

EURALO request to ALAC on At Large Board Director Election Process

Date: 23/10/2010

At the EURALO Conference call on 19 October, the issue of timing for the At Large Board Director Election Process took most of the debate time.

In fact, it became the most important issue, prompting the other issues to be re-scheduled for our next EURALO Conference call.

As a result of further discussion which took place on the EURALO list since the conference call, we are writing to you with regards to the proposed schedule for the election of the At Large Selected Board Position.

The issue at hand is the short amount of time which has been allocated for the whole election process to take place, from the time the BCEC selections are made, to the time the election takes place.

The schedule which appears to have been proposed is:

- 28 October 2010: Board Meeting, where the Board is expected to approve the Bylaw changes, and if so:
- 3 November 2010: BCEC is scheduled to announce the slate of 3-7 candidates retained for election.
- 3-12 November 2010 (10 days): candidates able to reach out to the At Large community (campaigning)
- 15-19 November 2010 (5 days): Election takes place

It is understood that the period 12-15 November (4 days) might be used for any RALO election process. If added to the 5 days scheduled for the election, this provides a total of 10 days for voting - assuming voting can be considered legitimate when candidates have barely had a change to present themselves.

We refer you to the At Large January 2010 White Paper Recommendation 4:

"The Board seat should be selected by the ALAC plus the RALO Chairs. The RALO-appointed ALAC members and the RALO Chairs may be directed by their ALSes if the RALO desires (and in accordance with their RoP). This methodology gives ALSes large control over who is selected, without the complexity of two-level vote weighting and centralized ALS elector verification. The vote should be by secret ballot."

In the interest of empowerment of our ALSes, it is the desire of the EURALO Board to conduct a vote directing the EURALO Chair on his vote.

Whilst no minimum vote timing is defined in the EURALO Rules of Procedures, clause 11.18.1 of the EURALO by-laws states that a sufficient amount of time is required for all members to record a vote on any matter. It is therefore good practice to provide at least 10 days of voting time for our ALSes. This appears to be clearly incompatible with the currently proposed ALAC schedule of only 4 days voting time.

Whilst we understand that the proposed schedule takes into account a number of constraints in order to allow the At Large elected Director to take their seat on the last day of the Cartagena Meeting on Friday, 10 December 2010, we consider it unwise to hurry the process at the possible expense of a legitimate vote. ALSes need to be informed in time. Campaigning needs to be given enough time for Question/Answer sessions. Volunteers in ALSes need to find the time to make a sound decision for what is arguably one of At Large's most important decisions of recent years.

Some of our members suggested that the seating of an At Large Elected Board Director be postponed until after the Cartagena Meeting. The consensus was, however, that this was not feasible for various reasons and was therefore likely to be rejected by ALAC.

We are aware that an earlier start to the election process could ease the pressure by, for example, the BCEC announcing the final slate of candidates earlier than 3 November 2010. We feel, however, that whilst this will

ease timing for candidate RALO petitions, should those be called for, it doesn't ease the pressure enough on RALOs desiring to conduct ALS consultations on the final voting rounds.

We therefore suggest the following course of action:

* The voting process be given more time, beyond the 15-19 November period.

An extension of the Election until 30th November would provide more time for ALSes to cast their vote. Indeed, we believe that it would provide greater legitimacy to the process, thanks to a truly bottom-up empowerment. It will allow for voting time to fall closer in line with other ICANN processes requiring public input. We emphasize this further than standard procedure: it is a matter of credibility to our members and to the At Large community.

* The issue of VISAS which has been suggested as being the reason for the 19 November deadline could be resolved in two ways:

- all candidates who are announced as short-listed on 28th October should set contingency plans in motion if they were not planning to attend the conference in Cartagena in the first place. This includes VISA applications if those are required;
- as an exception, even if the above is possible, ICANN should be informed that an At Large Elected Director taking its seat on the Board after the end of the Cartagena meeting might not be able to make it to the meeting in person due to VISA issues, and provisions should therefore be made by ICANN for that person to participate remotely.

* A clear and concise explanation of the voting process and schedule should be published as soon as possible, with an explanation of the procedure for an ALS petition (if required) including a flow chart to help ALSes understand how the process will take place. A further explanation of the multiple round voting should be detailed, bearing in mind the possibility of RALOs needing to call upon their membership between each election round. Should ALS balloting by RALOs not be possible for each voting round, this should be explained as soon as possible in order for RALOs to devise alternative voting strategies at short notice (weighted voting being one possible solution).

Thank you for your consideration on this very important subject. Getting this process right is of particular importance since it has a direct impact on the legitimacy of At Large and the At Large elected Board Director. Whilst we do not dispute the fact that it is important that an At Large elected Board takes its seat in Cartagena, we would like the process itself to be as equitable, transparent and credible to our stakeholders. Not rushing the process would be one great step in this direction.

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