

Comments on the 2014 At-large Board Member Selection Process

Submitted by Cheryl Langdon-Orr and Alan Greenberg, 11 August 2014

These comments address issues that arose during the 2014 process, largely due to the rules for handling more than three candidates never having been exercised, or due to issues that were clear in the original process creation document (the 2009/10 White Paper) but were not clearly reflected in the subsequent Rules of Procedure. A pointer to the White Paper can be found in ALAC RoP Adjunct Document 3

(<https://community.icann.org/display/atlarge/Rules+of+Procedure>).

Background

The selection process was designed to keep voting at a reasonable length while still giving voters maximum control. If the initial field of candidates is greater than three, it is narrowed down to three with a single vote. At the stage where there are three candidates, a voting round eliminates the third-choice option. With only two candidates remaining, a regular plurality vote determines the winner.

To go from the initial field of candidates to three, the White Paper specified a Single Transferable Vote (STV). In this method, each voter ranks all candidates in order of preference. As explicitly discussed in the White Paper, **if a single candidate gets more than 50% of the first preferences, that candidate is declared the winner.** In no candidate wins, the candidate with the least number of votes is dropped, and for voters who voted for that candidate, their next choice is promoted and the tally redone. This process continues until a winner is declared or only three candidates are left.

Note that there a number of options in an STV election, and the details of these options should be determined well in advance of the next selection process to ensure that the process works as envisioned. http://en.wikipedia.org/wiki/Single_transferable_vote provides additional information, but our voting service will need to be consulted.

There has been much discussion in At-Large about Instant-Runoff Votes (IRV). IRV is a version of STV where there is only one winner. Accordingly, unless our voting service provider can alter how it works to stop at three candidates, it is not suitable for the first phase of the Board Member selection process.

The intermediate voting results that yield the final result should be published, in the interests of transparency and in helping voters make their selection for the next round.

<https://www.bigpulse.com/pollresults?code=utLgGxmQLxRILzBVxiii> gives an example of such a report (this is for an IRV, but it illustrates the amount of detail available).

The multi-round voting system was selected because it was felt important that at each stage, voters must be able to re-assess the candidates based on the outcomes to date. Moreover, if there are any directed votes (as there may be for the RALO Chairs), they should have time between each round to re-consult their constituencies.

The other issue that arose during the 2014 process was how to re-run a vote in the case of a tie. The intent of the rules was that results of the first vote would be published, and the entire election re-run with the hope that after seeing the tied results (and how their candidates did), some voters might change their vote. This was quite clear in the previous version of the RoP, but less clear in the re-write. In 2014 the process was to have a run-off between the tied candidates instead of rerunning the entire vote. That allowed the possibility of “strategic voting” whereby voters who favoured the leading candidate instead of the two tied candidates could opt to vote for who they perceived as the weaker candidate, increasing THEIR candidate’s chances in the final vote.

Recommendations

Adjusting the Rules of Procedure to address the issues discussed above is relatively easy.

In addition to those changes, several other clarifications have been included to remove the possibility of future misunderstandings:

- A change to clarify the intent of ensuring that ALAC Member votes are not directed.
- A change to clarify use of proxies. The issue of who should be allowed to vote and thus determine the selection of Board Member seat was VERY hotly debated when the process was created, and we must not change that outcome through administrative rules. I am suggesting that although the BMSPC may allow the use of proxies to address situation where voters may know that they will be unable to vote, these proxies must be aids to enable the vote and must not shift who decides on the substance of the vote.
- Clarity that the random selection rule should be independently verifiable and not rely on “trusted parties” (who some people might not trust!).

One other thought that has never really been discussed before, is whether there should be any guidelines, set by the BMSPC but discussed ahead of time by the community, about what electioneering methodology should be permitted. This is something that certainly should have wider discussion prior to a decision being taken.

Suggested RoP changes to address these issues follow. These changes would, of course, need to be discussed and approved by the ALAC, as should any other suggested changes from the BMSPC.

19.10.4 ALAC Members, or any individual selected to replace an ALAC Member for the purposes of the vote, are encouraged to consult with the RALO from their region, but voting will however be undirected and votes must be cast in what the ALAC Member believes are the best interests of At-Large, the ALAC and ICANN.

19.11 Voting Process

19.11.1 All votes must be by secret ballot. Votes may be cast electronically, in person, telephonically or some combination thereof. For votes cast in person or telephonically, the services of a trusted third party will ensure the secrecy of the ballot. Proxies are allowed only in accordance with explicit BMSPC rules governing their use and such rules must ensure that only the official voter designated in Section 19.10 directs how that proxy is to cast their vote(s).

19.11.2 If there is only one candidate on the Final Candidate List, that candidate will be acclaimed the winner.

19.11.3 ~~If there are more than three candidates on the Final Candidate List, the first vote of the electorate will use an accepted voting method that will allow the three most preferred candidates to be selected.~~ If there are more than three candidates on the Final Candidate List, the first vote of the electorate will use a Single Transferable Vote (STV) method that will allow the three most preferred candidates to be selected. If, in the process of this STV, one candidate receives more than 50% of the votes cast, that candidate will be declared the winner. The detailed vote results, along with intermediate results in there were multiple eliminations in the STV must be announced once this round is completed.

19.11.4 When there are three candidates remaining, there will be a vote of the electorate. Should one candidate receive more than 50% of votes cast, that candidate will be declared the winner. If not, the candidate with the least votes will be removed. If there is a tie for last position, and if sufficient time remains, the BMSPC will run the tied election, with the same complete slate of candidates, over again in case voter positions have changed. This can be done just once in any given step of the process. The detailed vote results must be announced once this round is completed.

19.11.5 When there are two candidates remaining, there will be a vote of the electorate. Should one candidate receive greater than 50% of votes cast, that candidate will be declared the winner. If there is a tie, and if sufficient time remains, the BMSPC will run the tied election over again in case voter positions have changed. The detailed vote results must be announced once this round is completed.

19.11.6 If there is no time to run the tied election over again as called for in 19.11.4 and 19.11.5, a random selection by a method determined in advance by the BMSPC will be used to identify the candidate to be removed. Such method will preferably be one that does not rely on trusted agents but can be independently verified.

19.11.7 If multiple voting rounds are necessary and if the schedule permits, time should be allowed for discussion and consultation between rounds.