

Review of the ICANN At-Large Community

Draft Report

5 December 2016



Participant in the African School of Internet Governance, Durban, October 2016

Table of Contents

1.	EX	ECUTIVE SUMMARY	5
2	PU	RPOSE AND SCOPE OF THE REVIEW	6
	2.1.	ICANN BYLAWS: FRAMEWORK FOR PERIODIC REVIEWS	
	2.2.	SCOPE OF PRESENT REVIEW	
	2.3.	REVIEW TIMELINE	7
3.	ME	THODOLOGY	
	3.1.	FACE-TO-FACE INTERVIEWS	
	3.2. 3.3.	GLOBAL SURVEY: IMPLEMENTATION AND PARTICIPATION RATE	
4.	4.1.	RVEY & INTERVIEW FINDINGS: OVERVIEW	
	4.1.	OVERVIEW OF FINDINGS	
5		NDATE & PURPOSE OF THE AT-LARGE COMMUNITY	
J.	5.1.	SURVEY & INTERVIEW FINDINGS	
	5.2.	ICANN BYLAWS	
	5.3.	ALAC OR AT-LARGE?	
	5.4.	THE ADVISORY CAPACITY OF AT-LARGE	
	5.5. 5.6.	AT-LARGE ADVICE "AN ORGANISATION DESIGNED TO FAIL?"	
	5.7.	AT-LARGE AS PART OF THE POST IANA TRANSITION "EMPOWERED COMMUNITY"	
6	ΔΤ	-LARGE AND WIDER ICANN SYSTEM	21
٠.	6.1.	SURVEY & INTERVIEW FINDINGS	
	6.2.	COORDINATION WITH OTHER ICANN SOS & ACS	
	6.3.	MISSION OVERLAP WITH NCUC & NPOC	24
7.		LARGE SUPPORT STAFF	
	7.1.	SURVEY & INTERVIEW FINDINGS	
	7.2.	AT-LARGE SUPPORT STAFF ROLES	
8.		RUCTURE & EFFECTIVENESS OF AT-LARGE	
	8.1. 8.2.	SURVEY & INTERVIEW FINDINGS	
	8.3.	Role of ISOC in At-Large	
	8.4.	AT-LARGE ELECTIONS: TRANSPARENCY & ACCOUNTABILITY	
	8.5.	AT-LARGE WORKING METHODS	43
9.	RE	GIONAL & GLOBAL AT-LARGE MEETINGS	49
	9.1.	SURVEY & INTERVIEW FINDINGS	
	9.2.	ATLAS MEETINGS I & II	
	9.3. 9.4.	REGIONAL EVENTS: LESSONS LEARNT	
	9.5.	A COORDINATED APPROACH TO OUTREACH	
10). AT	-LARGE FUNDING ISSUES	57
•	10.1.		
	10.2	ICANN GUIDEUNES	50

ITEMS International

10.3.	DEPENDENCE ON TRAVEL FUNDING	60
10.4.	ICANN/AT-LARGE FUNDING PROGRAMMES	
11. TOW	ARDS AN "EMPOWERED MEMBERSHIP MODEL"RATIONALE	
11.2. 11.3.	FEATURES OF THE EMPOWERED MEMBERSHIP MODEL	63
12. SUM	MARY OF RECOMMENDATIONS	68
13. OUT	COMES OF THE 1ST ALAC REVIEW (2008)	71
13.1.	REVIEW PROCESS & RECOMMENDATIONS	71
13.2.	ALAC REVIEW WORKING GROUP ON ALAC IMPROVEMENTS	73
13.3.	INDEPENDENT REVIEW OF THE ICANN BOARD, BGC	75
13.4.	INCONSISTENCIES BETWEEN 2008 REVIEW WG FINAL REPORT AND ALAC	
	IMPROVEMENTS IMPLEMENTATION PROJECT	75
13.5.	ANALYSIS: IMPACT OF WESTLAKE RECOMMENDATIONS	77
14. ANN	EXES	82
14.1.	A1: EURODIG 2016: MEETING REPORT	
14.2.	A2: LACNIC / LACNOG 2016: MEETING REPORT	
15. REF	ERENCES	84

1. Executive summary

This draft report covers many aspects of ICANN's At-Large Community, its structure, current functions and adherence to its mission as defined in ICANN Bylaws.

Since the start of the Review process the ITEMS Review team has carried out extensive interviews (100+), as well as an extended multilingual survey the results of which are presented in this report.

What we have found is in equal measure promising and a cause for concern. Promising because there is evidently widespread support for the mission of At-Large to develop policy advice with ICANN's remit, in the interests of end-users, and a strong consensus that this part of the ICANN system needs to be preserved and upheld. But a cause for concern, nonetheless, because it is clear that At-Large is often perceived to be run by an unchanging group of individuals who purport to speak for end-users, and who appear to be unable (or unwilling?) to give actual end users an effective voice in policy-advice processes.

There is no question regarding the dedication and competencies of the individuals that currently make up the At-Large Community, and many acknowledge their role and perseverance in building up the Community over the years, often against the odds and in a challenging political environment. However, despite their individual strengths there is a perception that the At-Large has turned in on itself; that it has become excessively focused on internal, procedural matters to the detriment of its policy advice function. Newcomers find it difficult if not impossible to get involved, the global awareness of the organisation is poor, and it would appear that end-users do not properly understand the role played by At-Large in defending their interests.

Reform of the way the At-Large Community works and engages end users in its processes seems essential. However, we are confident that this can be achieved while maintaining the current organisational structure more or less intact. With a few notable changes, mainly affecting RALO/ALAC leadership positions, and the adoption of an *Empowered Membership Model*, we are confident that the current Community will be able more effectively to meet its original goals and fulfil its Mission.

Four ways in which the EMM has been conceived to empower end-users:

- 1) All Internet end-users with an interest in ICANN's policy development remit will be able become involved in At-Large policy advice processes, removing the current requirement of membership of an At-Large Structure (ALS).
- 2) RALO and ALAC leadership roles will be merged, with much greater emphasis placed on channelling end user input into WG processes within ICANN.
- 3) There will no longer be an emphasis on internal At-Large WGs.
- 4) Under the direction of the ALAC, ICANN staff to be more proactively engaged in support of the Community's policy work, as well as providing essential administrative support.

Finally, we discuss the role of At-Large in the wider ecosystem and opportunities for outreach and engagement as well as funding and global meeting changes, which should bring a renewed equilibrium to the currently unbalanced role of end users in the ICANN ecosystem.

2. Purpose and scope of the review

This Review, which is being conducted between 1 May 2016 and 30 April 2017, is the second review of At-Large Advisory Committee (ALAC) and the broader "At-Large Community", as called for by ICANN Bylaws.

The first review, conducted by Westlake Consulting Ltd. in 2008, focused primarily on the ALAC, the 15-member council which represents and coordinates the activities of the At-Large Community which, at the time, was still in its early infancy.

The aim of the present review is to focus to a much greater extent on the broader At-Large Community made up of some 200 At-Large Structures (ALSes) and individual end-users.

2.1. ICANN Bylaws: framework for periodic Reviews

Section 4.4 of the ICANN Bylaws pertaining to the review of ICANN Structures and Operations states that:

(a) The Board shall cause a periodic review of the performance and operation of each Supporting Organization, each Supporting Organization Council, each Advisory Committee (other than the Governmental Advisory Committee), and the Nominating Committee (as defined in Section 8.1) by an entity or entities independent of the organization under review.

The goal of reviews shall be to determine:

- 1) whether the organization, council or committee [under review] has a continuing purpose in the ICANN structure.
- 2) if so, whether any change in structure or operations is desirable to improve its effectiveness, and,
- 3) whether that organization, council or committee is accountable to its constituencies, stakeholder groups, organizations and other stakeholders.

The Review process is overseen the Board Organizational Effectiveness Committee (OEC)¹ chartered, since July 2015, to "assess whether ICANN has made progress in achieving key organizational objectives and whether its organizational structure is effective and relevant to its mission."

2.2. Scope of present review

The scope for the present Review is further specified in terms of reference (ToR) which state that it shall focus particular attention on:

¹ Formerly the Structural Improvements Committee (SIC)

- 1) Improvements resulting from recommendations from the previous review, and,
- 2) Components of the At-Large Community ALAC, Regional At-Large Organisations (RALOs) and At-Large Structures (ALSes) in accordance with the ICANN-provided objective and quantifiable criteria.

Accordingly, the present report focuses mainly on functional and organisational aspects of the At-Large Community. Outcomes the Review conducted in 2008 by Westlake Consulting are covered in Section 13.

2.3. Review timeline

This draft report is submitted for Review Working Party consideration on 5 December 2016.

Next milestones:

Mid-late December 2016
G January 2017
Draft Report for Public Comment
Tinal Report for discussion with the Review WP
April 2017
Final Report issued and posted
Presentation of Final Report to the Board OEC

3. Methodology

3.1. Face-to-face interviews

To date over 100 face-to-face interviews have been carried out at the ICANN meetings 56 and 57, in Helsinki and Hyderabad, and four global Internet governance events co-organised or involving numerous members of the At-Large Community.



More face-to-face interviews will be carried out between now and the end of the Review.

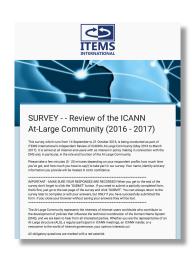
3.2. Global survey: implementation and participation rate

3.2.1. Preparation and implementation of global survey

Based on the findings from a widely circulated preliminary questionnaire and our face-to-face interviews carried out in the first phase of the Review, a Survey questionnaire was prepared between August and mid-September 2016.

The survey was designed to take into account the views of global respondents from various professional backgrounds (technical, legal, policy, academic) and varying levels of experience of the purpose, function and overall effectiveness of the At-Large Community.

To this end the survey tool was created with a branch structure with a view to targeting the following respondent types:



- Members of the At-Large Community
- Representatives of the broader ICANN system (ICANN SOs and ACs)
- ICANN Board of Directors
- Academics
- ICANN staff
- End-users and the representatives of the broader Internet governance ecosystem

Drafts of the questionnaire were discussed with ICANN staff and the members of the Review Working Party before the survey was launched on 13th September 2016.

ICANN staff arranged for the translation of the survey questionnaire into French and Spanish and these versions went live a week later.

A multi-media communications strategy was put in place to promote the survey as widely as possible among target respondents. This included regular messages sent via ICANN / At-Large mailing lists (c/o ICANN Staff), and messages sent via social media, notably Twitter and LinkedIn.

3.3. About this document

The following sections of this report are organised in a consistent way as follows:

- Survey & Interview findings
- Documentary research and analysis
- Recommendations

A Chatham House rule is used regarding the attribution of quotes. Hence, to protect the identity of individuals, comments are only attributed by geographic provenance or organisational affiliation. Details that may allow individuals to be identified have been removed, except where they have specifically requested to be identified.

It is important to note that the findings and draft recommendations in this report represent our thinking at a mid-way juncture in the Review process. Our views can be expected to evolve between now and the final draft of the Review document, notably taking into account feedback from the Review Working Party and the wider At-Large Community following public comment.

Throughout the document we present Recommendations that are highlighted in blue and and implementation guidelines. Implementation guidelines are effectively sub-sets of our main recommendations.

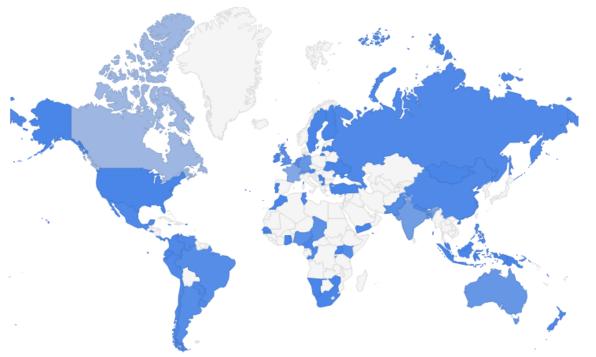
4. Survey & Interview findings: Overview

4.1. Survey response rate

The Survey was initially scheduled to run for five weeks, closing on 21 October 2016. After consultation with the Review Working Party and ICANN staff, it was agreed to keep it open for an additional three weeks, to close on 9 November, the last day of the ICANN-57 meeting in Hyderabad.

Upon closure the survey had received received 242 complete responses, including 211 responses via the main version in English, 15 responses via the French version and 16 responses via the Spanish version.

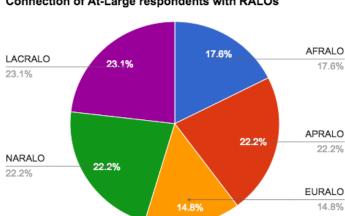
There were responses from 74 countries worldwide. The map below shows response rates from different regions of the world, darker shades of blue corresponding to higher response rates.



Source: ITEMS International

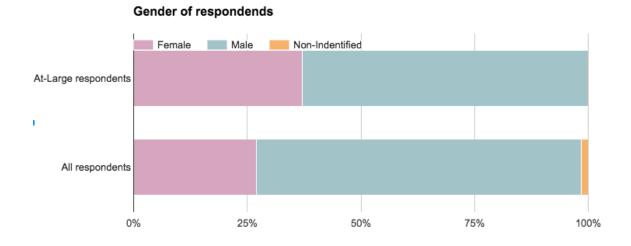
4.1.1. At-Large respondent profiles

There was an even distribution of responses from the five global regions (Chart representing At-Large Community respondents only).



Connection of At-Large respondents with RALOs

The ratio of female to male responders is shown below. We note that respondents that identified themselves as members of the At-Large Community are in a slightly more favourable female:male ratio (≈ 40:60) than for all respondent categories (≈ 30:70) (including ICANN Staff, Board, the representatives of the other ICANN SOs and ACs, and the representatives of the broader Internet governance ecosystem).



Finally, of the respondents who identified themselves as members of the At-Large Community, overwhelmingly the largest group (close to 50%) participate in At-Large as the representatives of ISOC chapters (See Section 8.4 below for our assessment of the role and influence of ISOC in At-Large).

Survey responses by ALS type ISOC Chapter Academic organisation Computer club Technical community 49.3% National NGO Media organisation Internet user 9.9% association Consumer rights group Other

4.2. Overview of findings

Interviews and results of the global survey highlight the strength of opinion, and often stark divergence of views, held by the individuals and various stakeholder groups that make up the At-Large Community.

At-Large is revealed as a heterogeneous community with a wide range of interests and motivations for participation. However, we have identified a number of overarching issues that are of most concern to the Community, notably regarding the current structure and overall organisational effectiveness.

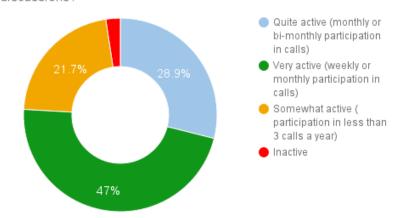
Interviewees and survey respondents provided many personal opinions which we present in this and subsequent sections of the report. These relate to:

- The purpose of At-Large and how well that purpose is being met;
- The causes of dysfunction or why it does not function as well as intended;
- Ways to reform At-Large processes and
- How to allow greater end user participation in ICANN policy making.

4.2.1. Level of active engagement in At-Large

Over 75% of At-Large survey respondents consider that they are either "very" or "quite active" in At-Large discussions (participation in weekly, monthly or bi-monthly conference calls, and contribution to mailing lists).

Would you say that you are an active participant in At-Large discussions?



4.2.2. Participation in ICANN cross constituency work

The following tables indicate that At-Large members are active in a number of other ICANN policy making structures.

Table 1: Survey [At-Large respondents]: Are you / your ALS currently involved in the policy development of the following structures within ICANN's Support Organisations?

Address Supporting Organisation (ASO)	17%
Country Code Names Supporting Organisation (ccNSO)	39%
Generic Names Supporting Organisation (GNSO)	31%

The ccNSO is the ICANN SO in which most At-Large members who responded to the survey are active.

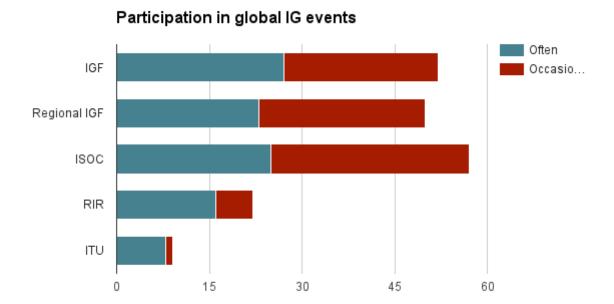
Table 2: Survey [At-Large respondents]: Are you / your ALS currently involved in the policy development of the following structures within the following GNSO constituencies?

Non-Commercial Users Constituency (NCUC)	26%
Not-for-profit Operational Concerns Constituency (NPOC)	23%
Business Constituency (BC)	4%
Intellectual Property Constituency (IPC)	8%
Internet Service Provider and Connectivity Providers (ISPCP)	8%
Registries Stakeholder Group (RySG)	0%
Registrar Stakeholder Group	6%
Other	21%

Source: ITEMS Global Survey of At-Large, 2016

4.2.3. Engagement in broader Internet governance ecosystem

As might be expected, many participants in At-Large are also involved in the wider Internet Governance ecosystem, with most responding that they are active in their national, regional or global IGFs and Internet Society Chapter activities.



4.2.4. The role of At-Large in question

A certain frustration with the way in which At-Large is run was implicit in the responses to a survey question regarding the most fitting description of At-Large, where nearly ½ of participants chose the statement "The At-Large Community is made up of ALSes and individual RALO members that mainly act in their own interests" (see full results intable below).

This reinforces a view that was expressed repeatedly in interviews that the At-Large organisation has been run for too long by a leadership team, mostly made up of ICANN old-timers that are unable or unwilling to allow for much needed succession planning and renewal.

Table 3: Survey question [All respondents]: In your opinion which of the following statements most accurately describes the role played by the At-Large Community within ICANN?

Survey question [All respondents]: In your opinion which of the following statements most accurately describes the role played by the At-Large Community within ICANN?	At-Large respondents	Board + SOs & ACs
The At-Large Community is made up of ALSes and individual RALO members that mainly act in their own interests.	30%	58%
The At-Large Community is made up of At-Large Structures (ALSes) and individual RALO members that engage in ICANN policy development processes on behalf of Internet end users worldwide.	29%	13%
At-Large is the body within ICANN that allows all Internet end-users to engage in ICANN policy development processes in an equal and non-discriminatory fashion.	16%	6%
The At-Large Community is made up of At-Large Structures (ALSes) and individual RALO members that effectively engage with the global community of Internet end-users in a bottom-up, consensus-driven fashion.	16%	13%
The elected members of the ALAC have a mandate to speak in the interests and on behalf of end users in ICANN policy development processes.	9%	10%

4.2.5. Perception that At-Large is unable to renew leadership

Finally, in face to face discussions and in the online survey the ITEMS team heard repeatedly that At-Large is made up of a small core group of activists. This has been identified as a significant problem by a large number of respondents who wrote long form answers as replies to several questions. While "capture" is a very strong term to use in describing this phenomenon, it is clear from views inside and outside At-Large that a small number of dedicated At-Large volunteers take on a majority of the roles within At-Large and dominate its decision-making. The perception that At-Large leaders are involved in a game of Leadership position "musical chairs" is widespread or, as these GNSO Participants said:

"There has been little change in actual overall leadership because the same few people just get shuffled around between different roles."

Or:

"The ALAC would needs to ensure it rotates leadership, as the appearance is that they actually only represent a few individuals who have participated for forever and do not actually represent users.

Or this from ICANN senior staff members:

"Term limits are a solution for ossified leadership. But the main issue is the perpetual game of musical chairs among the same group of people. This prevents upward mobility from the RALOs and ALSes."

Or:

"More candidates? I can only think of a handful of people associated with At-Large Leadership over the ten plus years I've followed ICANN."

Or this from At-Large members themselves:

"It feels like ALAC/RALO leadership are "royalty" and the rest of the community are "peasants". This gap needs to be narrowed so that it is not top down but more bottom up."

This is only a small selection of similar views, which are numerous, and often quite harsh.

Mandate & Purpose of the At-Large Community

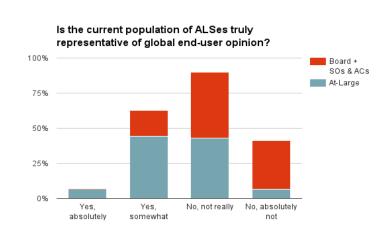
5.1. Survey & interview findings

At-Large describes itself on its website as a community that "acts in the interests of Internet users". It is a community that contributes, in its advisory capacity, to the elaboration of "policies that influence the technical coordination of the Domain Name System", and one that "works to ensure that the Internet continues to serve the global public interest."

But what are the "interests of Internet end users"? Who has a legitimate mandate to define and defend these interests within ICANN? Indeed, how is the global public interest served in this context? These are fundamental and some of the most recurring questions, often left without answer, that have come up in our conversations and in written comments to the Survey.

During the course of the Review many people, including within At-Large, have pointed out how difficult it is to know who represents the interests of end users, what those interests truly are, and how end users take part in ICANN policymaking processes that are likely to affect them.

All survey respondents were asked:



The table above shows that 50% of all At-Large respondents and around 75% of Board + SO & AC respondents do not think that end user opinions are adequately represented by the current group of At-large Structures.

From the above graph, we see that only 4% of respondents absolutely agree that current ALSes are truly representative. This is quite an alarming statistic and one that highlights an area that must be significantly improved.

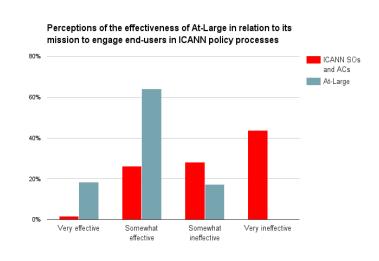
Compared to the other ICANN Supporting Organisations and Advisory Committees, At-Large is often viewed as having a problem of mandate and accountability. How can the organisation live up to its mission and be fully accountable to the global community of Internet end users?

We were told by several At-Large insiders that whereas the GNSO and ccNSO represent the interests of industry players whose numbers are manageable (250 for the ccNSO, several hundred for the GNSO), and whereas even the GAC "community" is relatively easy to manage since its total membership is limited. The size of the global At-Large Community is of an entirely different scale. The challenge of representing global end-user interests is commensurate.

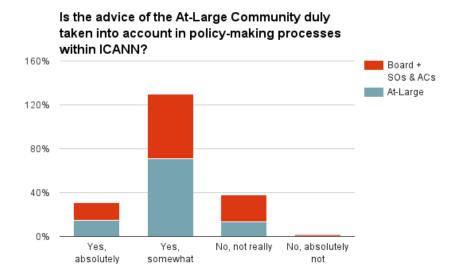
The other constituencies within ICANN have significant funds to cover the costs of sending staff, lobbyists etc. to participate in ICANN meetings. This is not the case for At-Large which relies internally upon volunteers and where financial resources are consequently scarce. There is a widespread feeling that the playing field simply isn't level (see Section 10 below).

At-Large has a mandate to represent the interests of some 4 billion Internet users the vast majority of whom have little or no knowledge of the role and function of ICANN, let alone the resources and/or time to take part in policy-development.

When asked about the effectiveness of the At-Large Community in engaging end users, opinions inside and outside of At-Large vary considerably. Just over 60% of At-Large respondents and 25% of SO / AC representatives replied that it had been "somewhat effective", but only 2% of SO / AC representatives thought that it had been "verv effective", and around 45% that it had been "verv ineffective".



The purpose of the ALAC is to provide policy advice to the ICANN Board; when asked if this advice is heeded within ICANN, 17% of respondents said that it was absolutely taken into account while nearly $\frac{2}{3}$ said that it was "somewhat" taken into account.



So the perception is that the At-Large community via the ALAC does have some influence on ICANN policy.

5.2. ICANN Bylaws

The mission and purpose of the At-Large Community is described in Section 4 paragraph a of ICANN Bylaws:

(i) The At-Large Advisory Committee ("At-Large Advisory Committee" or "ALAC") is the primary organizational home within ICANN for individual Internet users. The role of the ALAC shall be to consider and provide advice on the activities of ICANN, insofar as they relate to the interests of individual Internet users. This includes policies created through ICANN's Supporting Organizations, as well as the many other issues for which community input and advice is appropriate. The ALAC, which plays an important role in ICANN's accountability mechanisms, also coordinates some of ICANN's outreach to individual Internet users.

5.3. ALAC or At-Large?

One of the first observations of our Review team was that the terms "ALAC", "At-Large" and "At-Large Community" are often used loosely or interchangeably within ICANN and, indeed, throughout the At-Large Community as a whole. This can be the cause of significant confusion, and was an early indication of an apparently widespread lack of clarity about the precise roles and responsibilities of the various organisational tiers within At-Large.

Within ICANN this confusion may stem from the fact that the other Supporting Organisations (SOs) and Advisory Committees (ACs) use a different nomenclature. Hence, for the SOs, the name of the organisation - the ccNSO and the GNSO - refers to their respective communities as a whole. The other SOs and ACs (with the exception of the GAC) also refer to their governing bodies as "Councils".

This is not the case within "At-Large" where ALAC refers to the 15 member governing council, and "At-Large" or the "At-Large Community" to the community as a whole, made up of several hundred ALSes and end users.

Implementation # 1: Introduce a simplified nomenclature that is consistent with the Empowered Membership Model (Section 11).

5.4. The advisory capacity of At-Large

As an Advisory Committee the ALAC has distinct powers within ICANN which are different from the three Supporting Organisations (SOs) - the ccNSO, the GNSO and the ASO - that are specifically mandated by the ICANN Bylaws to "develop policy".

It would appear that the ALAC with input from the broader At-Large Community has been reasonably effective at producing advice in significant volumes in connection with policy work being developed in other parts of the ICANN system.

However, there is a wide perception that this advice, while formally welcomed by the Board of Directors, is not always heeded, nor does it truly reflect the views of large numbers of endusers. This is a cause of some frustration within the At-Large Community.

Nearly $\frac{2}{3}$ of respondents chose the "yes, somewhat" answer when asked if At-Large advice is heeded by the Board.

Recommendation # 1: At-Large should encourage greater direct participation by At-Large participants in ICANN WGs by adopting our proposed Empowered Membership Model (See Section 11). This should allow At-Large/ALAC to produce up to date, consensus-built advice.

5.5. At-Large advice

As part of this Review we have looked into the different ways in which At-Large produces advice, and how advice is subsequently taken into account by the Board or other constituencies within ICANN.

The At-Large website claims that, since 2003, "the At-Large Advisory Committee has developed over 300 pieces of Advice on ICANN policies and issues impacting Internet users."

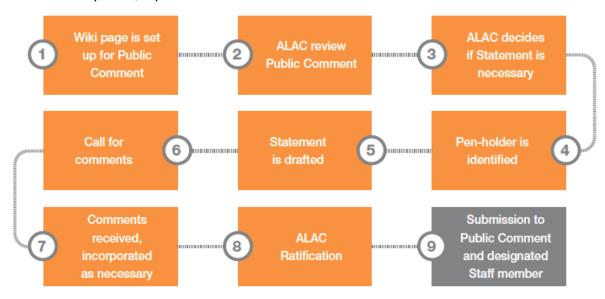
This is an impressive claim, but one which appears to make no distinction between the different types of advice that At-Large offers.

It appears that the "300 pieces of advice" cover all types of statement including:

Responses to ICANN Public Comment proceedings.

- Responses to input requests from GNSO Working Groups.
- Unsolicited advice submitted by the ALAC to the ICANN Board of Directors on issues they have identified as important to end users.
- Short-form correspondence sent by the ALAC Chair on behalf of the ALAC.
- Long-form documents, such as the White Paper on Future Challenges "Making ICANN Relevant, Responsive and Respected" and the Second At-Large Summit (ATLAS II) Declaration.

The At-Large website provides details of the process that is followed when a new Public Comment is opened, a process that is summarised as follows:



Source: At Large: "How does the ALAC develop policy advice"

The period to provide a response to Public Consultations is 40 days which is seen by many members of the At-Large Community to be too short. The Community often struggles to get advice produced in time.

We are of the view that At-Large members and participants in the broader ICANN would benefit from a clearer distinction between the different types of advice that are produced, especially between responses to calls for Public Comment and Consensus-built advice on issues that are likely to impact the global community of internet users.

We have heard from several members of At-Large, and senior ICANN staff that if At-Large advice could be produced in a more consistent manner it would save significant volunteer time and might result in greater attention from the ICANN Board of Directors.

Recommendation # 2: At-Large should more clearly distinguish "Comments" on ongoing policy work within ICANN, and formal At-Large "Advice", which is consensus-built with input from the community, focused on the interests of end-users, and specifically intended for the Board.

5.6. "An organisation designed to fail?"

The At-Large Community has a long history which goes back to the origins of ICANN itself, and many still view it as the "soul" of ICANN, the part of the multi-stakeholder model that ensures that end-user interests are properly represented in the balance of power with the other commercially oriented and/or technically focused Supporting Organisations and Advisory Committees.

But there is also widespread sentiment that this is a community whose original powers of representation within ICANN have been dramatically cut back, to the point where it has very few powers left. Many of the people we have interviewed appear to see their involvement as part of a long-term struggle to gain back some of the power of the early days of ICANN.

Originally, 9 of the seats on the ICANN Board were slated to be held by "At-Large" folks. Of course, the meaning of "At-Large" has evolved over time, and the rise of Registries, Registrars, stakeholder groups, and Intellectual Property stakeholder groups has resulted in a shift of powers over the years. This evolution has diluted the voice of end users down to the barest minimum.

Several interview respondents, including prominent members of At-Large, have gone as far as to suggest that the current ALAC and larger At-Large Community structures were designed to keep end users busy and out of real decisional processes. Some have suggested that At-Large was "designed to fail" from the beginning, so that the net effect of the current structures would be to disenfranchise end users.

Our recommendations will hopefully mitigate some of this sense of isolation, and bring more end user voices into ICANN policy processes.

"At-Large is an organisation that was designed to fail. When we keep this in mind then you can say the organisation works very well. Of course you need Civil Society organisation within an organisation like ICANN. But the At-Large structure is built in a manner that is so complicated that you end up just managing yourself. It seems intentional almost - to keep us at a low level. "Keep them busy". It's a widely shared impression - that we were created to keep ourselves busy." [Member of the At-Large Community]

Implementation # 2: Adopt the Empowered Membership Model (EMM) as proposed to bring a greater number of end users directly into ICANN policy making (<u>Section 1</u>1).

5.7. At-Large as part of the post IANA transition "Empowered Community"

In the latest ICANN Bylaws the idea of a post IANA transition "Empowered Community" has been put in place as a further accountability measure for ICANN. The ALAC is currently a member of this "Empowered Community" which has yet to be put to the test.

While there is no history of Empowered Community activity for ALAC to be reviewed, we have noted that the ALAC *Rules Of Procedure* put in place the needed mechanisms to participate in the Empowered Community:

"The ALAC will be represented on the EC Administration by the Chair of the ALAC, or by a delegate of the Chair as agreed to by the ALAC with a Super-majority vote in accordance with the processes in Section 12. All actions of the ALAC representative to the EC Administration in respect to this role shall be limited to those actions formally decided by the ALAC. "²

6. At-Large and wider ICANN system

6.1. Survey & interview findings

6.1.1. Relations with other ICANN SOs & ACs and ICANN Board

Collaboration between At-Large and other SOs and ACs is a cross-cutting theme discussed at length during interviews and survey responses. Most interviewees support the greater involvement of At-Large members in non-At-Large WGs so At-Large has greater knowledge and input before they are faced with a decision point on advice to give to the Board. Our proposed Empowered Membership Model model has been designed to address this issue, notably with a view to improving collaboration across SOs and ACs.

Survey respondents focused as follows on the need for increased and better informed participation of At-Large members in cross-constituency policy development activities within ICANN:

"I do not believe that the majority of the At Large members are sufficiently familiar with the work of other SO and AC structures or even conversant on the technical features of the DNS and DNS policy beyond some gNSO topics. (ICANN Staff)

"To break the cycle and make At-Large an effective contributor to ICANN policy development like the other SOs and ACs, more At-Large members need to have the exposure to other groups' policy activities with the necessary encouragement, support, and guidance." (ICANN Staff)

"At-Large Community members, especially the ALAC members, need to go outside their own bubble and observe and/or participate in the activities of other SOs/ACs. Unlike other SOs and ACs, most At-Large activities are focusing on process related matters and outreach & engagement activities, which are not related to policy at all. " (ICANN Staff)

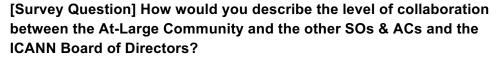
<u>Implementation # 3</u>: Engage more end users directly in ICANN Working Groups by adopting the Empowered Membership Model described in this document (See Section 11).

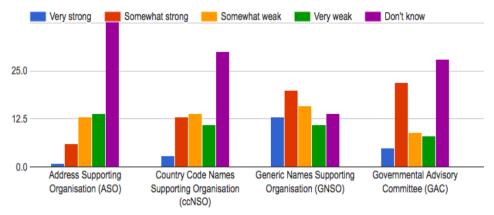
² ALAC Rules of Procedure (Sept 2016): http://tinyurl.com/ALAC-RoP-2016-09

6.2. Coordination with other ICANN SOs & ACs

When asked specifically about collaboration between At-Large and other parts of ICANN, most respondents replied that they "didn't know" enough about the level of collaboration to give a rating in terms of collaboration between At-Large and, for example, the ccNSO, the GAC and the ASO.

A slightly different picture emerged when people were asked about the GNSO where a much larger number of people thought that collaboration was "very strong" or "strong".





Formal coordination with other entities in ICANN is done by the use of appointed liaisons (to GNSO/GAC/SSAC and the ccNSO as well as a liaison with .mobi). Additionally, and perhaps more importantly, joint sessions during ICANN meetings with the Board, ccNSO and GAC are held to share perspectives on ongoing issues.

According to the ALAC Internal Rules of Procedure, responsibilities of each Liaison of the ALAC are³:

- To participate diligently in the meetings and activities of the body he/she is appointed to liaisoning to;
- To communicate and advocate the positions of the ALAC to such body;
- To report to the ALAC the current and upcoming activities of the body he/she is liaisoning to, as far as this is possible under the timing and confidentiality constraints of such body;
- When this is possible under such constraints, ask to the ALAC for advance instructions on matters that are going to be discussed by such body.

³ Source: At-Large Rules of Procedure: https://community.icann.org/display/atlarge/Obligations+and+Requirements+of+ALAC+Liaisons#

During the course of the Review, we observed the development of discussions between the Registry/Registrar Stakeholder Groups and ALAC both of whom are eager to understand each other's functioning and positions. This led to a useful meeting in Hyderabad and hopefully other joint meetings will be held at future ICANN meetings.

While there is no formal Liaison structure between At-Large and the ASO, the regional make-up of the ASO leads to the most collaborative relationships that At-Large has with any other ICANN structure. If our census is correct, three out of the five RALOs have an MoU to collaborate with their respective RIR (EURALO and LACRALO being the exceptions), so that the At-Large relationship with the ASO is done at the Regional level. These are essential outreach and engagement relationships that are as fruitful as any we have seen during our review.

The survey also asked for recommendations about how the role played by the At-Large Community with the other SOs and ACs, and the ICANN Board of Directors could be enhanced, the following are a sampling of responses to that question:

"The current byzantine structure of the ALAC is not conducive to effective representation of Internet users within ICANN. It should be replaced with a simpler model with fewer self-appointed representatives of users." (GNSO Participant)

"The ALAC's role should be one of coordination in two respects: 1) encouraging direct user participation and engagement in existing ICANN policy process, public comment periods, etc.; and 2) identifying areas where user research would add meaningful data to discussions in the other SO/ACs and the board. In this model, the ALAC would not need to substitute the judgment of a small number of eccentric individuals for the broad opinions and needs of worldwide Internet users." (GNSO Participant)

"We definitely need to take account of the input of end-users and domain name registrants in all ICANN policy, including the work of the GNSO and ccNSO, but I do not believe that the current ALAC is the well-structured to provide this input." (GNSO Participant)

"At-Large Community members, especially the ALAC members, need to go outside their own bubble and observe and/or participate in the activities of other SOs/ACs. Unlike other SOs and ACs, most At-Large activities are focusing on process related matters and outreach & engagement activities, which are not related to policy at all." (ICANN Staff)

"In sum, to enhance At-Large's role, its energy and resource spent on the fluffy process and outreach activities needs to cut back significantly to make room for substantive policy work and discussions." (ICANN Staff)

"To break the cycle and make At-Large an effective contributor to ICANN policy development like the other SOs and ACs, more At-Large members need to have the exposure to other groups' policy activities with the necessary encouragement, support, and guidance." (ICANN Staff)

The majority of recommendations in reply to this question suggested greater direct participation from At-Large folks in ICANN policy processes, as the only way that members of the At-Large community can become involved in actual policy development is by joining a Cross Party Working Group or GNSO Policy Development Process (PDP).

<u>Implementation # 4:</u> Adopt the <u>Empowered Membership Model</u> described in this document to engage more end users directly in ICANN work. (See Section 11).

6.3. Mission overlap with NCUC & NPOC

In the course of our research we found a widely shared perception of duplication, even of outright competition between At-Large and the Non-Commercial Users Constituency (NCUC) and to a certain extent, with the Not-for-Profit Operational Concerns Constituency (NPOC).

Even for ICANN insiders the differences between the two types of organisation are not always clear.

For the purposes of clarity, we would recommend clearer definitions of the functions of these different parts of the ICANN system. These should emphasize what differentiates At-Large from these constituencies, namely:

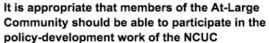
- The role of At-Large is to provide advice on any policy issue being discussed within ICANN.
- The role of NCUC and NPOC, as constituencies of the Non-Commercial Stakeholder Group (NCSG) within the GNSO, is to provide policy advice related to work of the policy-development function within the GNSO.

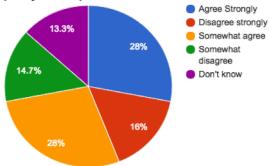
Our Review Team considered at length the respective roles of the two groups but concluded that beyond the need for more transparency in the advertisement of their respective roles there was no need for further action.

While the choices do merit more transparency – they should be readily apparent to any outsider-, it must be for the individual to decide whether they want to focus on a specific role within GNSO policy-making, or the wider advisory function of At Large.

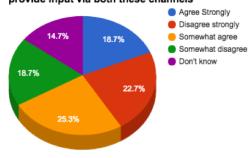
Competition between the two groups should be discouraged and there should certainly be no overlap in terms of financial support. (We are conscious of suggestions that there has been some "Forum Shopping").

Implementation # 5: See below our recommendation on the creation of the EMM, and the eligibility of individuals globally to join At)Large which we believe will help to clarify and simplify the choices open to individuals on how they participate in the ICANN process (Section 11).





It is appropriate that people who are members of both the NCSG and At-Large should be able to provide input via both these channels



It appears that while many agree that individuals and NGOs should be able to participate in both At-Large and GNSO structures, there is somewhat less enthusiasm for this type of double participation when framing the question in terms of providing input via both channels. Responses are fairly evenly mixed as to whether this is appropriate.

Implementation # 6: In the Empowered Membership Model individual users will be encouraged to participate in At-Large. Within this context there should be scope for further cooperation with NCUC. (See Section 11)

7. Support Staff

The At Large Community is unique in its entirely volunteer nature. Hence, ICANN staff plays a critical role in support of the Community which, in turn, is largely appreciative.

However, we have found there are strong differences of opinion around certain issues, notably the degree to which staff should be involved in policy work. While some believe that more support should be provided regarding the drafting of policy documents, especially given the time and financial constraints of most At-Large volunteers, others are ideologically opposed to staff involvement which they view as unacceptable "top-down" interference in what is supposed to be a "bottom-up" policy advice mechanism.

7.1. Survey & Interview findings

At-Large respondents are generally positive about At-Large staff support and performance. Consistently, 70+% of At-Large respondents report that staff:

- provides useful clerical and logistical support to the At-Large Community
- provides useful support in the planning and organisation of meetings.
- plays a useful role in the coordination of Working Groups
- operates in a neutral and fully transparent way in support of the At-Large Community.
- ensures that key At-Large documentation is available in a timely fashion in multiple languages.

However, The results of our interviews and survey clearly reveal the ideological split between those who would like to see a more active contribution by staff in policy development, and those who see that policy development is the exclusive purview of the At-Large Community.

The two side of the debate about staff involvement in policy work are typically expressed as follows:

" [Staff] should remove themselves from the decisions that are the community's own."

Or:

"At-Large staff is comprised of a set of highly-capable and educated individuals who could provide more direct support in development of At-Large position papers. That is, if given the opportunity [...] The fear of 'ICANN staff' takeover is highly exaggerated."

The following comments in answer to an open question on how the supporting role played by ICANN staff could be improved further illustrate the divergent opinions regarding the function of At-Large Staff.

For some, staff support is too heavily focused on logistical support;

"There should be more than one person concentrating on policy. This is a single point of failure -- when this person is on holiday, everything stops. We have too many call coordinators/clerical/runners and not enough staff that actually can help the community in drafting documents. (At-Large member, Europe region)

"In terms of Staff support for RALO activities, the current situation is far from ideal. Most At-Large staff are heavily involved in handling administrative and logistics tasks. The number of Staff members who have an interest or expertise in policy-related issues is close to none." (At-Large leadership)

For others, it would be preferable to have a staff with a greater capacity to multi-task;

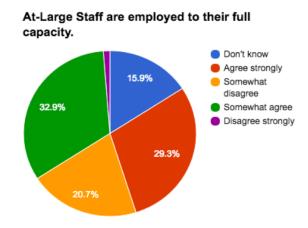
"At-Large staff as a whole is really doing a great job (although some individuals are more professional than others). All individuals should have comparable administrative skills which our community could rely on. Capacity building may be necessary. Most of the times they seem totally overworked, not only during meetings." (At-Large member, Europe region)

"Generally speaking our Staff is wonderful. However, to improve the support provided by the staff, I think we should make all our staff members work at the same level." (At-Large member, Africa region)

And for others, there is no issue with staff:

"At-Large staff do their work very well" (At-Large member, Africa region). "They are already doing a great job" (At-Large member, Asia region), "They listen!" (At-Large member, Europe region).

Despite these differences of opinion, when asked if "At-Large Staff are employed to their full capacity", At-Large respondents overwhelmingly agree "strongly" or "somewhat" that they are employed to their full capacity.



7.2. Support Staff roles

As part of this review we obtained a list of the six staff positions that make up the At-Large support team. The team is composed of individuals with different skill sets and responsibilities with respect to the the At-Large Community, including Policy Support, specific support for RALOS and other tasks including the drafting of internal briefings, reports, staff management etc. We represent this team as follows (noting that there is no formal hierarchical structure).



Source: ITEMS International based on information provided by ICANN

We also obtained data from the Secretariat regarding how many staff positions were dedicated to At-Large, compared to other SO/ACs. These figures are as follows:

Table 4: ICANN Supporting Organisations: support staff	Full-time equivalent position (FTE
ccNSO	3.0
GNSO	7.5
ASO	0.5
ICANN Advisory Committees	
At-Large	5.0
GAC	4.0
RSSAC	2.0
SSAC	3.5

While At-Large has 5 FTEs engaged, many commentators suggested that their functions could be altered so as to allow Staff to further the policy work of At-Large, without violating the neutrality inherent in the role of the Secretariat.⁴

Of those who chose to comment on how the supporting role played by Staff could be improved, a majority suggested that Staff could play a greater supporting role in policy analysis and development. Less attention should be paid to simple administrative support.

⁴ We note that the staff neutrality issue can be relatively easily dealt with and has been successfully resolved elsewhere in ICANN – e.g. the GNSO

Recommendation # 4: At-Large Support Staff should provide appropriate support to the At-Large community in drafting position papers and other policy related work.

8. Structure & Effectiveness of At-Large

The current structure and effectiveness of At-Large is a matter of vivid debate, ideological posturing and disagreement within At-Large and the broader ICANN community.

For many, mostly within At-Large, the organisation is performing as well as could possibly be expected, in difficult financial and organisational circumstances, and in a politically hostile environment. Having had its powers and influence dramatically cut back since the early days of ICANN (see historical note at annex...), the organisation is gradually regaining confidence in itself, along with certain advisory and voting powers within ICANN, and credibility in the eyes of the other SOs and ACs, and the ICANN Board of Directors. This has been achieved thanks to the tireless dedication of a group of activists who are committed to the defence of end-user interests within ICANN.

But for others the organisation is failing to live up to its mission to act in the interest of endusers. Either by design or as a result of a poorly conceived organisational structure, At-Large has not proved able to effectively engage with end-users, or to truly represent their interests within ICANN. The organisation has turned in on itself and appears, in the eyes of many, to be controlled by a handful of ICANN veterans who "keep themselves busy", and rotate between the different leadership position, leaving little room for renewal and succession planning.

8.1. Survey & interview findings

A very large majority of our survey respondents (70%) strongly agree that;

"The At-Large Community is a vital part of the ICANN system, without which end users would have no say in important policy matters in connection with the DNS."

However, as the At-Large Community is currently structured, there are many perceived barriers to engagement.

8.1.1. Complexity / relevance of the ALS / RALO system

During face-to-face interviews the issue of the complexity of the RALO system was regularly raised.

"The RALOs should be disbanded and the ALSes should be seen as mechanisms to raise awareness and help educate users about key ICANN topics rather than as

representing the users themselves. (Some groups, such as ISOC, embrace this mission already." GNSO Participant

"The current system is very complicated and creates a lot of barriers for engagement from members in ALSes and individual RALO members. [...] Such a complicated structure also makes the RALO leaders and the ALAC members (10 selected by RALOs) the monopoly of knowledge, experience, resources, and perks. Due to these benefits, the same 'old' people tend to stay in the positions of power, and are reluctant make room for the 'average' ALS members to assume those positions. Since the usual suspect have been in At-Large for a long time for those unpaid volunteer leadership positions, ALS representatives and members either don't dare or don't care to challenge them." (ICANN Staff)

"Too much emphasis is placed on RALOs as top-down gatekeepers and not as bottomup At-Large Community. RALOs are politicised so that certain fractions have "their" persons elected to leadership/ALAC positions and block persons not in their political fraction results in disenfranchisement. RALO leaders therefore tend to work/promote their "persons" and not interact with persons they don't care about. RALOs also do not promote At-Large WGs so persons' involvement in WGs are not acknowledged or recognised, hence being a demotivating factor for volunteers to give their time and energy when they are not being acknowledged or recognised in the RALO." (At-Large Participant)

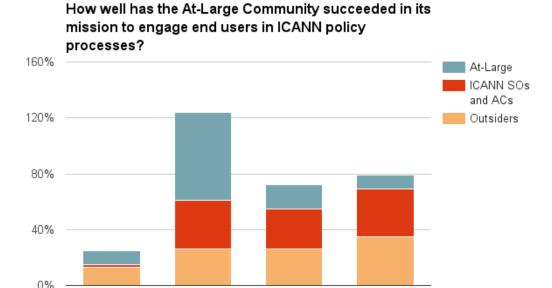
8.1.2. Current working methods a barrier to engagement

Listening to interventions at ICANN meetings reinforced our view that At-large structures as currently organised constitute an unhelpful filter between the legitimate voices of end-users and the ICANN multi-stakeholder model which genuinely wants to take them into account.

A vivid example of this occurred on a single day at ICANN-57 in 4 different sessions, where multiple end users complained that they had difficulty joining At-Large or felt they were completely barred from participation because they were not part of an accredited ALS. This is one of the barriers to entry that we address in our recommendations.

Responses to a series of questions on this topic bore out this perception. Just 14% of survey respondents say that <u>Individual</u> end-users of the Internet are able to participate in At-Large processes without difficulty. And only 26% say that <u>ALS</u> members are able to participate in At-Large processes without difficulty.

To the question "How well has the At-Large Community succeeded in its mission to engage end users in ICANN policy processes?" survey respondents views are in the chart below:



Somewhat

ineffective

Very ineffective

The above graphic suggests that most respondents (26% of ICANN outsiders, 35% of ICANN SO and AC respondents and 63% of At-Large members) are of the view that At-Large has been somewhat successful with regards to its mission to engage end users. However, when the figures are aggregated there is an almost perfect split between those to tend to agree that the organisation has been ineffective, and those who think that it has been ineffective.

Somewhat

effective

A large number of respondents suggested that the problem is not in types of ALSes, but rather in the fact that At-Large hierarchy itself is a barrier to participation by end users.

Below are just a few of the more constructive comments.

Very effective

"There should be more straightforward mechanisms for individuals to directly participate in ALAC. Surprisingly, it is easier for an unaffiliated individual to directly participate in various policy development processes and public comment periods as individuals than it is within ALAC itself, due to the need to intermediate through ALSes and RALOs." (GNSO Participant)

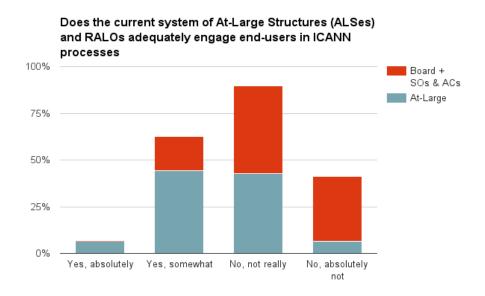
"not all Ralos allow individuals to participate directly as other do. I believe a standard rule should be put in place to harmonize the Ralos procedures." (ex-ALAC Member)

"the mission and the structure of the ALAC need to be substantially reformulated in order to allow Internet users to be meaningfully represented. [...] The ALAC should be seen as a coordinating body rather than as a voice for the Internet user. There is no evidence that the eccentric views of the small number of individuals that participate in the ALAC represent the opinions or interests of Internet users worldwide." (GNSO member, NA region)

<u>Implementation # 7:</u> Any individual from any region should be allowed to become an "At-Large Member" (ALM). The ALM is what the <u>Empowered Membership Model</u> identifies as the atomic element of the new At-Large model (Section 11)

8.1.3. RALO Leadership / Structure

As noted above, the current system of RALOs comes under significant criticism from many parts of At-Large and the broader ICANN system, it is often described as "broken", "in need of profound reform" or an "artificial construct unfit for purpose".

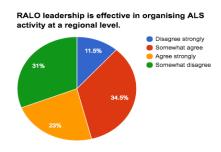


We heard repeatedly the opinion below from At-Large and from the broader community:

"the role of the ALAC should be to encourage participation by Internet users directly in relevant ICANN processes (most of which allow direct participation) and to identify key areas for user-centric research by ICANN. Suitable research in particular is much more likely to helpfully inform other ICANN processes than the opinions of the ALAC leadership.

(GNSO member, NA region)

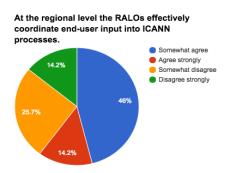
While 25% of At-Large respondents strongly agree that RALO leadership is "effective in organising ALS activity at a regional level", survey results show that 42% either disagree "somewhat" or "strongly" that RALO leadership is effective in this task.



Similarly, only 22% of At-Large respondents agree strongly that the RALOs are run in an accountable and transparent way while 40% somewhat agree, another 22% somewhat disagree and 16% strongly disagree with the idea that RALOs operate in an accountable and transparent way.

Each RALO has its own history, style of operations and members which creates a unique dynamic. Based on research and interview discussions there does not seem to be a standard accountability mechanism for RALOs besides elections.

On the central question of RALO effectiveness in carrying out their main task, only 14% strongly agree that at the regional level the RALOs effectively coordinate end-user input into ICANN processes, while an exact same number felt the opposite. Which means almost 75% were unconvinced either way.



These numbers reinforce the views taken from interviews that the multiple levels of hierarchy in At-large serve as intermediate barriers to more effective end user participation in ICANN.

In terms of actual policy development effectiveness, only 24% of At-Large respondents absolutely agree when asked; "Are there adequate means in place for the RALOs to collaborate with the ALAC in the development of policy advice?"

We have seen this at several ICANN meetings, where the time spent discussing policy input seems minimal compared to the time spent on internal administrative matters. This is a main focus of our recommendations and the new suggested model of working.

Suggestions for improving RALOs range from calls to eliminate RALOs, (or one of the other levels of the existing hierarchy) to 'doubling down' on the current structure with a much greater push for involvement, engagement outreach and participation at grassroots level, which could involve a significant outlay of resources on the part of ICANN.

While eliminating RALOs is an interesting idea that was explored, it would require changes to ICANN by-Laws and the risk of loss of Regional diversity. At this stage, given that there is a mediation process ongoing, it would be inappropriate for us to comment on specific RALO structures.

However, one interesting alternative is to reinforce the outreach function of RALOs to create a light-touch mechanism which channels carefully selected information about the work of ICANN to a wider end-user audience. Such a mechanism could also funnel interested end users to non At-Large policy processes within ICANN. This type of change has been mentioned by a significant number of commenters in long form survey responses and will form part of our new suggested model of working.

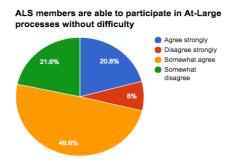
<u>Implementation #8:</u> Adopt the Empowered Membership Model which changes the function of RALOs so that they are primarily an outreach and mentoring mechanism for engaging new entrants (Section 11)

<u>Implementation # 9:</u> As part of the Empowered Membership Model, elected RALO representatives become ALAC Members who not only deliberate on advice to the Board but also serve as mentors to newcomers to At-Large. (Section 11)

8.2. At-Large Structures (ALSes)

The At-Large Community currently consists of 211 At-Large Structures, spread more or less evenly around the world. As shown in the table below the distribution of ALSes within the countries that make up the global regions ranges from 35% in Europe (which counts 51 countries and territories) to 100% in North America (which counts 3 countries). This representation does not take into account the membership size of ALSes, which varies considerably.

Table 5: ALSes by Global Regions	ALSes	Countries	N° of Countries in Region	Regional coverage (%)
Africa	45	27	54	50%
Asia Pacific	46	26	50	52%
Europe	38	18	51	35%
Latin America & Caribbean	53	21	35	60%
North America	29	3	3	100%
Total	211			



In recent years it would appear that considerable resources and volunteer time have been spent on "Outreach and Engagement" activities to increase At-Large's membership base. There appears to have been a distinct emphasis on quantity rather than the quality of ALS input. This has resulted in an increase in membership to 211 in 2016. However, this leaves a large number of countries worldwide that still do not have a single ALS.

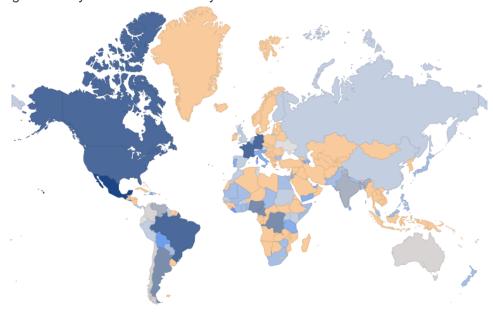
As part of this Review we have carried out our own census of the At-Large Community with a view to gaining a better overall picture of the At-Large membership, notably with respect to:

- Overall membership size
- Number of active ALSes in each region
- Number of ALSes in each region that are ISOC chapters

We sent lists of ALSes within each region to the leadership of the five RALOs and asked them to provide details regarding the organisation type of ALSes (ISOC chapter, Internet user associations, consumer associations, computer clubs, academics, etc.) and to make a self-assessment of the level of active engagement of their membership.

The following map is based on the data collected. Each ALS was given a score of 0 to 3 corresponding to their level of active participation. The number of ALSes was then added up in each country and an aggregate "score" was used to create a lighter or darker shade.

Darker shades of blue indicate higher levels of ALS activity in that country or territory. Territories shaded orange currently have no ALS activity.



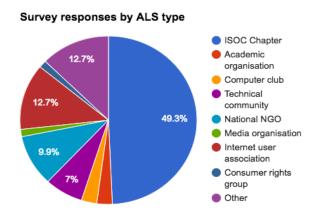
It should be noted that these results are based on self-assessment of each RALO who may have used different criteria to define levels of activity. They are indicative only.

8.3. Role of ISOC in At-Large

As part of the ongoing Review we have sought to understand the nature of the relationship between the At-Large Community and ISOC. It quickly became apparent that a large share of At-Large membership (At-Large Structures) is made up of ISOC Chapters. The table below summarises the membership size and level of active engagement of ISOC chapters in each global region and reveals that ISOC chapters make up between 17% (LACRALO) and 42% (AFRALO) of total ALS membership.

Table 6	Total ALS Membership	Proportion of ISOC Chapters	Proportion of ISOC members that are "very" or "somewhat" active in At- Large
AFRALO	45	20 (44%)	13/19 (68%)
APRALO	46	21 (46%)	12/18 (66%)
EURALO	38	11 (29%)	4/11 (36%)
LACRALO	53	9 (17%)	6/9 (66%)
NARALO	29	9 (31%)	7/10 (70%)
At-Large total	211	70 (33%)	42/67 (63%)

As mentioned, this impression of a dominant position of ISOC Chapters within the At-Large membership was reinforced by the results of our survey, in which close to 50% of respondents that identified themselves as belonging to At-Large also indicated that they were **representatives** of an ISOC chapter.



8.3.1. At-Large and ISOC: common objectives?

The history of At-Large and the way in which ISOC Chapters have come to represent such a significant proportion of the global At-Large Community is well documented.

Traditionally, ICANN and the Internet Society (ISOC) have tried to work closely on issues of shared interest around the security and stability of the DNS. ICANN and ISOC share common goals such as reaching out to end-users around the world, improving understanding of, and participation in policy and standards processes that affect individual Internet users. So it is natural that ISOC chapters should be involved in At Large.

However their contribution overall has been disappointing when national ISOC Chapters clearly have so much in common with the At-Large movement. The same must also be said for a large majority of ALSes under the traditional system. Too often it has been individuals, albeit mostly talented ones, who have dominated the scene.

8.3.2. History of the creation of ALSes from ISCO chapters

In 2009, the ISOC community concluded that it was best for chapters to choose on their own to be part of ICANN or not. ISOC chapters globally have diverse interests and nowadays, not all of them are allied with ICANN's mission.

Within ALAC/At-Large, there is a process to become an ALS, and it is only fair that ISOC stakeholders within the Internet community may also join whatever ICANN groups (i.e. business, non-commercial, technical community) they are most interested in.

As a result, today, ISOC chapters apply to the At-Large, just like any other entity, to become a member but the accreditation process is easier and faster because they already have ISOC credentials and share a main objective with ICANN, that of 'Internet for everyone'.

8.3.3. The contribution of ISOC to At-Large

The reasons for collaboration between the two organisations are obvious given the overlap in the missions and shared focus on end-user interests.

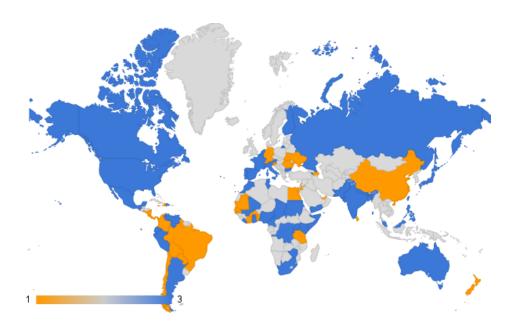
Yet, in spite of the apparent potential for mutual benefit in terms of outreach and engagement, our findings so far are that the contribution of ISOC Chapters (as ALSes) to At-Large has been disappointing. The impact has been less than what might be expected from a global organisation of 80,000 members, 113 chapters around the world and a mission to "provide leadership in Internet-related standards, education, access, and policy". The global presence of ISOC and active engagement of ISOC members in related issues has not translated into a truly active membership base for At-Large.

While it is positive to note that 63% of ISOC chapters that make up the current At-Large membership base are "very" "somewhat" active in At-Large activities, this means that the remaining 37% are either "hardly" or completely inactive.

We have noted efforts which are under way have been made by certain RALOs to decertify certain underperforming ALSes, including ISOC chapters, and we are of the view that encouraging active participation is to be pursued further. (recent experience in NARALO suggests this might reduce numbers by some 25%). The "numbers" rather than quality approach has clearly not achieved the overall objective of channelling the views of grassroots end-users into the ICANN system.

Even though, ISOC senior executives, including the current CEO Kathy Brown, regularly participate in ICANN meetings it is somewhat surprising to us that more opportunities have not been not created to engage in joint strategic planning between At-Large and ISOC.

Heatmap: Mapping of ISOC chapters active in At-Large. Blue = presence of active ISOC chapters. Orange = countries active in At-Large but no ISOC chapters. Grey = countries not active in At-Large



8.3.4. Opportunities for joint communications

Since the start of this Review we have followed a number of global "outreach and engagement" activities organised by ISOC, including the "Intercommunity" interactive global webcast organised on 21st September.

This type of global event, using state-of-the-art webcasting technologies would have been an ideal opportunity for At-Large to communicate to a global audience and possibly engage new members.

Recommendation # 5: At-Large should redouble efforts to encourage meetings between the senior ICANN Staff and Executives with ISOC (and other international I* organisations) to engage in joint strategic planning for cooperative outreach. The new webcast type of meeting that global ISOC uses may be a useful example for At-Large to emulate and or join.

8.4. At-Large elections: transparency & accountability

8.4.1. At-Large Member of the Board of Directors

Section 4 paragraph *j* of ICANN Bylaws states that the ALAC is responsible for:

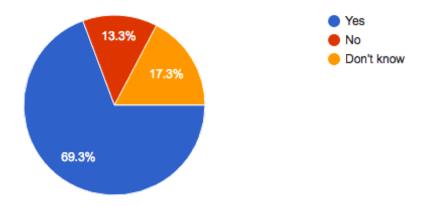
Making a selection by the At-Large Community to fill Seat 15 on the Board. Notification of the At-Large Community's selection shall be given by the ALAC Chair in writing to the ICANN Secretary [...]

Historically, the majority of the ICANN Board was meant to be made up of "At-Large" Members (which had a different meaning than today's "At-Large" Community.) During the Westlake Review, there was considerable discussion regarding creating more Board slots for At-Large, but in the end they did <u>not</u> recommend a voting Board Member from At-Large. (See our assessment of Outcome of the Westlake Review, Section 13 below)

Subsequently, the At-Large RWP and Board discussed the issue and a voting Board member from At-large was put in place.

We surveyed the larger Community on this question. While there were some voices from within At-Large pressing for a second voting Board Member for At-Large, the overwhelming majority (²/₃+) felt that one Board seat was adequate.

[Survey question] Is the At-Large Community adequately represented by a single, directly selected ICANN Board Director?



Implementation 10: No change to number of voting Board Members from At-Large.

While another BoD seat chosen directly (online) by the At-Large community might be one way to disintermediate the barrier to participation that At-Large structures create to end user participation, there is not an overwhelming demand from the Community for this change.

Since there is a selection process currently underway, our Review team has been able to observe the early stages of the election process in action. Our initial perception is that this selection process is overly elaborate and unnecessarily complex. As we understand it, the selection process is 8 months long, involves multiple teams of people, has unclear

documentation, several rounds of voting by an electorate whose definition is hazy at best and the outcome may then be decided by random selection.

We would argue that a simpler way to choose a Board Member would be to use existing Expression of Interest and other documentation, have the ICANN NomCom evaluate candidates, and have a real direct election whereby any At-Large participant (anyone subscribed to any At-Large list by a certain date before the election) may vote electronically as is currently done by NCUC.

The added advantage here would be to allow end users a direct ballot in the selection of their Board Member. We accept that there are potential downsides to this model, related to fears that this type of system could be gamed by a nation state actor or At-Large faction. It has become part of ICANN lore that an earlier election process by end users voting online was "disastrous" However, with the benefit of hindsight, since turnout was high, issues were debated, and highly-qualified candidates were elected, that election can be seen as a success story.

An alternative to direct election by all ALMs is to take the candidates approved by the NomCom, and have staff run an rfc3797-like process to randomly select the winner amongst the qualified candidates.

Either option would produce a suitable candidate due to NomCom vetting. The latter option would also eliminate potential gaming of the outcome, but the enormous amount of effort required to influence the selection process makes us think this is a minimal danger.

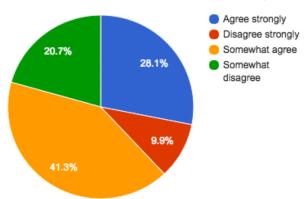
Recommendation # 6: Adopt a simpler selection mechanism regarding the selection of the At-Large Director using current Expression of Interest and qualifications documents, ICANN NomCom choosing a slate of suitable candidates. The winner to be chosen by a random selection algorithm.

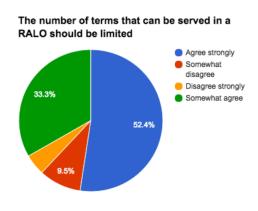
8.4.2. RALO elections

At this stage, given that there is a mediation process ongoing, it would be inappropriate for us to comment on specific RALO elections at this time.

What we have found in general however is that there are mixed opinions in regards to RALO elections being democratic and transparent as one can see from the following pie chart.

RALO elections are democratic and transparent

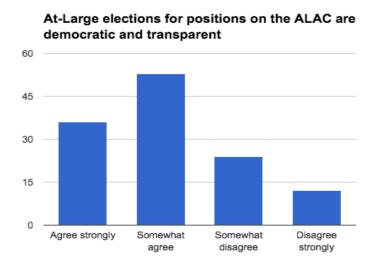




A number of strong opinions were offered regarding term limits for RALO Leadership however as can be clearly seen below. An overwhelming number of respondents either agree strongly or somewhat that RALO terms should be limited.

8.4.3. ALAC elections

Election of ALAC Committee Members are mostly seen as democratic and transparent, Over 70% of respondents responded positively answer to a question on the transparency of elections.

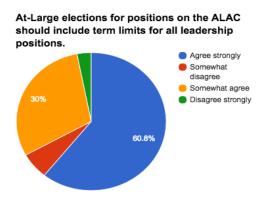


Section 4 paragraph *b* of ICANN Bylaws states that:

The ALAC shall consist of (i) two members selected by each of the Regional At-Large Organizations ("RALOs") established according to paragraph 4(g) of this Section, and (ii) five members selected by the Nominating Committee. The five members selected by the Nominating Committee shall include one citizen of a country within each of the five Geographic Regions established according to Section 5 of Article VI.

Term limits for ALAC Members

An overwhelming number (90%) of respondents agreed term limits should be in place for ALAC leadership roles, which is not surprising considering the many times we heard that there needs to be greater turnover in At-large leadership.



Terms of the current ALAC are staggered so that half of the ALAC is newly seated annually according to the ICANN Bylaws.

Section 4 paragraph *c* of the Bylaws states that:

- 1. The term of one member selected by each RALO shall begin at the conclusion of an ICANN annual meeting in an even-numbered year.
- 2. The term of the other member selected by each RALO shall begin at the conclusion of an ICANN annual meeting in an odd-numbered year.
- 3. The terms of three of the members selected by the Nominating Committee shall begin at the conclusion of an annual meeting in an odd-numbered year and the terms of the other two members selected by the Nominating Committee shall begin at the conclusion of an annual meeting in an even-numbered year.
- 4. The regular term of each member shall end at the conclusion of the second ICANN annual meeting after the term began.

Implementation # 12: The ALAC Members should have a maximum of (2) terms, each of a 2-year duration. In order to accomplish this, each RALO will have to have elections every year to match the bylaws. This may have further implications for the ByLaws.(see Section 11).

8.4.4. Election of ALAC Chair

Section 4 paragraph *d* of ICANN Bylaws states that:

The Chair of the ALAC shall be elected by the members of the ALAC pursuant to procedures adopted by the Committee.

Implementation # 13: See section 11 for a comprehensive set of voting and candidate eligibility requirements and term limits for At-Large offices.

8.4.5. Appointment of the At-Large Leadership Team (ALT)

Our survey did not ask any questions about the ALT, nor are we convinced that it is essential to the operation of the EMM we are recommending.

However, we are willing to be convinced that it is needed and we will reserve judgement about our ALT recommendations until our Final Report.

8.4.6. Appointment of the At-Large NomCom members

Section 4 paragraph e of ICANN Bylaws states that:

The ALAC shall, after consultation with each RALO, annually appoint five voting delegates (no two of whom shall be citizens of countries in the same Geographic Region, as defined according to Section 5 of Article VI) to the Nominating Committee.

Implementation # 14: See section 11 for a comprehensive set of voting and candidate eligibility requirements and term limits for At-Large offices.

8.4.7. Appointment of the At-Large Liaisons

Section 4 paragraph *f* of ICANN Bylaws states that:

the At-Large Advisory Committee may designate non-voting liaisons to each of the ccNSO Council and the GNSO Council

Implementation # 16: In the EMM, each of the 5 NomCom ALAC Members become a liaison to ccNSO/GAC/CSC/SSAC and GNSO. The assignments to these positions will be done by random selection mechanism.

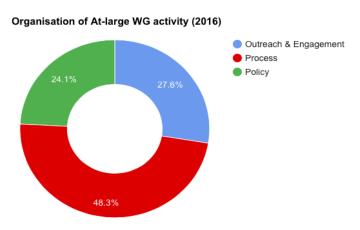
8.5. At-Large working methods

8.5.1. Working Group mechanism: excessive focus on internal processes

Our Review Team heard repeatedly that At-Large is too inwardly oriented and focused upon internal processes. We looked at the number of internal At-Large Working Groups and found that, indeed, there are far more process-focused WGs than policy WGs.

This was borne out by first hand observation, during the two ICANN meetings we have attended, where it appeared that a majority of At-Large meetings were spent debating internal and procedural matters.

The following chart represents the current breakdown of At-Large Working Groups according to subject matter - Outreach & Engagement, Process or Policy - and further confirms this perception.



Source: At-Large website

It appears to us that these internal WGs take up a significant amount of volunteer time that could be more productively spent on policy work.

The population of internal Working Groups seems to be made up of mostly the core group of activists we have identified in <u>Section 4</u> of this report above.

WG	Туре	Internal / CC
Accessibility	Outreach & Engagement	Internal
ATLAS II Implementation	Outreach & Engagement	Internal
Capacity Building	Outreach & Engagement	Internal
Captioning Pilot Project	Outreach & Engagement	Internal
Euralo At-Large Structure Engage	Outreach & Engagement	Internal
Finance and Budget	Outreach & Engagement	Internal
Outreach & Engagement	Outreach & Engagement	Internal
Outreach for more African Repres	Outreach & Engagement	Internal
Social Media	Outreach & Engagement	Internal
Technology	Outreach & Engagement	Internal
ICANN Evolution	Policy	Internal
IDN Policy	Policy	Internal
LACRALO ccTLDs	Policy	Internal
New gTLDs	Policy	Internal
Public Interest	Policy	Internal
Registrations Issues	Policy	Internal
Technical Issues	Policy	Internal
ALAC Appointee Selection Comm	Process	Internal
ALS Criteria & Expectations	Process	Internal
APRALO Individual Members Rev	Process	Internal
APRALO Rules of Procedures Re	Process	Internal
At-large Review 2015 - 2019	Process	Internal
Board Candidate Evaluation Com	Process	Internal
Board Member Selection Process	Process	Internal
CROPP Review	Process	Internal
ICANN Academy	Process	Internal
LACRALO Governance	Process	Internal
Metrics	Process	Internal
New Meeting Strategy	Process	Internal
Review of EURALO Bylaws	Process	Internal
Website Revamp	Process	Internal

Source of data: At-Large Website "Current Volunteer Opportunities"

Not convinced that the current Working Group model is an effective mechanism for engaging end-user input into ICANN policy-making processes, we are recommending a complete freeze on the creation internal At-large Working Groups.

While we expect push back on this profound change to the way in which At-Large currently coordinates volunteer time, we are confident that our Empowered Membership Model will result in increased levels of Cross Community Working Group participation by members of the At-Large. It is intended to serve as a stimulus to the At-Large Community to re-focus it attention on its core mission, leaving all other activities to one side.

It will serve to break the perception that the community is "keeping itself busy" through the creation of WGs.

Recommendation #7: At-Large should abandon existing internal Working Groups and discourage their creation in the future, as they are a distraction from the actual policy advice role of At-Large.

8.5.2. Working Group Mailing Lists

Mailing lists are used extensively by At-Large as the main means of communication between the members of the At-Large Community as a whole, the members of the ALAC, individual RALOs, the members of Working Groups or various ad hoc discussion group.

As part of this Review we have signed up to several lists, and observed that over 100 lists have been created by the Community, covering various issues and subscriber populations. These include:

- 2 At-Large wide lists
- 2 ALAC lists
- 9 RALO lists (including lists in different languages)
- 19 Working Group lists
- 34 ad hoc lists (mostly inactive) that are created for specific events

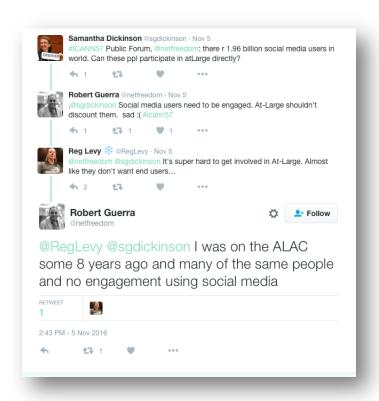
The use of mailing lists is standard practice for many technical / policy / standards-making organisations like ICANN, and the Mailman tool used by At-Large (and the rest of the ICANN community) is universally trusted and reliable.

However, for many within At-Large, this type of email-based communication is antiquated and may, in some cases, constitute a barrier to engagement.

There are many within At-Large who would favour more modern forms of communication including popular Social Media based platforms:

"It's 2016 and the entire At-Large Structure is still dependent on email lists for its communication". This cannot be an effective mechanism for moving forward as a community. There needs to be far more effective means of drawing intelligence up from the worldwide community of Internet users whose interests the At-Large structure is supposed to represent." (At-Large participant)

This sentiment was echoed by these participants in a Twitter exchange during the ICANN meeting in Hyderabad;



Recommendation # 8: At-Large should use social media much more effectively to gather end user opinions (Twitter poll/Facebook polls, etc).

8.5.3. At-Large Website

Throughout this review we have made extensive use of At-Large websites. The site contains a considerable volume of information on the origins, purpose and organisational structure of At-Large, current volunteer opportunities, the management structure, and upcoming event and elections etc. It is relatively user-friendly and we gather from regular users that the recent redesign is a significant improvement from the previous version.

The homepage provides useful information, and appears to conform to standard web-design practice with relatively easy 1 or 2-click access to key information about At-Large and its role within the broader ICANN system. Navigation throughout the rest of the site is intuitive and we note that many pages are available in multiple languages. For newcomers to At-Large our view is that it is a well-designed and useful site.

However, the site has some limitations for researchers (like ourselves) with an interest in deeper-level archived information. For this kind of information running keyword Google searches if often more effective than relying on the site's internal search engine.

This was brought up as an issue during interviews as through the survey, e.g. this participant in the GNSO:

"As with most ICANN websites, there's a real risk of information overload for people interacting with the site or the Wiki for the first time. Search functionality needs to be

improved (most people probably fall back to third party search engines) and the structure should better allow for key issues to be highlighted."

There also appear to be a significant number of broken URL links which can lead to frustration. To verify this we ran simple "Link Check" which revealed over 100 broken links across 3000 pages.

In the course of interviews several members of At-Large, including current leadership, have suggested that At-Large could much make better use of web technologies such as Twitter and Facebook, to channel end-user input.

Our view is that the At-Large Community itself should not be responsible for the maintenance and development of the site. This should be the responsibility of ICANN Support Staff. Given the importance of the website as the first port of call for most people with an interest in ICANN, recommend that ICANN Staff create a part-time position of Web Community Manager in replacement of one of its logistical support staff).



Recommendation # 9: At-Large should consider the appointment of a part time Web Community Manager position. This member of the support staff could either be recruited, or a member of the current staff could be specially trained.

Recommendation # 10: Consider the adoption and use of a Slack-like online communication platform. An instant messaging-cum-team workspace (FOSS) alternative to Skype/Wiki/website/mailing list.

9. Regional & Global At-Large meetings

Global ICANN meetings and participation in various regional meetings (IGF, RIR, Regional ccTLD meetings) that bring together key stakeholders of the global Internet Governance ecosystem, are centrepieces of At-Large's strategy to engage with end-users face-to-face. At five-year intervals At-Large also organises large-scale ATLAS meetings that bring together the representatives the entire At-Large Community.

How useful are these meetings in terms of channelling end-users input into policy development processes? And how sustainable is At-Large's meeting strategy in the long-term? Our interview and survey findings highlight mixed views regarding the value of certain types of meeting, and raise a number of questions about strategic options as the community moves forward in this regard.

As part of this Review we are considering ways in which At-Large's global meeting strategy could be enhanced, notably with a view to maximising the overall cost-effectiveness of meetings, and impact in terms of outreach, capacity building, policy input and training. We distinguish:

- ICANN meetings (3 per year)
- Regional At-Large meetings, IGF, RIR and other Internet Governance meetings
- Large scale At-Large meetings (ATLAS)

As part of this Review our team has (so far) participated in two ICANN meetings and four regional events. These were:

- African Internet Summit, Gaborone Botswana, 29th May to 10th June 2016
- EuroDIG, Brussels Belgium, 9-10th June, 2016
- LACNIC / LACNOG, San Jose Costa Rica, 26-30th September 2016
- InSIG, Hyderabad India, 31 Oct-2 November 2016

Prior to our involvement with this Review, members of our team also participated in many ICANN meetings, including the ICANN-50 meeting in London where we were able to observe the scale of the ATLAS II meeting (an organisational feat!).

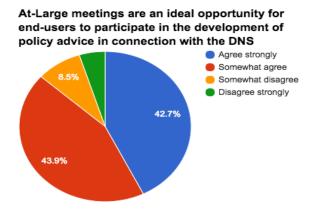
9.1. Survey & Interview findings

9.1.1. ICANN Meetings

As expected At-Large participants feel that ICANN meetings are the most useful interactions they have with their colleagues. A consistent 70+% of At-Large think the face to face meetings

are an "ideal opportunity for end-users to participate in the development of policy advice", the meetings "deal with policy issues that matter to end-users" and "meetings are relevant to my concerns as an end user".

"F2F meetings are more profitable than remote meetings because we have a chance to share views more easily during and after the meetings. The extra work done during F2F meetings is then more valuable to ICANN and the community. But funding remains the big challenge."



9.1.2. ICANN Meetings (A, B & C)

In our recommendations we have taken account of ICANN's new meeting arrangements, which seem to us to be sensible.

"I have mentioned at least one regional ICANN meeting a year that focuses on outreach within the region and making direct contact with ALSes to discuss what ICANN does and how ICANN decisions inevitably impact on them as end-users." (APRALO member)

"Have increased in-person participation by holding regional meetings in different places by rotation." (At-Large Participant)

"Hold two global meetings and one regional ICANN meeting - to discuss regional concerns and impacts of global meeting decisions". (At-Large Participant)

9.1.3. ATLAS Meetings

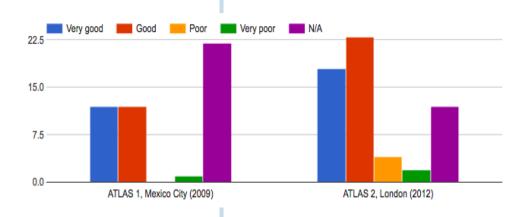
While At-Large Summit (ATLAS) meetings have been generally welcomed as successful events our survey highlighted many criticisms about their organisation; the formulation of recommendations and the speed of their implementation.

"ATLAS II Recs were created during first 2 days of the meeting. As a result, many participants were not really well briefed and prepared, resulting in many recommendations which sounded good but were not really on target. But we were committed to "implement them". "(At-Large Participant)

"A much better structured ATLAS. And the emphasis should not be on recommendations. It should be on bringing all the ALAC participants up to speed on issues, with an emphasis on developing an understanding of the main issues, and resulting recommendations that are few in number, addressing the main issues and implementable." (At-Large Participant)

"The 55 recommendations from ATLAS 2 was delegated to the Working Groups to provide detailed implementation strategies. This went from 200 people on the first daymeeting to less than 10 people on the last day, provide interpretation and suggestions. The list overlaps and should have been reduced to 10 or 12 recommendations which have address the core issues. "(At-Large Participant)

[Survey Question] How would you rate the overall quality/relevance of the ATLAS Meetings you have attended?

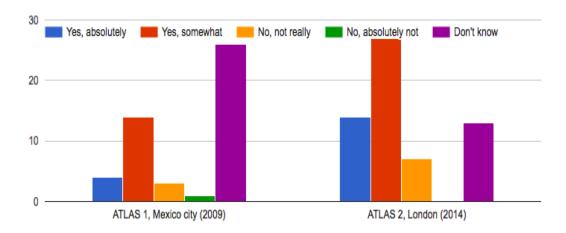


While it appears that satisfaction levels were higher with the London Atlas meeting it may be the case that the activists who attended Atlas I in Mexico City have left At-Large or that memories have grown hazy over time.

A close examination of the Atlas II recommendations, (finally recommended by ALAC to the board for implementation on 7 November 2016, after two years of work), demonstrates that the quality of recommendations is not impressive. Nor is the speed of their subsequent implementation.

9.2. ATLAS Meetings I & II

[Survey Question] ATLAS Recommendations. Has proper attention been given to the follow-up of ATLAS Summit recommendations?



9.3. A more cost-effective model for At-Large engagement

While a broad consensus of opinion seems to favour some sort of global get-together like the current ATLAS meetings, our consultations, and the survey results suggest that a revised approach would have more impact upon the two primary objectives of recruiting and involving more grassroots support, while transmitting to a wider audience the overall functions and responsibilities of ICANN.

We recognise that a budget has been agreed for the next global ATLAS meeting in 2019.

However, we believe that a more cost-effective and sustainable way of encouraging participation by a wider and more representative global body of end-users would be facilitated by a pragmatic change to a regional approach. Instead of organising ATLAS meetings once every five years, we are recommending the organisation of 1 large-scale regional At-Large meeting to be organised in conjunction with the largest annual ICANN meeting (meeting C).

A suggested methodology is set out below. This would involve reinforcing the capacity of the RALOs to organise large scale regional events at regular intervals (every two or three years in each region). This could be tried for three years and reviewed then to decide whether a full ATLAS style summit is still merited.

Recommendation # 11: At-Large should replace global ATLAS meetings with an alternative model of enhanced annual At-Large Regional Meetings. (see outline below)

9.3.1. Annual At-Large Regional meetings to replace ATLAS meeting

Our model for the replacement of ATLAS meetings with more regular regional meetings, organised in conjunction with ICANN meeting C is outlined as follows.

- One annual regional gathering of At Large participants to be linked to ICANN "C" meetings (i.e. those designed to encourage outreach).
- ICANN Regional Hubs and the appropriate regional offices of other I* organisations should be fully involved in the organisational effort, which can be planned well in advance.
- All regional ALS/M's should be invited with a pre-agreed number sponsored. (From a cleaned up list of existing ALS's this will amount to an average of <40 per region so initially at least all can probably be sponsored). Meetings should rotate among the five ICANN regions but wherever possible start with meetings in developing countries.
- Structured process to invite and produce recommendations. (Rather than a last-minute rush). There may be a role for the Council of Elders here, (see detail of new EMM in section 11).
- It should be open to Regional Meetings to make a small number of recommendations of their own: to encourage bottom-up traditions.
- Incremental approach in preparation of global recommendations. Driven by themes set by ALAC, designed to address topical issues, while encouraging bottom-up ideas.
 Beyond this core, each regional meeting to focus on local issues.
- Where appropriate, a small number of recommendations (we suggest five) may be agreed and submitted through ALAC to the other regions for timely comment and return to ALAC for implementation, ideally within 12 months of initial authorship.
- Implementation of "regional ATLAS" recommendations to be closely monitored by At-Large support staff.
- Regional meetings should make full use of ALAC Council of Elders members. See section 11 below).
- In parallel with these regional meetings ALAC should encourage the organisation of Internet Governance Schools, in association with ICANN and appropriate I* organisations, together with local ALS/M's. (The recent SIG held pre-Hyderabad and well organised by APRALO with local ALS provides a good model).
- Regional meetings should be structured to ensure that participants can generally spend half of each day participating in ICANN meetings to familiarise themselves with the multi-stakeholder system.
- ICANN outreach programs in the regions should be targeted to promote these annual regional meetings of at-large, and their accompanying Internet governance school modules.

9.4. Regional events: lessons learnt

During the Review process so far our team has attended the EuroDIG, African Internet Summit (AIS), LACNIC/LACNOG and Indian School on Internet Governance (InSIG) meetings.

Our observations of the way these meetings were organised, the quality of presentations and impressive levels of attendance in each case, have informed our thinking about an enhanced At-Large regional meeting strategy.

All four events were organised in cooperation with a number of institutional partners and financial sponsors. With varying degrees of financial and logistical support, AFRALO, APRALO, EURALO and LACRALO were all involved as partners.

In all cases it was clear to us that such regional meetings offer significant opportunities to promote the basic bottom up ethos of At Large, but also the outreach ambitions of ICANN as a whole.

These opportunities can be summarised as follows:

- Opportunity to leverage limited funds for "outreach and engagement": Partnering with leading regional events on Internet governance is an effective way for At-Large and the RALOs to maximise the use of limited funds to raise awareness about the role and function of At-Large.
- Opportunity to increase participation in At-Large: Of the several hundred participants in
 meetings like EuroDIG, other regional or global IGF meetings and joint RIR/NOG meetings
 (and similar meetings around the world), many have a focus on policy development in
 connection with the DNS. This is a unique opportunity to raise awareness about the role and
 function of At-Large and engage end-user input.
- Opportunity to engage in "bottom-up" policy development / advice: The regular
 gathering of several hundred participants with expertise in policy and regulatory aspects of
 the Internet provides At-Large with an exceptional opportunity to engage in "bottom-up",
 regional-level discussions on policy issues. Events like these should be used to a greater
 extent as the first stage in a truly bottom-up, consensus-driven process of policy
 development.
- Opportunity to maximise impact of limited travel funding for Regional events: RALOs
 participating in such events can use CROPP funding to cover the travel costs of five
 participants.

Recommendation # 12: As part of its strategy for regional outreach and engagement, At-Large should put a high priority on the organisation of regional events. The five RALOs should be required, as part of their annual outreach strategies, to continue to partner with well-established regional events involved in the Internet Governance ecosystem. CROPP and other funding mechanisms should be provided to support the costs of organisation and participation of At-Large members.(see section 9.5 on outreach)

9.4.1. Internet Governance Schools: a promising model for end-user engagement.



Started in Germany 10 years ago. This model has been deployed in various regions and are now being taught a country level as well. It is very successful in bringing new participants to the Internet Governance realm. Many new, young activists have come through these schools and have become prominent and active participants of At-Large and NCUC/NCSG. We have heard of such Schools being organised in Argentina (rotating in Latin America), South Korea, Brazil, India, South Africa, Pakistan, Kenya (AfriSIG), Latin America (South School) and EUROSSIG.

Recommendation # 13: Working closely with ICANN's Regional Hubs and regional ISOC headquarters, At-Large should reinforce its global outreach and engagement strategy with a view to encouraging the organisation of Internet Governance Schools in connection with each At-Large regional gathering which will in future take place in parallel with ICANN group C meetings.

9.5. A coordinated approach to outreach

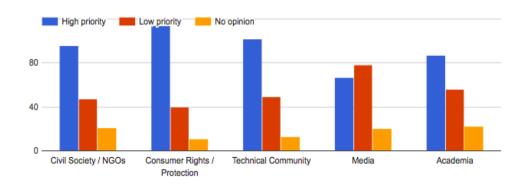
The at-large sector of ICANN was always designed to accommodate a two-way flow of information/influence. Bottom up advice representing the wisdom of global end-users, with a return flow of guidance/advice from the ICANN network as a whole. During the course of our research it became clear that this, the second half of the initial ambition, was also not working effectively.

No one seems to contest the idea that the At-Large network needs to be nourished through a regular flow of appropriate information; but it does not appear to be happening – at least not in any coordinated and effective way. There are also clearly opportunities here for ICANN to get its own message out. The potential synergies are self-evident.

When asked the question: "As part of its strategy to increase the skill set and number of ALSes, that make up the At-Large Community, what priority should be given to boosting membership levels for organisations in the the following sectors", survey respondents clearly prioritised some groups over others.

As part of its strategy to increase the skill set and number of ALSes, that make up the At-Large Community, what priority should be given to boosting membership levels for organisations in the following sectors :

[Survey Question] As part of its strategy to increase the skill set and number of ALSes, that make up the At-Large Community, what priority should be given to boosting membership levels for organisations in the following sectors?



The ITEMS team believe that the improved At-Large support network which should result from the implementation of the Empowered Membership model we are proposing (recommendation...) offers a new opportunity to be exploited to reinforce ICANN's own existing outreach efforts. We have spoken to a number of staff involved in these current efforts and received enthusiastic support for this concept.

There are already some good examples of cooperation in outreach. ICANN's Singapore office works well with APRALO and APNIC. There are doubtless other instances. We shall build upon these in preparing recommendations for this important sector during the forthcoming public comment period upon this, our first draft. Any suggestions from our current audience will be welcome.

Our objective will be to propose a properly coordinated mechanism with built-in incentives for different sectors within the I* community to cooperate in getting the right messages out in an effective and appropriate way to the widest possible audience. We see this as an important contribution in the development of a revitalised and truly global grassroots At-Large community.

10. At-Large funding issues

The issue of At-Large funding has come up at regular intervals in different ways, in almost all the conversations we have had throughout the Review process so far. There are many recurring questions, often asked rhetorically:

- How much funding support does that At-Large Community get?
- Does ICANN have a moral obligation to support the At-Large Community?
- Are travel support funds used in a manner that's fair and transparent?
- Are certain members of At-Large benefiting more than others?
- Are funds for "outreach and engagement" used in a cost-effective manner?
- Are all regions being treated equally and/or in a manner that is proportional to their populations?
- What is the "returns on investment" of the various At-Large activities? Metrics?
- Given limited resources, are At-Large's funding priorities right?
- Are At-Large operations financially sustainable? If ICANN financial support is removed, would At-Large cease to exist?

Given that At-Large consists exclusively of volunteers, the issue of funding cannot be avoided. It is an issue which to a large extent defines what At-Large is, who participates, and how the organisation has evolved over time into its current structure.

It may be beyond the scope of this Review to look deeply into the issue of funding and how decision-making processes that have financial consequences for the organisation are conducted.

However, there are various issues including travel support, the costs of meetings (including regional and ATLAS meetings), and the priorities that are given to certain types of event (e.g. At Large Showcases) that are often decided by the Community itself, that warrant some attention.

10.1. Survey and interview findings

Prioritizing improvements to outreach and remote participation (which actually invite broad participation including by new members) versus funding in-person participation by a small few. (GNSO Member, USA)

"(There should be) More focus on policy development instead of show cases and travel funding." APRALO Member

Their "outreach" is limited to these ICANN funded "showcases" which amount to not much more than a cocktail reception with some local entertainment." GAC Member

"Its nothing but rotations among a small group of people to various chairs and vice chairs all to secure travel funding to attend ICANN meetings. Same cast of people, just serving in different chairs from year to year." (Member of GNSO)

For some respondents, At-Large financial resources would be better spent on end-user based research:

Reallocate money spent on the small pool of ALAC members who consistently get funding to carry out actual user surveys on relevant topics, with the expectation that this should inform both GNSO policy and ALAC positions. (Member of GNSO)

For a small (but vocal) minority funds should even be reduced unless the Community can prove that it is truly accountable:

"[There should be] q reasonable scale-back of resources provided to ALAC, particularly travel funding, unless they can demonstrate to the community in a verifiable way that it does, as it claims, represent millions of end users, and that it derives its agenda from and has some measure of accountability to those users. (GNSO, USA)

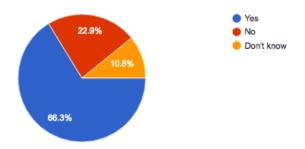
Or, in a more accusatory tone:

At-Large is a self perpetuating gravy train. (Member of APRALO)

Funding for At-Large activities, largely travel support is one of the rewards for being actively involved in ICANN policy processes. While this is not the only reason that volunteers become involved, it is one of the motivations for continued involvement over time.

Fully $\frac{2}{3}$ of At-Large survey respondents have been funded to attend ICANN meetings at some point in time:

[Survey Question] Have you (or your ALS) ever benefited from funding support from ICANN to attend an At-Large meeting?



In addition to direct travel funding for At-Large office holders, there are a variety of other funding sources available to At-Large participants (CROPP, Mentorship, NextGen and Fellowship programs, as well as Fiscal Year requests).

Recommendation # 14: In the interests of transparency, all At-Large travel funding should be published as a "one stop shop" contribution to the At-Large webpage.

Recommendation # 15: In the interests of transparency and accountability, At-Large Staff should produce an annual and multi-annual cost-modelling report clearly outlining plans. Such a document will be used by the community to agree on objectives, and as a metric against which to measure the impact of certain activities.

10.1.1. Alternative funding mechanisms for At-Large?

In the course of the Review we received some financial data that allowed us to calculate a rough estimate of approximately \$150,000 of direct funding for At-Large per ICANN meeting.

Adding staff support, translation, venue costs, indirect funding mechanisms, etc pushes the estimate into the \$200,000 to \$250,000 range per meeting.

Money is always an issue inside the ICANN bubble. Registries and Registrars think they fund ICANN, while At-Large and other Civil Society groups claim that is it registrants money.

While some Stakeholders had hoped that this review would include a cost-benefit analysis, it is impossible to quantify the contributions made by At-Large to ICANN policy processes, just as it is impossible to quantify any Stakeholder Groups contribution. Such an analysis is beyond the scope for this review.

While ICANN funds are the most appropriate funding source for At-Large activities, the current arrangement leads to the perception of some that At-Large has a potential Conflict of Interest in that it is supposed to advise the body that funds it.

We have written in previous sections about the financial imbalance between Stakeholder Groups. Since the start of the new gTLD program, ICANN has become an extraordinarily wealthy non-profit organisation. There will never be another moment in ICANNs history where the imbalance between SGs can be redressed. It seems that now is a very opportune time for At-Large to be fully funded via some sort of endowment mechanism.

Just 1/10 of the proceeds of one last resort auction (.web) put into an income generating endowment would fully fund At-Large global activities and redress the imbalance of financial power between the commercial entities and end users. We expect to return to the issue of funding in our Final Report.

10.2. ICANN Guidelines

According to ICANN official guidelines the At-Large Community has 27 travel slots⁵. These guidelines specify that for the At-Large Community:

This number includes 15 ALAC members, 2 Regional Leaders * 5 RALO's plus 2 Liaisons to GNSO and ccNSO. The two liaisons are nonvoting members. This support

⁵ FY14 Community Travel Support Guidelines: https://www.icann.org/en/system/files/files/travel-support-guidelines-fy14-02aug13-en.pdf

includes the costs for air travel, lodging, and a per diem amount set for each city. At-Large supported members receive economy class level of airfare, except for the Chair who is eligible to receive air travel at business class.

Implementation # 17: The proposed Empowered Membership Model (section 11 below) conflates many of these roles and consequently frees up travel slots for new voices. For example the 5 RALOS are now part of the 15 ALAC Member list and 5 Liaison roles are also taken by NomCom appointed ALAC Members, leaving 2 for the Council of Elders and up to 10 slots for Rapporteurs/liaisons for CCWGs and regular WGs (to be decided openly and transparently).

10.3. Dependence on travel funding

There appears to be a correlation between the level of funding provided by ICANN to participate in ICANN meetings - currently 27 travel slots - and the level of active participants - currently around 30 people.

It is a structural and organisational problem if ICANN appears to be effectively paying for At-Large participation. If this is the case it would be reasonable to question the impartiality of At-Large advice.

A table on At-Large travel over the last decade is further evidence of that travel funding is concentrated amongst a group of activists:

Table 9:



Source: ITEMS International using public ICANN data

<u>Note:</u> the columns in the middle of the table correspond to ICANN meetings 35 to 56. Cells with a figure 1 in them indicate that the person received At-Large funding to attend that meeting. Cells with a black background indicate that the person received other types of sources of ICANN funding to attend the meeting (e.g. because they were a Board Member or part of another constituency).

Other parts of the ICANN system are sometimes critical of the way ICANN pays for At-Large participation in ICANN meetings. One argument in the GNSO is that since Registrars and Registries pay to be part of ICANN it is natural for them to have a voice at the table of ICANN discussion.

But it is an argument that doesn't hold water for many within At-Large who counter that Registrars and Registries are paying with end user money. Therefore end users also need to have a funding mechanism to participate in meetings. And that funding mechanism may well be ICANN itself. Otherwise their interests will be overlooked.

10.4. ICANN/At-Large funding programmes

Funding programme	Main features
Fellowship programme	Seeks to create a broader and more diverse base of knowledgeable constituents with priority given to candidates currently living in underserved and underrepresented communities around the world.
NextGen programme	For individuals who are interested in becoming more actively engaged in their own regional communities as well as taking part in the future growth of global Internet policy.
Leadership programme	The ICANN Academy Leadership Program (LP) is designed for current and incoming leaders, helping them to better understand the complexity of ICANN and elaborate their facilitation skills.
Mentorship programme	System whereby mentors who can select 2 Mentorees each. Controversial process. No transparency on selection of Mentorees. Suspicion of cronyism.
CROPP programme	System whereby 5 people in each global region can obtain travel funding to attend a regional meeting. Good idea but controversial selection process. Lack of transparency leading to significant frustration and concerns about inter regional favouritism in some RALO's.

11. Towards an "Empowered Membership Model"

11.1. Rationale

One of the main findings of our Review so far, is that while the overall Mission and function of At-Large is widely supported within the Community itself and the broader ICANN system, the At-Large organisation has struggled to properly engage end-users, and represent their views within ICANN. Instead, what is perceived by many to be a culture of entitled individuals - albeit with considerable expertise - skill and commitment, has come to dominate. This is highlighted by the expenses paid attendance schedule (Section 10.3 above).

Taking into account the views of many individuals from within At-Large, the broader ICANN system and beyond, we have formulated an alternative organisational model.

Entitled the "Empowered Membership Model" (EMM) it is specifically designed to remove what we perceive to be the main barriers in the current system, and give end users an empowered role within At-Large.

The model we recommend seeks to reinforce end-user participation, and ensure that end-user interests are truly taken into account in ICANN policy making processes. We believe this will serve to restore the delicate balance of power between the various commercial and non-commercial stakeholders in the multi-stakeholder model.

11.2. Features of the Empowered Membership Model

Our vision of this model is not that different from the current structure that is written into the current ICANN Bylaws. There are the same Four (4) levels of hierarchy in the new model as in the status quo.

The two main differences of the proposed EMM concern:

- the function of of ALAC and RALOs, what each are meant to do (and not allowed to do). In the EMM, elected RALO officials will assume the roles of regional ALAC representatives.. In the EMM, elected RALO officials will assume the roles of regional ALAC representatives.
- the bottom layer of the structure which will be opened up to all end users in all regions.

See a summary of the main differences between the current At-Large organisation and the proposed *Empowered Membership Model*.

Table 11: Comparison of features of current At-Large Community and proposed EMM

Current At-Large structure

Empowered Membership Model

ALT

Selected from current ALAC Members, the ALAC Leadership Team (ALT) is tasked to support the Chair, ensuring the ALAC can focus on the most appropriate issues with minimum of administrative overhead.

ALT

The Review Team has not yet been convinced of the need to retain this administrative structure.

ALAC

The roles of the ALAC are to: i) consider and provide advice on the activities of ICANN as they relate to the interests of individual Internet users; (ii) play an important part in ICANN's accountability mechanisms; (iii) coordinate some of ICANN's outreach and engagement efforts to individual Internet users.

ALAC

In the EMM the role of the ALAC and the RALOs are merged. The role of the new ALAC is to provide advice to the Board based on feedback from "WG Rapporteurs/Liaisons" and other At-Large Members who are active in cross - community policy WGs. ALAC decisions to be based on rough consensus where possible and adhere to current voting rules of procedure when consensus cannot be found.

5 x RALOs

As information conduit and facilitators, RALOs disseminate information from ICANN, promote the participation of their members, and channel the regional user point of view to ICANN. Each RALO is governed by its own organizing documents, including a Memorandum of Understanding with ICANN.

5 x RALOs

RALOs to have reinforced two-way function in terms of outreach (top-down) and channelling of end user input (bottom-up). RALO officials to act as mentors for end users interested in ICANN policy making, and to steer them to the appropriate ICANN WGs. RALO Leaders are the de-facto regional representatives on the ALAC. RALOs will also be responsible for organisation of regional meetings and regional "ATLAS" meetings.

At-Large Structures (ALSs)

ALSes are independent organizations that form the ground-level of the current At-Large organisation; the entry point for end-users. ALS accreditation recognizes that ALSes meet ICANN criteria for involving individual Internet users at the local or issue level in ICANN activities, and for promoting individuals' understanding of and participation in ICANN.

At-Large Members (ALMs)

The EMM focuses on direct input from end-users (ALMs). Any end-user with an interest in the policy work of ICANN can contact his / her local RALO to enquire about WG volunteer opportunities. In signing up to a WG end-users will automatically become an ALMs. ALMs acquire voting rights to elect RALO/ALAC leaders after several months of active WG participation.

11.3. Membership structure of the EMM

1) At-Large Membership

- Membership of the At-Large Community should be open to all internet end-users with an interest in the mission of ICANN, upon demand, without exception.
- Participants shall be called At-Large Members (ALMs).
- Individuals wishing to become ALMs should contact their RALO who will provide them with information on the advisory role of At-Large within ICANN. The RALO will explain that the most appropriate way of learning about and contributing to the work of ICANN will be to participate remotely in its work. A list of currently active ICANN Constituency and Cross-Constituency Working Groups along with brief descriptions of their purpose will be provided by Staff to be shared with new ALMs.
- End users (ALMs) can also join an ICANN Working Group directly if they can navigate the system by themselves.

2) Participation in ICANN Working Groups

- ALMs will be free to join and participate remotely in the work of one (or more) Working Groups.
- Participation in WG or CCWG is voluntary and can be done via mailing lists, other digital tools, conference calls, and physical participation in ICANN meetings.

3) Selection of Working Group Rapporteurs

- ALMs will have the opportunity to volunteer for the position of Rapporteur to a working group in which they have shown an interest through remote participation. To be eligible for a paid travel Rapporteur slot, ALMs must have been engaged in WG activity for a 12 months period. Rapporteurs will be appointed for three consecutive ICANN meetings (1 year).
- Expressions of interest for Rapporteur roles will be organised by Staff against a list of standing Rapporteur positions for WGs and CCWG's pre-agreed by ALAC to require a Rapporteur.
- If there is only one volunteer for a standing Rapporteur role, that person will be appointed to the Liaison position by default.
- If there is more than one volunteer for a standing Rapporteur role a random selection process (a la RFC3797) will be used by Staff to determine who is selected.

- The maximum term for a Rapporteur will be 6 consecutive meetings (2 years). After this a two-year "cooling down" period will be imposed <u>except</u> in respect of an upward progression to ALAC membership.
- Initially, Rapporteurs for up to (10) WG's will be eligible for travel support. (The number of travel slots may increase in the future as a function of the overall number of cross community working groups created if additional funding is approved).
- All ALMs who participate in WGs may be expected to act as a Rapporteur, funded or not.

4) Participation in RALO/ALAC elections

- ALMs will be invited to participate in elections for their RALO representatives on ALAC.
- The only criteria for eligibility to vote in elections will be be to demonstrate active remote participation in the work of an ICANN WG for at least three months.
- Elections will be done electronically using the current e-voting platform used by ICANN (Big Pulse or tally.icann.org or similar)

5) Composition of the ALAC

- The 15 person ALAC will be made up of 2 directly elected Members from each global region (EG RALO Chair + Vice-Chair or Chair and Secretary) + 5 members nominated by the NomCom.
- The five NomCom appointees to the ALAC will each be assigned a 2-year Liaison role to one of the main ICANN SOs/ACs. (ccNSO/GAC/SSAC/GNSO and Customer Standing Committee?)

6) ALAC term limits

- An ALAC term will continue to be for two years. Members may seek reelection only once for a second two-year term.
- Having served two terms, ALAC members will be obliged to stand aside for a period of two years from all At-Large positions with the exception of the ICANN Board.
- ALAC terms will be staggered, so that in Year 1, 7 new Members, one from each region, and 2 from NomCom start their term and in In Year 2, 3 new NomCom and 5 RALO Members take their seats. Year 3 will see 7 new (or re-elected) ALAC Members, and in Year 4, 8 will be elected or re-elected.
- To avoid a repeat of the status quo individuals should be restricted to a total of 15 At-Large funded participation trips to ICANN meetings.

7) The At-Large Council of Elders

- The imposition of term limits, and an enforced "stand down" period are designed to end the practice of a small number of individuals dominating the At-Large process, to the detriment of its ability to truly represent the changing views of global end users.
- It would however be a waste to lose some of the considerable expertise amassed by many among the current at-large leadership. We therefore recommend the creation of a six person "Council of Elders" to which term limited members might join. If there is a surfeit of candidates in any given year, CoE selection will be done by random selection.
- Elders would serve for a single period of two years and each be eligible for two
 expenses paid trips to an ICANN meeting during this period. Their role would primarily
 be to encourage the next generation through outreach and mentoring processes. Elders
 would also be available to the wider ICANN community within their region for related
 purposes (e.g. as trainers in regional Schools on Internet Governance).
- After the 2 year period of CoE membership those "Elders" may choose to be regular ALMs again.. They would then be eligible for Rapporteur duty or to run for an ALAC seat.

12. Summary of Recommendations

[Note: for readers of this document in its electronic form the recommendations on this page are hyperlinked to corresponding section of the document]

Recommendation # 1: At-Large should encourage greater direct participation by At-Large participants in ICANN WGs by adopting our proposed Empowered Membership Model. This should allow At-Large/ALAC to produce up to date, consensus-built advice in a more timely manner.

Recommendation # 2: At-Large should more clearly distinguish "Comments" on ongoing policy work within ICANN, and formal At-Large "Advice", which is consensus-built with input from the community, focused on the interests of end-users, and specifically intended for the Board.

Recommendation # 3: At Large should have a more proactive approach to encouraging academics to participate in At-Large processes, via increased outreach to academia about ICANN and increased At-Large participation in events such as the Internet Governance Schools.

Recommendation # 4: At-Large Support Staff should provide appropriate support to the At-Large community in drafting position papers and other policy related work.

Recommendation # 5: At-Large should redouble efforts to encourage meetings between the senior executives of ICANN, ISOC (and other international I* organisations) to engage in joint strategic planning for cooperative outreach. The new webcast type of meeting that global ISOC uses may be a useful example for At-Large to emulate and or join.

Recommendation # 6: Adopt a simpler selection mechanism regarding the selection of the At-Large Director using current Expression of Interest and qualifications documents, ICANN NomCom choosing a slate of suitable candidates. The winner to be chosen by a random selection algorithm.

Recommendation # 7: At-Large should abandon existing internal Working Groups and discourage their creation in the future, as they are a distraction from the actual policy advice role of At-Large.

Recommendation #8: At-Large should use social media much more effectively to gather end user opinions (Twitter poll/Facebook polls, etc).

Recommendation # 9: At-Large should consider the appointment of a part time Web Community Manager position. This member of the support staff could either be recruited, or a member of the current staff could be specially trained.

Recommendation # 10: Consider the adoption and use of a Slack-like online communication platform. An instant messaging-cum-team workspace (FOSS) alternative to Skype/Wiki/website/mailing list.

Recommendation # 11: At-Large should replace global ATLAS meetings with an alternative model of enhanced annual At-Large Regional Meetings.

Recommendation # 12: As part of its strategy for regional outreach and engagement, At-Large should put a high priority on the organisation of regional events. The five RALOs should be required, as part of their annual outreach strategies, to continue to partner with well-established regional events involved in the Internet Governance ecosystem. CROPP and other funding mechanisms should be provided to support the costs of organisation and participation of At-Large members.

Recommendation # 13: Working closely with ICANN's Regional Hubs and regional ISOC headquarters, At-Large should reinforce its global outreach and engagement strategy with a view to encouraging the organisation of Internet Governance Schools in connection with each At-Large regional gathering which will in future take place in parallel with ICANN group C meetings.

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Recommendation # 15: In the interests of transparency and accountability, At-Large Staff should produce an annual and multi-annual cost-modelling report clearly outlining plans. Such a document will be used by the community to agree on objectives, and as a metric against which to measure the impact of certain activities.

PART II

Outcome and analysis of the 2008 ALAC Review

13. Outcomes of the 1st ALAC Review (2008)

The first independent review of the ALAC was conducted by Westlake Consulting Ltd. between February and July 2008⁶. The final report was submitted to the ICANN Board of Directors on 28 July 2008. The report contained 24 recommendations (see table below).

13.1. Review process & recommendations

Westlake Consulting's recommendations were given an initial evaluation by a specially convened Board Governance Committee ALAC Review which published its final report in January 2009. We summarise their conclusions in the right hand column below.

Westlake recommendations	BGC ALAC Review WG evaluation ⁷
WLC Rec # 1: That the number of NomCom appointees to the ALAC should be increased from five to seven, and that this structure should specifically be revisited at the next triennial review taking account of the then existing Geographic Regional Structure of ICANN	Rejected
WLC Rec # 2: That all members of the ALAC (and, ideally, of the RALOs) should be given clear position descriptions.	Accepted
WLC Rec # 3: That the current distribution of the RALOs be left unaltered until at least the next ALAC review.	Accepted
WLC Rec # 4: That ICANN should implement an activity-based costing system in order to improve resource management.	Accepted
WLC Rec # 5: That ICANN should provide further resourcing to support the ALAC, to the extent of (up to) one new employee per region.	Partially accepted
WLC Rec # 6: That the ALAC Chair negotiate an annual support agreement with ICANN staff, setting out agreed expectations and performance indicators.	Accepted
WLC Rec # 7: The ALAC position on the Board should remain that of a Liaison, with rights to full participation and information, but no voting rights	Rejected
WLC Rec # 8: That the term of appointment of the Board and other Liaisons be extended to two years, subject to the ALAC retaining the 'right of recall' under the Rules of Procedure, Rule 11 - Recall Votes.	Rejected
WLC Rec # 9: That ICANN staff should create a brief and multi-lingual guide to ICANN and the ALAC, aimed at individual Internet users and ALSs	Accepted
WLC Rec # 10: That the ALAC should develop:	Accepted

⁶ Westlake Consulting Ltd's final report is published on the ICANN website at: https://www.icann.org/en/system/files/files/summary-alac-independent-review-25jul08-en.pdf

⁷ Final Report of the ALAC Working Group on ALAC Improvements, 28 Jan. 2009: https://www.icann.org/en/system/files/files/final-report-alac-review-28jan09-en.pdf

 A simple annual Statement of Intent which specifies the current issues and priorities, objectives and activities for the next 12 months, and defines measures of success for each of the activities and objectives. This document should be strongly aligned to ICANN's Strategic and Operational Plans and be published on the ALAC website; Before the next ICANN annual planning cycle, the ALAC should develop a Strategic Plan of its own (complementing the broader ICANN Strategic Plan). Following the development of this Strategic Plan, the ALAC should then generate an annual Operating Plan which cites the activities and resources required to support the Strategic Plan during that year (also complementing the corresponding broader ICANN Strategic and Operating Plans and fitting the same planning cycle). 	
WLC Rec # 11: That the term of appointment of the ALAC Chair should be extended to two years.	Accepted
WLC Rec # 12: That the ALAC should explore ways to differentiate between organizations that genuinely represent individual Internet users, and are therefore ALS candidates, as opposed to those which may be a better fit with the NCUC	Partially accepted
WLC Rec # 13: That the ALAC should publish on its website trends in the average time taken from receipt of an ALS application to decision.	Accepted
WLC Rec # 14: That regular ALS compliance reviews be conducted and the non-compliance provisions be applied as appropriate.	Partially accepted
WLC Rec # 15: That ICANN should develop clear sanctions for non-compliance. These might include: ineligibility for ICANN travel funding; loss of voting rights; or being suspended until the matter is remedied.	Partially accepted
WLC Rec # 16: That any outstanding issues relating to Ombudsman reports 05-1090 and 06-317, should be dealt with as soon as possible by the ICANN Board or the ALAC (as appropriate).	Rejected
WLC Rec # 17: That the ALAC should develop a clearly defined process for the engagement of the At-Large community in developing policy positions.	Accepted
WLC Rec # 18: That the ALAC should use multi-lingual wikis rather than the current email lists to allow the At-Large community to more easily observe and participate in the development of policy positi	Partially accepted
WLC Rec # 19: That ICANN should increase the public comment period to 45 calendar days in order to allow a greater time period for At-Large community consultation in all regions	Partially accepted
WLC Rec # 20: That the ICANN Board should amend the Travel Policy to pay for accommodation expenses (including breakfast and internet access fees) and where practicable accommodate At-large members at or very near the main conference venue. The per diem amount (to cover other appropriate daily expenses) should also be available as a cash advance for those that require it.	Partially accepted
WLC Rec # 21: That private email lists should be used only for appropriate non-public discussion.	Partially accepted
WLC Rec # 22: That ICANN should continue to work on its language policy, including translation and other services.	Accepted
WLC Rec # 23: That ICANN staff should manage and maintain content of the various ALAC wikis.	Partially accepted

WLC Rec # 24: That the ALAC should replace email lists with wikis for policy discussions in particular and continue the evaluation of Web-based tools to facilitate discussion and collaborative working.

Partially accepted

13.2. ALAC Review Working Group on ALAC improvements

On receipt the initial *BGC ALAC Review Working Group's* final report⁸, it is our understanding that the recently formed Structural Improvements Committee (SIC), deemed the Westlakes recommendations to be "un-implementable" ⁹.

As a result a new ALAC Review Working Group was formed, tasked according to its charter, to "ensure that the evaluator's final report (independent review) contains the data and information needed to conduct the work of the BGC and the WG, and (primarily) to advise the BGC on whether any change is needed for At-Large".

This Review WG undertook to conduct a separate process resembling, in our opinion, a 'review of the review' in order to formulate a new set of recommendations that could be more readily implemented.

On 9 June 2009, the ALAC Review Working Group on ALAC improvements published its final report¹⁰. This report contained 13 recommendations which were intended, in effect, to supercede Westlake's 24 recommendations. These are summarised in Table12 below.

⁸ Following a Board resolution at the Lisbon meeting in March 2007, the Board Governance Committee (BGC) adopted a Working Group model to facilitate the review process. According to this Working Group's charter, which was approved the Board, ALAC Review WG was formed to ensure that "the evaluator's final report (independent review) contains the data and information needed to conduct the work of the BGC and the WG, and (primarily) to advise the BGC on whether any change is needed for At-Large." Large. https://www.icann.org/en/system/files/files/midpoint-consultation-report-21oct08-en.pdf

⁹ Comment made by ALAC Chair during open session to present interim findings of present review, during ICANN-57 Hyderabad.

¹⁰ Final Report of the ALAC Review Working Group on ALAC improvements https://www.icann.org/en/system/files/final-reportalac-review-09jun09-en.pdf

Table 12: Review WG Recommendations

Table 12: Review WG Recommendations					
ALAC Review WG Recommendations	Correspondence with Westlake Review (ITEMS opinion)	Implementation status (according to At- Large implementation team) ¹¹			
WG Rec # 1: The ALAC has a continuing purpose in the ICANN structure. This continuing purpose has four key elements:	None	Completed			
 providing advice on policy; providing input into ICANN operations and structure; part of ICANN's accountability mechanisms an organising mechanism for some of ICANN's outreach The section of the ICANN Bylaws that deals with ALAC should be changed to reflect this purpose. 					
WG Rec # 2: At Large should be allocated two voting seats on the ICANN Board	Profound modification of WLC Rec # 7	Completed			
WG Rec # 3: The ALAC-RALO-ALS structure should remain in place for now	Modification of WLC Rec # 3	Completed			
WG Rec # 4: Educating and engaging the ALSs should be an immediate priority; compliance should be a longer term goal.	Merging and significant modification of WLC Recs # 14, 15 & 17	Completed			
WG Rec # 5: ALAC should develop strategic and operational plans (including performance criteria and cost information) as part of ICANN's planning process.	Merging and simplification of WLC Recs # 4, 6 & 10	Completed			
WG Rec # 6: More effort needs to be put into developing accurate cost models for At Large activity.	Profound modification of WLC Rec # 20	Completed			
WG Rec # 7: ALAC should be encouraged to make its own choice of tools for collaborative work	Merging and significant simplification of WLC Recs # 18, 21, 23 & 24	Completed			
WG Rec # 8: The public comment period should be kept at 30 days except in special circumstances, in which case ALAC may request an extension to 45 days	Significant modification of WLC Rec # 19	Completed			
WG Rec # 9: ICANN should strengthen its translation and interpretation processes.	Acceptance of WLC Rec # 22	Completed			
WG Rec # 10: ALAC as the representative body for At Large is the primary organisational home for the voice and concerns of the individual Internet user in ICANN processes, although ICANN's multi stakeholder model provides opportunity for individual users to choose to participate in many	This is not a recommendation. Vague connection with WLC	Completed			

¹¹On 8 June 2012 the ALAC ratified the *ALAC/At-Large Improvements Implementation Project: Final Report* in which it was established that all 13 improvement implementations had been 100% completed.

other ways in the ICANN process.	Rec # 12	
WG Rec # 11: The WG suggests that there needs to be a clear statement from the Board that recognises the place of At Large as the primary organisational home for individual Internet users, and that clarifies the relationship between ALAC and the User House currently being developed within the GNSO	Modification of WLC Rec # 12	Completed
WG Rec # 12: ICANN should develop a mechanism for allowing the voice of those recognised bodies who represent consumer interests to be heard at critical points in key decisions and to provide input into policy processes.	None	Completed
WG Rec # 13: As the provision of advice on policy is part of ALAC's purpose, ALAC should strive to provide policy advice on any issues that affect individual Internet users. Processes for providing advice on policy should be strengthened within ALAC for the development of policy advice, within SOs for requesting input from ALAC on policy issues and from SOs, ACs and the Board to provide feedback on how ALAC advice has been used.	None	Completed

13.3. Independent Review of the ICANN Board, BGC

The most consequential modification of Westlake's initial recommendations concerns the creation of an At-Large voting Board member, something they clearly never recommended.

We note that a concurrent independent Review of the ICANN Board of Directors carried out by the Boston Consulting Group, and submitted in November 2008, confirmed the ALAC WG's recommendation to "provide ALAC with the right to nominate one or two voting Board members". 12

13.4. Inconsistencies between 2008 Review WG final report and ALAC Improvements Implementation project

We note that no corresponding recommendations were made by the Review Working Party regarding five Westlake recommendations, even though it would appear that were initially given a favourable appraisal in by ALAC Review Working Group on ALAC Improvements (Final report, Jan 2009)¹³. These are:

- WLC Rec # 2 concerning position descriptions for all members of the ALAC
- WLC Rec # 5 concerning the ICANN resourcing to support the ALAC
- WLC Rec # 9 concerning the creation of a multilingual guide to ICANN and the ALAC
- WLC Rec # 11 concerning the term of appointment of the ALAC Chair
- WLC Rec # 16 concerning outstanding issues relating to the Ombudsman

Yet, in the case of WLC Rec # 11 concerning the term of appointment of the ALAC Chair, this came into effect with an update to the Bylaws in 2012. This reform was implemented even though it was not listed as one of the recommendations of the Review Working Party.

¹²Boston Consulting Group (Nov. 2008) *Independent Review of the ICANN Board Final Report*. https://www.icann.org/en/system/files/files/report-02nov08-en.pdf

¹³ https://www.icann.org/en/system/files/files/final-report-alac-review-28jan09-en.pdf

This would suggest the absence of a systematic approach regarding the elaboration of a definitive set of recommendations. In the case of WLC Rec # 11 it was maintained and even implemented without having been shortlisted by the Review Working Party.

It would also suggest that the At-Large Community reserves the right to fundamentally reinterpret Review recommendations, ignore others, and implement variants or recommendations in a way that best suits the Community.

In the case of WLC Recs # 2, 5, 9 & 16 they were dropped for no obvious reason that we have been able to determine, even though they had initially received a favourable appraisal.

13.4.1. ITEMS concerns about the previous Review process

During the ICANN-57 meeting in Hyderabad our Review team raised these concerns with ICANN staff, notably regarding the way in which the recommendations resulting from the Westlake review transformed by various players, ostensibly to suit their own ends.

ICANN staff explained that their role is to ensure that a fair, transparent and informed process is followed, and that the resulting final report provides "useful and implementable recommendations that will help At-Large organization improve its effectiveness and fulfil its mission".

On submission of our final report our understanding is that At-Large Working Party will assess the Recommendations, endorse some, propose amendments, and may recommend that others are not implemented.

The Working Party assessment, together with the full, unedited Final Report will then be passed to the Organisation Effectiveness Committee which will consider the Report and the Assessment, and then decide which recommendations to accept or reject.

We understand that the OEC is not bound by the Working Party assessment nor by the Final Report either. The oversight role of the OEC is intended to ensure that the review process is followed and that the outcome meets the quality expectations.

The OEC's decision will be passed to the full Board where it will be voted on. Whatever the Board ultimately adopts (all Final Report recommendations, all WP Assessment recommendations, or a mix of both) will then be handed back to the At-Large community for implementation.

13.5. Analysis: Impact of Westlake recommendations

In their final report, the authors of the ALAC/At-Large Improvements Implementation Project established that all 13 improvement implementations had been 100% completed.

We have been able to verify that this is, indeed, the case.

Even though we have significant concerns about the process that was followed for the previous Review process, we

Recommendation	Status (% Completed)				Status (% Completed)		
	25%	50%	75%	100%			
Rec 1: ICANN Bylaws							
Rec 2: Board Member							
Rec 3: ALS-RALO-ALAC Structure							
Rec 4: ALS Education & Engagement ⁱ							
Rec 5: Strategic & Operational Plans							
Rec 6: Cost Models							
Rec 7: Communication Tools							
Rec 8: Public Comment Period ⁱⁱ	https:	//community	.icann.org/x/[YD7AQ			
Rec 9: Translation Processes ⁱⁱⁱ							
Rec 10: Home of Individual Internet Users							
Rec 11: Board Statement Regarding Rec. 10							
Rec 12: Input from Consumer Representatives							

acknowledge that the reforms that resulted from it were needed, and that they have had a certain beneficial effect for the At-Large Community.

Rec # 1: ICANN Bylaws

The amending of ICANN Bylaws regarding the At-Large Community has resulted in clarifications, notably regarding the role of Liaisons.

It has led to a clarification of the role and mission of At-Large as the "primary organizational home for individual internet users" and "providing advice to ICANN insofar as they relate to the interests of internet users."

It has put greater emphasis on the "important role" that the ALAC has to play in ICANN's accountability mechanisms.

It has given At-Large a more clearly defined mission to engage in educational programmes aimed at ALSes in coordination with other parts of the ICANN system.

Rec # 2: Board Member

The creation of a voting Board Member was no doubt seen as *a positive* development for At-Large, and served to elevate the voice of end-users to the same level as the other commercial, technical and political stakeholders within the ICANN system.

However, as noted we have concerns about the the way in which successive At-Large staffed Working Parties were able to transform Westlakes's original recommendation concerning a non-voting Liaison to the Board, into this very different (albeit better) reform.

The justification was explained as follows:

"Our report corrects a flaw in the Westlake report. That report contained a recommendation that the ALAC be permitted to designate two people who could observe and speak to the board but who would not have the rights, particularly voting rights, and duties of full board members. That

recommendation was based on a presumption that presence of full board membership would deny the ALAC's choices freedom to consider the interests of the public.¹⁴

However, we believe this is justification for an unacceptable distortion of Westlake's original recommendation., and we would not like to see any of the conclusions or recommendations resulting from the current review process treated in the same way."

Rec # 3: ALS / RALO Structure

It would appear that this recommendation was made in order to maintain the RALO / ALS structure on which the At-Large Community had been built in a manner which ensured that it "does not present obstacles to effective community operation and development".

Assessment:

Based on what we have heard, so far, from the many people we have interviewed and a majority of survey respondents, the At-Large's RALO / ALS structure is not, in its current state, adequately suited to its purpose and mission to serve Internet end-user interests. For many the system is "broken", "inefficient", "lacking in transparency".

The purpose of the RALOs is poorly understood and the criteria for becoming an ALS seem more like an obstacle than a mere formality for engagement. No doubt a result of the complex hierarchical structure, the At-Large Community has seen sluggish growth and a high level of inactivity or disengagement as well as volunteer "burn-out".

The current structure of At-Large has not allowed the emergence of a dynamic community in which end-users are engaged and their voices effectively heard. Instead it has allowed At-Large to become progressively paralysed with internal processes, to the detriment of actual work on policy development or the providing of advice.

For this reason we think At-Large needs to consider a profound reform of the RALO / ALS structure.

We have developed an "Empowered Membership Model" which we present in section 11 (Towards an "Empowered Membership Model") of this report.

Rec # 4: ALS "Education & Engagement"

This recommendation was intended to improve the quality of information provided to ALSes. It would appear that it was made in response to a direct demand on the part of ALSes for better information about the role and function of At-Large and the opportunities for active engagement. It also sought to address the role play by ICANN support staff in the preparation and dissemination of information/pedagogical materials.

Assessment:

¹⁴ Final Report of the ALAC Review Working Group on ALAC Improvements (9 Jun 2009): https://www.icann.org/en/system/files/files/final-report-alac-review-09jun09-en.pdf

Whereas this recommendation is presented by At-Large as having been "implemented", we have, so far, not seen convincing evidence to suggest that activities carried out in this area have had a positive or enduring impact.

Furthermore, for the outsider looking in it is not clear whether it is staff or the community that is responsible for the provision of information.

We have gathered that a large part of this recommendation concerned the role played by staff in "helping to develop material that explains policy issues in ways that makes sense to the individual end-user.

Rec # 5: ALAC strategic and operational plan

Although, as noted, this recommendation is announced as as having been "implemented" we have not found any evidence that the ALAC or wider At-Large Community has actually developed a formalised short, medium or long-term strategic and operational plan.

In October 2008 we not that the Board Governance Committee ALAC Review Working Group on ALAC Improvements recommended that: "ALAC should develop strategic and operational plans (including performance criteria and cost information, as part of ICANN's planning processes)", however, it is not clear that ALAC has followed through on this.

In 2014, ALAC did submit a statement on ICANN's *Vision, Mission and Focus Areas for a Five-Year Strategic Plan* which concerns the At-Large Community. However, this does not amount, in our view, to the type of document that was envisaged by the original recommendation, the focus of which would be on At-Large Community.

Such a document ("Roadmap") would serve to establish a set of strategic and operational objectives against which results could be measured at regular intervals (typically once a year).

Rec # 6: Cost Models

This important recommendation specifically called for more effort to be put into developing accurate cost models for At-Large activity.

We note that the ALAC provides advice, on an annual basis, regarding ICANN Operating Plan & Budgets which cover all the constituencies within ICANN.

We have also obtained from ICANN's Chief Financial Officer detailed Travel Reports dating back to 2008. These have allowed us to conduct our own assessment of the main beneficiaries of travel funding within At-Large (see Table in Section 10). 15

Information regarding the overall costs associated with At-Large can be obtained. However, these do not amount, in our view, to "cost models" in the sense normally used by many organisations in which they are commonly used for strategic and operational planning purposes.

¹⁵ https://community.icann.org/m/mobile.action#page/49351578

Cost Modelling is typically used as an aid to decision-making processes within organisations, notably regarding strategic planning, and is frequently factored into business plans, budgets, and other financial planning and tracking mechanisms.

We are of the view that this type of planning is necessary and would benefit the At-Large Community as a whole, not least in relation to the Community's commitment to transparency and accountability. Yet we see little evidence of the use of such financial planning practices within At-Large.

We question the At-Large's assertion that this recommendation has been "implemented" and recommend that more should be done to produce regular reporting.

Rec # 7: Communication tools

The At-Large Community uses a variety of Communication tools including Mailing Lists, Social Media (Twitter and Facebook).

We have not yet been able to provide an informed assessment of the choice and effective use of each communication tool.

However, it would appear that there is a heavy reliance on English-language mailing lists which may be alienating for many in the global population of end-users.

Moreover, although Twitter and Facebook are used as promotional platforms, these and other social media are not used to their full potential, e.g. to conduct global polls or other data collection exercises.

Rec # 8: Public Comment Period

Westlake initially recommended extending the Public Comment Period to 45 days. This was rejected by the BGC WG who proposed a counter-recommendation to maintain the Period at 30 days except in special circumstances, in which case the ALAC may request an extension to 45 days.

We have been able to ascertain that this is the procedure that is, in fact, being followed by At-Large. However, so far we have not be able to verify if this has been formally established by the community as a rule of procedure.

There is no mention of this provision in ICANN Bylaws or the "ALAC Rules of Procedure.16"

Rec # 9: Translation and Interpretation services

¹⁶ ALAC Rules of Procedure, Approved 30 June 2016: http://tinyurl.com/ALAC-RoP-2016-09

We have been able to observe that key At-Large documents are regularly translated into French, Spanish, Portuguese, Russian, Chinese and Arabic.

Rec # 10: Home of individual Internet Users

Rec # 11: Board statement regarding Rec. 10

Rec # 12: Input from Consumer Representatives

Rec # 13: Policy Advice Mechanisms

We have been able to observe that a formalised policy advice mechanism has been put in place.

14. Annexes

14.1. A1: EuroDIG 2016: meeting report

Our Review team participated in the 9th edition of *European Dialogue on Internet Governance* (EuroDIG) in Brussels, on 9 and 10 June 2016. Held under the theme *"Embracing the digital (r)evolution"*, this meeting was hosted by EURid (.eu registry) in cooperation with the European Commission. EURALO was prominently listed as one of the main Institutional Partners of the event alongside ICANN, ISOC, RIPE NCC and the Council of Europe.

Around 600 representatives from governments, business, technical communities, civil society and academia gathered address Internet governance and policy issues, including internet privacy, security and access.

During the event key note speeches were given by leaders in the Internet governance ecosystem including Göran Marby, ICANN CEO, and Kathy Brown, ISOC CEO, as well as prominent researchers, industry leaders, regulation experts and high-level European politicians with digital portfolios.

Our Review team was highly impressed by the format and professionalism of the event, and the considerable media attention it received across Europe. 17

Our impression is that unlike many At-Large meetings that take place during ICANN meetings, where a considerable amount of time is spent discussing internal procedural matters, all sessions during EuroDIG16 were focused on regulatory or policy issues. The meeting that was much more narrowly focused on policy-making and/or the implications of policies for industry players, civil society and end-users.

Our view is that this type of regional event (other examples of which exist in many parts of the world) creates numerous opportunities for synergies that At-Large could take greater advantage of.

- Opportunity to leverage limited funds for "outreach and engagement": Partnering with prominent regional event like EuroDIG is a highly effective way for At-Large and the RALOs to maximise the use of limited funds to raise awareness about the role and function of At-Large.
- Opportunity to increase participation in At-Large: Of the several hundred participants in meetings like EuroDIG many have an interest in policy development in connection with the DNS. This is a unique opportunity to raise awareness about the role and function of At-Large.
- Opportunity to engage in "bottom-up" policy development / advice: The regular gathering of several hundred participants with expertise in policy and regulatory aspects of the Internet provides At-Large with an exceptional opportunity to engage in "bottom-up", regional-level discussions on policy issues. Events like these should be used to a greater extent as the first stage in a truly bottom-up, consensus-driven process of policy development.
- Opportunity to maximise impact of limited travel funding for Regional events: RALOs participating in such events can use CROPP funding to cover the travel costs of five participants.

¹⁷ We have counted scores of scholarly or specialised industry articles including citations from EuroDIG16 in dozens of journals across Europe, including Belgium, Croatia, Estonia, France, Germany, Italy, Russia and the UK.

14.2. A2: LACNIC / LACNOG 2016: meeting report

Our Review team attended the LACNIC 26 - LACNOG 2016 meeting in San José, Costa Rica from September 26 to 30, 2016. As usual, the LACNIC 26 meeting was held in conjunction with the annual meeting of the Latin American and Caribbean Network Operators Forum (LACNOG), in its 2016 edition. The main institutional partners of the event were sponsored by RIPE, APNIC, ICANN, ISOC, network operators and vendors.

LACNOG is a forum for exchanging infrastructure development, networks operation, technical implementation and operational practices. A forum for discussing, learning and collaborating on issues directly related to Internet network operation, monitoring of regional progress of technological advances, networking with other professionals and capacity building through technical workshops, emulating 'Internet technical workshops' organized by ISOC in the 90's, which became the hotbed of developing countries Internet pioneers in Africa, Latin America, the Caribbean and Asia.

More than 300 representatives from governments, technical communities, business, academia and civil society attended the forum where Latin Americans, Caribbean residents and world international leaders exchange views with operators, researchers, industry leaders and regulation experts.

The agenda includes a one-day technical training on new technologies, security and IPv6 adoption, followed by a four-day conference with keynote presentations by leading international and regional experts who bring their expertise to solve operational problems. The program is mainly given in Spanish language with English, Spanish and Portuguese interpretation. French interpretation is provided only if it required. Small activities do not have interpretation.

LACNOG quite often get LACNIC and other type of funding such as national and international sponsors, Government, network operators, vendors and so on.

Media attention is given by international and local newspapers, in particular on the opening day because the key-note speech is often provided by the President or high-level authority of the hosting country.

Therefore, regional and local At-Large members attending these meetings will have the opportunity to raise awareness about the role of At-Large/ICANN mission;

15. References

(A complete list of references will be provided in our final subsequent drafts and in our final report)