2014 BMSPC Report

Introduction

The 2014 selection of the At-Large Board Director (seat 15) was a very good example where we had a complete case with a first round and a 2 parts second round. We also encountered particular cases that needed diligences.

This report is to highlight all the issues met during the selection process and to recommend possible solutions that will make the upcoming selections easier to handle and accepted by everyone.

Replacement of the defective members of the BCEC / BMSPC

The BMSPC recommends that a replacement process for any BCEC and/or BMSPC member who is not participating properly be added in the RoP

Kickoff of the selection process

For the 2014 selection, the starting date of the whole selection process was 24 September 2013, almost 13 months prior to the 2014 GA. Roberto proposes that it must be 5 to 8 months earlier (First ICANN meeting Y-1), and he suggests that the timeline should avoid to have critical actions to be done in holiday periods worldwide, not just the western world.

The BMSPC recommends that the RoP be amended to specify that the second meeting (Meeting B) of Y-1 (20 months prior to the director handover) shall be the staring point (selecting the Chairs of BMSPC and BCEC, etc.) of the whole process, and that this process shall avoid any activity during holiday periods worldwide.

Confidentiality

The BMSPC recommends that
- *Guidelines for the At-Large Board Director selection be created to include provisions about*
  - *What information will be collected,*
  - *Who will have access to what (EoIs, reference letters, 360° survey, etc.)*
  - *What confidentiality agreement has to be signed.*
- *The criteria page for Director selection be available to the general public*

Sharing the EoI of the candidates with the referees

The BMSPC recommends
- *Modifying the RoP to include that the EoI of the candidates will be sent to the referees.*
- *Giving to each candidate a copy of the rule 19 of the ALAC RoP to formally inform them about the above provision.*

360 evaluation

An important piece of information is the 360° evaluation of the incumbent candidate. Roberto Gaetano, the 2014 BCEC Chair believes that if the Board is unable to provide this information in a timely manner, the evaluation of the previous year has to be provided instead

Steve Croker asked the SO chairs and Olivier about the suitable date to receive the 630 evaluation, which means that they will make it available according to the SOs and ALAC replies

Referees

The BMSPC recommends to include in the RoP that a referee can provide reference to only one candidate, and couldn't participate in the 360° evaluation.

Technology

Roberto gave a list of Technical problems faced during the 2014 selection process.

The BMSPC recommends that such technical problems should be addressed ASAP and tested prior to the starting date of next 2017 selection. Those tests that shall be undertaken prior to each selection process should be included in the Guidelines document.

Communication between the candidates and the At-Large Community

The first BMSPC call decided that the At-Large community, and the electorate members in particular, can ask questions to the candidates through the mailing list and the wiki page only. The proposal of a live call was rejected.
This made some of the candidates very upset. A second BMSPC teleconference allowed for a call to be organized for live interaction.
The BMSPC recommends that practical procedure for communication between the at-large community and the candidates for their campaigns prior to the first round of the selection should be included in the guideline document. Such practical procedure will make all the subsequent selections (2017, 2020,…) using the same communication tools and process.

Proxies use

Jean Jacques argued that since he was dropped from the first round, he is allowed to recover his voting right instead of the proxy chosen by EURALO to replace him.

This was a serious problem for the BMSPC because the new rules didn't address this possibility. More over, the NARALO selected 2 Proxies to replace Alan and Evan without specifying who is replacing

whom. If we accepted the request of Jean Jacques, we will be obliged to do the same for Evan, but we don't know who was the replacement of Evan

The ICANN Bylaws stipulates that no person who serves in any capacity (including as a liaison) on any Supporting Organization Council shall simultaneously serve as a Director or liaison to the Board. If such a person accepts a nomination to be considered for selection by the Supporting Organization Council or the At-Large Community to be a Director, the person shall not, following such nomination, participate in any discussion of, or vote by, the Supporting Organization Council or the committee designated by the At-Large Community relating to the selection of Directors by the Council or Community, until the Council or committee(s) designated by the At-Large Community has selected the full complement of Directors it is responsible for selecting.

Besides, Alan and Cheryl propose that we modify the RoP to make the vote of the replacement of an electorate member, who is unable to vote and who is not candidate, directed by the replaced person.

The BMSPC recommends that:
- *it is clearly mentioned in the guidelines document that any RALO appointing more than one replacement should specify who replaces whom.*
- *to be in harmony with the ICANN Bylaws, the RoP should indicate that a candidate who is in the meantime an electorate member and who has been dropped from the first round can't recover his/her right of voting for the remaining phases of the selection.*
- *The replacement of an electorate member who is **not candidate** and who is not able to vote should vote under the direction of the replaced person. This shouldn't be confused with the replacement of a candidate who is in the same time electorate member.*

Voting method

No mention in the RoP of the voting method(s) to be used for the selection. The BMSPC received remarks (not real complaints but strong remarks) regarding the use of the Instant Runoff Vote method for the first round to rank the candidates. It is clear that the voting method couldn't be the same when we have to shorten the list of candidates and when we have to choose between 2 candidates only. Several methods exist:
    i. Single Transferable Vote (STV).
    ii. Preferential vote
    iii. Instant Runoff Vote (IRV)
    iv. Simple majority vote
    v. Etc.

The BMSPC believes that the right voting method for each phase of the selection should be well identified according to the goal of the considered phase. Consulting an expert in voting systems seems to be a wise approach to find the best method for each phase.
The voting methods should be included in the guidelines document.

First round

The rule 19 of the ALAC RoP stipulates that we can't declare at the conclusion of the first round a candidate as winner even if he/she got more than 50% of the vote cast.

The BMSPC thinks that even if the first round is intended to shorten the list to 3 candidate sonly, it should permit to declare a candidate winner if he/she collects more than 50% of the votes. The selection process should be terminated in this case. The BMSPC recommends that the RoP be modified accordingly.

Ties breaking

This is also one of the problems faced during the 2014 selection. When we had a tie between Sébastien and Alan, we run a tie-breaking vote between the 2 tied candidates. Alan argued that we should run it between the 3 candidates (including Rinalia who had a better score). The RoP says that tie-breaking vote can't be run more than once in each voting step. That means that if the results don't change after a tie-breaking vote, we will break the tie using a random method.

The tie may happen at several points of the selection process:
   vi. First round:
   - Tie between the 3 (or more) most preferred candidates
   - Tie between the second and the third
   - Tie between the third and the forth
   - Etc.
   vii. Second round
   - With 3 candidates:
     o Tie between the 3 candidates
     o Tie between the second and the third
   - With only 2 candidates:
     o Tie between the 2 candidates

The BMSPC proposes that the tie breaking process must be clearly detailed in the RoP.

Publishing the intermediate results

Alan believes that the intermediate results for each phase of the selection process should be published. He finds it more transparent and helpful for the voters to make their choice for the next phase.

Any consensus should be included in the RoP