

Joint AFRALO-AfrICANN meeting Marrakech, June 2019

Statement about “Evolving the ICANN Multi-stakeholder Model (MSM)”

We, the African ICANN Community members participating in the ICANN65 Policy Meeting and attending the Joint AFRALO-AfrICANN meeting on Tuesday, 25th June 2019 discussed the topic “Evolving the ICANN Multi-stakeholder Model (MSM)”, and would like to make the following comments:

One of the strategic objectives of the ICANN Strategic Plan for 2021-2025 is to improve the effectiveness of ICANN’s MSM of governance. The MSM aims at allowing stakeholders to reach an agreement in which all stakeholders can effectively live with. Hence, inclusivity is essential as it allows different stakeholders to participate in the decision-making process, regardless of race or geographic location.

We believe that in a Multistakeholder environment, all avenues must be explored to reach a consensus, and the following are very important in achieving a truly inclusive ICANN MSM:

1. **Trust:** Trust is an important element to achieve consensus. A situation where a segment of the community or region feels that it is not always carried along or taken into adequate consideration would lack the element of trust and hence it would be difficult to establish consensus.
2. **Cultural consideration:** The world is a global community made of different cultures and diverse communities. It is of utmost importance that the peculiar cultural differences be taken into consideration in the participation in the working groups and when seeking to reach consensus. The fact that some cultures have different festive periods during which participation would be low scale should be taken into due consideration.
3. **Regional challenges and realities:** The high cost and low quality of Internet connectivity is also a reality in many developing regions, many of which are African countries that are a part of the ICANN community. This greatly hinders our ability to effectively participate in this Multistakeholder model. Also, some African countries have had their Internet censored or blocked outright by governments, therefore when the process takes too long we often miss some of the calls.
Sometimes we get cut off during calls and before we get connected back a critical decision has been taken. We are left with no choice but to just be a listener. This has a long-term effect as fellowships such as ATLAS III, where participants are required to show active participation over the last year, this seems like a double jeopardy for our community.
4. **Identifying the real representative of the community:** For a Multistakeholder model to be fully effective, the relevant stakeholders must be represented by someone who is appointed by the stakeholder group. At the moment anyone can claim to represent any group.
5. **Inadequate representation:** Apart from the connectivity problem, a lot of participants from African countries cannot attend the face to face meeting because of visa denial.

6. Complexity of Policy Development Processes: Policy Development Processes especially on public interest issues should be simplified.
7. Demographics: There is a need to ensure that leadership is balanced, youth-, women and people with disabilities must be taken into consideration.

The ICANN MSM is far from being effective in our opinion for several reasons:

- a) There is not a common understanding of the MSM such as whether the stakeholders are equal or not.
- b) The decision-making process take sometimes too long causing a burnout of the volunteers. Only stakeholders for which the final decision impacts their incomes will remain and decide.
- c) The system is too complex for participants. This discourages newcomers to engage.
- d) Lack of culture of public interest. Each stakeholder sticks to its narrow interest and forgets that in the ICANN bylaws, ICANN is bound by respecting the global public interest.
- e) Lack of compromise culture. Each stakeholder clings to his or her position.
- f) Lack of trust between stakeholders. There is a trend to neglect parts of the community such as end users, some regions from the global south, etc. Sometimes, it is an attempt to dominate these community parts. This leads to the destruction of any kind of trust
- g) Individual representation does not reflect the MSM spirit. Giving a voice to each and every person speaking on his/her own behalf would not put all stakeholders' interests on the same footing.
- h) Few people continue to lead their stakeholder groups by jumping from a position to another, chairing several things at the same time. They are dominating the community.

To improve the ICANN MSM, we think that several things should change:

- a) The MSM should be clearly defined as a governance system where all stakeholders, on equal footing, with their different legitimate interests debate issues and take decisions thereupon preferably by consensus among the stakeholders or by vote in the extreme cases where consensus is impossible to reach.
- b) In all the working groups, all stakeholders should be allowed to be represented if they so desire.
- c) In the working groups where several stakeholders are represented, the consensus should be among the stakeholders, not just the persons participating in the working group.
- d) Conflict of Interest should be clearly declared in working groups and should be taken seriously.
- e) Any decision coming out from any ICANN structure (SO, AC, Board, Working Group, etc.) should take into careful consideration the global public interest.
- f) Chairs of SO/AC should be rotational among all regions for a fixed term of two years for inclusiveness.

- g) There should be clear and sharp term limit for all positions in ICANN SOs and ACs (2 times 2 years for example) after which the person should not take any leading or representation role for at least 2 years to permit to the new management to exercise their role without any influence or domination.

We make these recommendations because we believe that structural issues should be given priority to make the model more effective while taking other issues into consideration. We also acknowledge that some of the issues raised in this statement might be regarded as beyond the current MSM consultation; however, we believe that this can be a trigger for a more comprehensive review.

Thank you!