role of ALSes.

## Arguments against

A minority of WP members expressed concerns over the introduction of a provision for a person to hold concurrent memberships directly in the same RALO (to which their residential location applied), that is as a member of an ALS and as an independent individual member while remaining affiliated to that ALS. These concerns were based on the following factors:

- The absence of the logic or a need to disturb or complicate the existing 'ALS Member - Unaffiliated Individual Member' division, given the lack of barriers to an ALS member wanting to be active at the RALO (and ALAC) level doing so without needing the additional status of “Independent” member.
- Except for when a formal vote is called, participation in all At-Large activities is not predicated on one’s membership status in a RALO (or even on an accredited membership in a RALO).
- A risk of how allowing such concurrent memberships may impact ALSes:
  - Firstly, by motivating interference in their governance and/or membership affairs; and
  - Secondly, it being interpreted as downplaying the role of ALSes thus implicitly agreeing with the recommendation by the At-Large Review consultants to eliminate the ALS membership structure (a recommendation which was explicitly rejected by the ALAC).
- In particular, one WP member was concerned that the move might encourage a breakdown of the communication channel established by a RALO with its ALSes to reach their members and that it might unfairly impair an ALS’s ability to activate or manage its own members’ participation in their RALO or the At-Large.