

# DRAFT ALAC Response to: The Independent Review of the ICANN At-Large Community - Draft Report for Public Comment

v08 – 23 February 2017

**E-MAIL/Wiki Comments: ONLY THOSE FROM AT-LARGE COMMUNITY MEMBERS WILL BE CONSIDERED**  
**Google Doc Comments: ONLY THOSE FROM LOGGED IN AT-LARGE COMMUNITY MEMBERS WILL BE CONSIDERED.**

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## 1. Introduction

The ALAC appreciates the commitment of the Review Team and the factoring in of the comments provided by the WP and community to the first draft report resulting in this version.....

## 2. Recommendations

**Recommendation 1: At-Large Members from each region should be encouraged, and where possible funded, to participate in Internet governance / policy-related conferences / events (IGF, RIR ISOC) in their region, and to use these events as opportunities proactively to raise awareness among end- users about the At-Large and the opportunities to engage in ICANN-related activities.**

**ALAC Response:** The ALAC supports this recommendation and notes that this is effectively today’s status quo, although “where possible funded” is not often the case. Other than CROPP funding which is extremely limited, if “outreach” is listed as a motivation for other funding, the likelihood of the funding being approved decreases markedly. Note that this notwithstanding, we do on occasion hold events in parallel with such other Internet Governance events – See response to recommendation 11.

34 **Recommendation 2: At-Large should be more judicious in selecting the amount of advice it**  
35 **seeks to offer, focussing upon quality rather than quantity.**

36  
37 **ALAC Response:** The ALAC supports this recommendation and notes that it is the status quo. Records  
38 over the last five years demonstrate this.

39

	2012	2013	2014	2015	2016
ICANN Public Comments	62	59	53	51	46
ALAC Responses	35	32	28	20	16
% Responded	56%	54%	53%	39%	35%

40  
41 A small proportion are just “good work” or “we support” – places where we felt such a nominal  
42 response was advisable but the issue did not warrant any substantive effort on the part of At-Large.  
43 These statements are nonetheless included in the count of ALAC Responses.

44 Advice to the Board is a very small part of the overall comments. In the past three years, only X such  
45 statements were made. At some level, the need to submit advice to the Board is an indication of failure  
46 in that it is far more preferable to influence the policy recommendation of other decisions before they  
47 come to the Board than to advise the Board after the fact, at a time when it may have little latitude to  
48 alter the outcome.

49 **Recommendation 3: At-Large should encourage greater direct participation by At-Large**  
50 **Members (ALMs) in ICANN WGs by adopting our proposed Empowered Membership Model.**

51  
52 **ALAC Response:** The ALAC supports the analysis indicating that we would like and in fact need more  
53 participation from the periphery of At-Large. Moreover, this was clearly stated to the Review Team. The  
54 issue has been the subject of an ongoing Task Force within At-Large over the last year (one of the  
55 frowned-upon inward-looking activities). It is unfortunate that the Review Team was aware of this effort  
56 and chose not to mention that it was ongoing and was at the stage where a framework for addressing  
57 the issue was adopted by the ALAC in Hyderabad, well before the issuance of this report.

58  
59 The ALAC strongly disagrees with the proposed recommendation, not because, as characterized in the  
60 report, we are defending our privileged positions and afraid of any change, but rather because the  
61 proposal has a number of apparent critical flaws that the Review Team were asked to address and have  
62 chosen not to.

63  
64 Some of these will be addressed later in this comment, but the most important one is that there is no  
65 explanation of why, the announcement of the Empowered Membership Model (EMM) will result in  
66 greater participation. The EMM is roughly equivalent to the Individual Member class of participation in

67 three of the five RALOs. The only substantive difference is that upon successfully completing and initial  
68 period (with no methodology presented for judging completion), Empowered Members will have the  
69 right to vote for leaders or on other actions, should a vote ever be initiated.

70

71 No evidence is presented as to why the vote-empowered membership will be orders of magnitude more  
72 attractive to users world-wide, or why the ongoing potential to vote will encourage people to actively  
73 participate in what has been acknowledged as a complex, and time-intensive space. Moreover, many of  
74 these users are not fluent in English which is the language used for most of these activities and no  
75 proposal is presented on how that might be overcome.

76

77 As noted, this document will return to these questions when addressing other Recommendations and  
78 Implementations.

79

80 **Recommendation 4: At-Large Support Staff should be more actively involved in ALM**  
81 **engagement in policy work for the ALAC, drafting position papers and other policy related**  
82 **work.**

83

84 **ALAC Response:** The ALAC agrees with the recommendation. In fact, the ALAC has started doing this  
85 over the last year. Utilizing the relatively limited resources available, an ICANN At-Large Staff member  
86 has edited and “cleaned up” documents drafted by volunteers and in several cases have created the  
87 initial draft based on instructions from community members. Similarly, but on a larger scale, staff will be  
88 the main content creators of the planned regular messages outlining policy activity to be sent to  
89 individual and ALS members. This is of course dependent on ICANN management making the  
90 appropriate resources available, as volunteers have no direct control, but we are optimistic that this will  
91 be done.

92

93 **Recommendation 5: At-Large should redouble efforts to contribute to meetings between**  
94 **ICANN Senior Staff and Executives, ISOC (and other international I\* organisations) to engage**  
95 **in joint strategic planning for cooperative outreach.**

96

97 **ALAC Response:** As desirable as such an approach sounds, it is not known to At-Large when and where  
98 ICANN Senior Staff and Executives, ISOC (and other international I\* organizations) meet, and although  
99 At-Large leadership would be delighted to participate in such events, they are not typically invited.  
100 Certainly at the last known enclave of these organizations, At-Large did not have a presence.

101 The lack of participation at the ICANN executive level does not inhibit cooperation with other  
102 organizations at the ALAC and RALO level. For an example, see response to recommendation 11.

103 **Recommendation 6: Selection of seat 15 on ICANN Board of Directors. Simplify the selection**  
104 **of the At-Large Director. Candidates to self-nominate. NomCom vets nominees to produce a**  
105 **slate of qualified candidates from which the successful candidate is chosen by random**  
106 **selection.**

107  
108 **ALAC Response:** The ALAC rejects this recommendation. There is no question that the process followed  
109 by the At-Large Community (ALC) to select the occupant of Board seat 15 is more complex than the  
110 processes used by the Supporting Organizations for their selections. However, it is patterned closely on  
111 the process used by the Nominating Committee to select their directors. Moreover, this process was  
112 arrived at after an extensive bottom-up design process. The process has been modified several times  
113 using ALAC RoP amendment procedures, and it may well be modified again in the future. Perhaps it will  
114 even be simplified, if that is the will of the community. It is the position of the ALAC that neither the At-  
115 Large Independent Reviewer nor the Board Organizational Effectiveness Committee nor the ICANN  
116 Board itself has the standing to instruct the At-Large Community how to select its Director. In fact, since  
117 any such instruction would ultimately come from the Board, it would be in a very clear conflict of  
118 interest if it were to do so.

119  
120 The concept that the “Director nominated by the At-Large Community” (a quote from the ICANN  
121 Bylaws) should be partially selected by the Nominating Committee and then by random selection cannot  
122 be taken seriously.

123  
124 For the record, the ALC process does include an option of random selection if all else fails, but in that  
125 case, it is a random selection between two candidates that have already received strong support from  
126 the ALC either through the Board Candidate Evaluation Committee (made up of members of the ALC –  
127 excluding the ALAC) and possible one or more field-narrowing votes.

128  
129 The other alternative suggested by the Review Team (but not recommended) is to revert to a selection  
130 process akin to the 2000 At-Large Board selection process. This is a process explicitly rejected by the  
131 bottom-up group that designed the current process and was rejected by the ICANN Board when ICANN  
132 was re-designed in 2002. It is not the place of an external reviewer to override these processes. Should  
133 the overall community one day decide to follow that process, it will do so without being compelled to do  
134 so.

135  
136 **Recommendation 7: At-Large should abandon existing internal Working Groups and**  
137 **discourage their creation in the future, as they are a distraction from the actual policy advice**  
138 **role of At-Large.**

139  
140 **ALAC Response:** The ALAC rejects this recommendation. Working Groups (WGs), under a number of  
141 names, are the core way that ICANN and its constituent parts come to agreement and makes decisions.  
142 The ALAC has WG for a number of reasons, and strongly defends its right to do so.

143 The uses of WGs include:

144 Policy Related: These groups are used to build policy recommendations and advice, merging and  
145 melding differing opinions and ensuring that all parties can contribute and that the final statements are  
146 supported by the ALAC and the RALOs which appoint 10 of the 15 ALAC Members. Such groups have  
147 been critical to the ALACs ability to very effectively contribute to the New gTLD Process, the IANA  
148 Stewardship Transition Plan, and the new Accountability measures. These groups are generally open to  
149 all participants in At-Large. The Public Interest WG is the newest such group, which will be working to  
150 support ICANN-wide efforts attempting to understand the meaning and implications of the public  
151 interest in ICANN’s context.

152 Administrative Tasks: These WGs, which may be convened at special times or are standing, carry out  
153 tasks on behalf of the ALAC, at times referring issues aback to the ALAC, and at other times charged with  
154 making decisions on behalf of the ALAC. In most cases, these groups include (or are restricted to)  
155 appointees from RALOs so that critical decisions are not restricted to “the usual gang of suspects”.  
156 Often, these RALO appointees are relatively new to At-Large and this constitutes one of the stepping  
157 stones into leadership positions (both for them to get experience, and to be judged). Tasks include:  
158 triage of volunteers to a variety of positions within the ALAC or other groups within ICANN that we are  
159 required to appoint people to or endorse them for; advice and decisions on ICANN special budget  
160 requests; advice and decisions on CROPP requests; deliberation and advice on outreach; deliberation  
161 and development of capacity building programs.

162 Environment Enhancement: As the reviewers have noticed, there are many tools available from which  
163 we can choose to do our work. Recommendation 10 suggests one such example and Recommendation 8  
164 suggests others. In a bottom-up organization, we cannot have a “Tool Czar” simply passing down edicts  
165 of what we should do. We have WG which address such needs including: Tools (such as messaging and  
166 conference), translation, captioning; Social Media, Accessibility (ensuring that those with disabilities can  
167 participate equitable). Several of these have been sufficiently successful that they have, or are in the  
168 process of, transitioning to ICANN-wide projects (ICANN Academy, Accessibility, Captioning).

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

171  
172 The ALAC supports this recommendation and already has a Social Media Task Force that is developing  
173 such uses of Social Media (one of the inward-looking WGs that are recommended to be abolished).

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

177  
178 The ALAC supports the intent of this recommendation. We note that it is beyond the scope of the At-  
179 Large volunteer community to take such action.

180  
181 However, there are some aspects of the analysis for this recommendation that need clarification.

- 182 • There is an implication that we need ICANN needs to hire staff in lieu of volunteers working on  
183 the web site. ALL support of the site is performed by ICANN employees. Broken links also fall  
184 under ICANN staff.
- 185 • The quote from the GNSO participant is slightly misleading in that it says there is a search issue  
186 with “most” ICANN sites. In fact, it is virtually universal, and a well-known problem. The worst  
187 example is the GNSO web site and Wiki where it is virtually impossible to track the history of  
188 policy development in most cases. ICANN hired a professional librarian to start addressing this  
189 issue a year ago, but sadly that person has now left and we are starting over again.

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

193

194 **ALAC Response:** The ALAC supports the intent of this recommendation. We note however that we are  
195 subject to a number of constraints.

- 196 • At-Large cannot unilaterally start using tools that are not supported by ICANN. We cannot  
197 depend on volunteer technical support and so must rely on ICANN IT, which adds an additional  
198 level of vetting and bureaucracy.
- 199 • We have community members all around the world, some with very low and/or very expensive  
200 bandwidth (and ICANN will not subsidize such access for volunteers). Often ONLY the older tools  
201 will function effectively or cost-effectively.
- 202 • We have community members in locations where their national governments block access to  
203 certain services and tools.

204 **Recommendation 11: At-Large should replace 5-yearly global ATLAS meetings with an**  
205 **alternative model of annual regional At-Large Meetings.**

206

207 **ALAC Response:** The ALAC accepts this recommendation is a modified form. Specifically to augment the  
208 5-year global ATLAS meetings with regional meetings – General Assemblies (GA) interspersed between  
209 the ATLAS meetings. This is the status quo.

210

211 The Review Team seems to have misunderstood the methodology associated with the 5-Year Global  
212 ATLAS meetings. These are not the only gatherings that we host. In between such global meetings, we  
213 also have regional meetings (General Assemblies) of exactly the form that the Review Team is  
214 recommending. After doing this on an ad hoc basis for the last eight years, ICANN has recently agreed to  
215 formalize the process and integrate it into its normal planning and budgeting process. The proposal can  
216 be found at <http://tinyurl.com/At-Large-GS-Summit>.

217

218 The regional meetings are not necessarily held during the “C” meeting (that term is no longer used,  
219 replaced by the original Annual General Meeting). The exact scheduling of a General Assembly (or Atlas)  
220 depends on many variables: type of meeting; venue capabilities and cost; other ICANN events planned  
221 (such as GAC high-level ministerial meeting) and availability of volunteers and staff to plan the event. At  
222 times, a GA may be held in parallel with a non-ICANN even. The upcoming NARALO GA will be held in  
223 conjunction with an ARIN meeting.

224 Curiously, there is a reference to the regular General Assemblies in the section reviewing the 2008 At-  
225 Large Review, incorrectly attributing the newly approved multi-year budgeting directly to the original  
226 review.

227

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

234

235 **ALAC Response:** The ALAC supports this recommendation. As the use of the word “continue” implies,  
236 this is already an ongoing practice and subject to ICANN funding, it will continue and hopefully grow.

237

238 **Recommendation 13: Working closely with ICANN’s Regional Hubs and regional ISOC**  
239 **headquarters, At-Large should reinforce its global outreach and engagement strategy with a**  
240 **view to encouraging the organisation of Internet Governance Schools in connection with**  
241 **each At-Large regional gathering.**

242

243 **ALAC Response:**

244

245 Notes:

- 246 • Only two regional Hubs
- 247 • APAC Hub very supportive of APRALO
- 248 • Is there any RALO cooperation with the EMEA Hub in Istanbul?
- 249 • I am not aware of cooperation between LA Head Office and NARALO other than through Heidi in  
250 her normal support of At-Large
- 251 • We do support the concept of IGS, but unclear to what extent we could do more within ICANN’s  
252 mission.

253

254 **Recommendation 14: In the interests of transparency, all At-Large travel funding should be**  
255 **published as a “one stop shop” contribution to the At-Large webpage.**

256

257 **ALAC Response:** Although the decision to make such information available is out of scope for the ALAC,  
258 The ALAC supports this with the understanding that a similar policy being applied for the entire  
259 organization including the SOs and the Board (some Board cumulative numbers are published but with  
260 little granularity) and staff. ICANN regularly publishes the travel costs for ICANN meetings and events  
261 directly associated with them, but not for other activities (excluding the Board and staff). Staff costs are  
262 published only to the extent that they are required for senior executives under US tax law. Recently, in  
263 order to discover the costs of the annual GNSO Non-Contracted House Intersessional meetings, a formal  
264 Documentary Information Disclosure Policy request had to be filed  
265 (<https://www.icann.org/resources/pages/didp-20160211-1-rrsg-request-2016-03-14-en>).

266 **Recommendation 15: At-Large should be involved in the Cross-Community Working Group**  
267 **on new gTLD Auction Proceeds and initiate discussions with the ICANN Board of Directors**  
268 **with a view gaining access to these funds in support of the At-Large Community.**  
269

270 **ALAC Response:** The ALAC supports the first part of this recommendation that we be involved with the  
271 CCWG Auction Proceeds. In fact, the Vice-Chair of the CCWG Charter Drafting Team was from the ALAC  
272 and the ALAC is one of the Chartering Organizations, so we could not avoid being involved. As a  
273 Chartering Organization, the ALAC is required contribute Members to the CCWG and will be called upon  
274 to ratify any recommendation that arise out of the CCWG.

275  
276 The CCWG will be deciding on the methodology and structure associated with disbursing funds, which  
277 will only happen after the CCWG completes its work. The CCWG is not the place to request funds for  
278 specific projects or activities. One of the issues that will be discussed is whether ICANN and its  
279 constituent bodies could ultimately apply for any of the funds. If any At-Large people participate in the  
280 CCWG with the explicit intent of planning to later request funding for the At-Large Community, we  
281 would have to explicitly declare that and as such would not be able to equitably participate in  
282 discussions related to this core issue.

283  
284 Once the CCWG completes its deliberations, and presuming the Chartering Organizations largely ratify  
285 the outcomes, the Board will then consider the recommendations. It is envisioned that if the Board  
286 approves, some sort of organization will be created or contracted with to consider projects and do the  
287 actual disbursement.

288  
289 The Review Team has been misinformed if it believes that the Board is empowered to enter into any  
290 such discussions at this time.

291  
292 Moreover, although one can envision all manner of good projects that could be funded, it is not clear  
293 that actually funding operational expenses of At-Large are among them, and in fact there is already  
294 considerable opposition to doing this, both within At-Large and the rest of ICANN.

295  
296  
297 **Recommendation 16: Adopt a set of metrics that are consistent for the entire At-Large**  
298 **Community to measure the implementation and impact of the EMM and track the continuous**  
299 **improvement of the At-Large Community.**  
300

301 **ALAC Response:** As noted elsewhere, the ALAC does not support implementation of the EMM. However,  
302 the ALAC does support the establishment of metrics to track performance and improvement of the At-  
303 Large Community. In fact, we have a Metrics WG (one of the groups to be abolished) that has just that  
304 responsibility. It is currently on hold pending the completion of the ALS and RALO Criteria and  
305 Expectations group.

306



### 307 **3. Recommendation Made Through Omission**

#### 308 **Maintain the single voting Board member by At-Large.**

309

310 **ALAC Response:** The report presents a number of pro and con arguments for an additional At-Large  
311 Director. The arguments against such a move were:

- 312 1. The ALAC has significant - and sufficient - power with one voting seat. “Sufficient is clearly a  
313 judgement call and not a rational argument.
- 314 2. The ALAC has more voting power than the GAC, the RSSAC or the SSAC. The Bylaws forbid  
315 government representatives from sitting as voting Board members, so the GAC is not even a  
316 question. The RSSAC and SSAC have made it clear through their decision not to participate in the  
317 Empowered Community that they wish to stay purely advisory. We note that the other ACs have  
318 always been in a different position relative to the ALAC in that they have only non-voting Liaisons to  
319 the NomCom.
- 320 3. An increase would not sit well with other (competing parts of ICANN). This is intuitively obvious and  
321 not a reason to not take action. Those same groups did not want the ALAC or the GAC to participate  
322 in the Empowered Community, preserving all the power for themselves.
- 323 4. At-Large has 5 delegates on the NomCom, so does not need a 2<sup>nd</sup> Director. We note that the GNSO  
324 has 2 voting Directors and 7 delegates on the NomCom.

### 325 **4. Comments on EMM Implementation Guidelines**

326

327 **Implementation # 1: Adopt the Empowered Membership Model (EMM) as proposed to bring**  
328 **a greater number of end users directly into ICANN policy making processes, and or engaged**  
329 **in At- Large outreach activities (Section 11).**

330 **Implementation # 2: Engage more end users directly in ICANN Working Groups by adopting**  
331 **the Empowered Membership Model described in this document (See Section 11).**

332 **Implementation # 3: Adopt the Empowered Membership Model described in this document**  
333 **to engage more end users directly in ICANN work. (Section 11).**

334

335 **ALAC Response:** It is unclear what the mechanism is by which users will become informed of the EMM,  
336 what it is that will motivate them to begin spending significant time and effort to participate in ICANN  
337 policy issues (including learning the vernacular, getting up to speed on the issues in question and  
338 expending significant time on a regular basis). The presence of a vote seems to be a critical part of this,  
339 since it is that which differentiates the EMM from the individual unaffiliated members that three of the  
340 five RALOs have, and the other two are committed to allow. But this vote is only allotted after (and  
341 presumably continuing) demonstration of active participation. It is unclear who judges such  
342 participation and how this is done – this is an issue that At-Large has been grappling with for years and is  
343 not a minor implementation issue. If a possible vote is the critical issue in motivating people, one has to  
344 question their overall commitment.

345 **Implementation # 4: In the Empowered Membership Model individual users will be**  
346 **encouraged to participate in At-Large. Within this context there should be scope for further**  
347 **cooperation with the NCSG (Section 12).**

348  
349 **ALAC Response:** What is the connection between participation in At-Large and cooperation with NCSG.  
350 Typically new people involved in ICANN want to select their “home” and sadly due to the nature of few  
351 NCSG leaders, those who select NCSG often become “poisoned” and have little interest in cooperation  
352 with At-Large. That being said, the ALAC is always interested in cooperating with other parts of ICANN  
353 and does so regularly with most other groups and is currently planning a cooperative outreach event  
354 with NCSG to be held in Copenhagen.

355 **Implementation # 5: Any individual from any region should be allowed to become an “At-**  
356 **Large Member” (ALM). The ALM is what the Empowered Membership Model identifies as the**  
357 **atomic element of the new At-Large model (Section 11).**

358  
359 **ALAC Response:** This is the status quo for three of the five regions and will be the case for all regions,  
360 regardless of implementation of the EMM. Some regions do have concerns that they may need to place  
361 some restrictions to ensure that users support the principles of At-Large and do not use the At-Large  
362 persona to campaign for anti-user issues.

363 **Implementation # 6: Adopt the Empowered Membership Model which changes the function**  
364 **of RALOs so that they are primarily an outreach and mentoring mechanism for engaging**  
365 **new entrants (Section 11)**

366  
367 **ALAC Response:** That is in fact the major focus of RALOs today. Many within At-Large find this  
368 problematic in that the RALOs have not explicitly focused on Policy issues. Since RALOs do not currently  
369 have a policy focus, their mentoring tends to not be in that area.

371 **Implementation # 7: As part of the Empowered Membership Model, elected RALO**  
372 **representatives become ALAC Members who not only deliberate on advice to the Board but**  
373 **also serve as mentors to newcomers to At-Large. (Section 11)**

374  
375 **ALAC Response:** Workload is already a major issue within At-Large and particularly for RALO leaders and  
376 ALAC Members. Although a small number of people put a vast number of hours into At-Large and ICANN  
377 matters, asking all such volunteers to do so is problematic. Moreover, if outreach is a prime focus of  
378 RALOs as implied by Implementation 6, these are not the optimal people to place on the ALAC and then  
379 debate policy issues.

380 **Implementation # 8: The ALAC Members should have a maximum of (2) terms, each of a 2-**  
381 **year duration.(see Section 11).**

382  
383 **ALAC Response:** Term limits are reasonable, but it is less clear that two terms is optimal. One RALO  
384 currently has a shorter limit, and others may feel that in critical times, the limit should be able to be  
385 overridden. It is important to realize that in the entire history of the modern ALAC (after the Interim

386 ALAC appointed by the Board), there have been 65 RALO and NomCom appointed ALAC members and  
387 only five of them have served for more than two consecutive terms (and two of those only exceeded the  
388 two-term point after the last AGM.

389 **Implementation # 14: The proposed Empowered Membership Model (Section 11) conflates**  
390 **many of these roles and consequently frees up travel slots for new voices. For example the 5**  
391 **RALOS are now part of the 15 ALAC Member list and 5 Liaison roles are also taken by**  
392 **NomCom appointed ALAC Members, leaving 2 for the Council of Elders and up to 10 slots for**  
393 **Rapporteurs for CCWGs and regular WGs (to be decided openly and transparently).**

394  
395 **ALAC Response:** The ALAC does not support much of this Implementation Guideline. Specific issues will  
396 be more fully addressed in section 6 of this document.

397

## 398 5. Methodology

399

### 400 Reliance on Comments

401 The Review relies heavily of comments provided during interviews and in surveys, many of them very  
402 negative. There is no doubt that the existence of such comments is both relevant and important, but  
403 that does not imply that the “facts” cited are correct. Yet many of the Recommendations seem to  
404 specifically address these “facts”

405 In the first draft of the report there were many comments on the lack of turnover of workers in At-  
406 Large. The ALAC provided significant detailed records (largely gleaned from public sources and to be  
407 presented in section 9 of this document) to demonstrate that this was not the case, and the second  
408 draft had fewer such comments in evidence, although it did not alter the basic conclusions that there  
409 was a turnover problem. But still such comments were included in this draft and seemingly presumed to  
410 be factual. As an example, in section 4.3.4, one finds

411 *“More candidates? I can only think of a handful of people associated with At-Large Leadership*  
412 *over the ten plus years I've followed ICANN.” (NCSG Participant)”*

413 There is no doubt that the commenter could only think of a half dozen or so, but the actual statistics  
414 give a somewhat different picture. In the last ten years (2007-20016), there have been:

- 415 • 17 people in ALAC Leadership positions
- 416 • 5 ALAC Chairs (2 for short periods due to illness and the transition from the Interim ALAC to  
417 current Form)
- 418 • 41 people in RALO Leadership positions
- 419 • 23 RALO Chairs (or equivalent)

420 During this same period, the GAC has had 3 Chairs, ccNSO 3, SSAC 2 and GNSO 6.

421 It is unclear why the ALAC had to devote the volunteer time to refute such comments. Many other  
422 comments are equally slanted even if not as easy to disprove analytically.

### 423 **Lack of connection between Conclusions and Recommendations**

424 Many (but not all) of the conclusions reached in analyzing At-Large are correct. This is not particularly  
425 surprising because the ALAC and its leaders have spent significant time understanding what is working  
426 and what is not working in At-Large (part of the inward focus for which we are criticized) and we were  
427 very open with the Review Team when they started their work. However, as noted in the comments to  
428 the Recommendations and Implementations, in many cases, there is little connection between the  
429 problem identified and the solution. No rationale is given why the problem will go away. This is  
430 particularly true for the core concept of the Recommendations, the Empowered Membership Model  
431 (EMM). The problem is that we have great difficulty getting people on the periphery of At-Large to learn  
432 about the policy issues and commit significant time to ICANN (often during their working hours),  
433 perhaps overcoming significant language problems in the process. ITEMS presumes that with the fancy  
434 new name<sup>1</sup>, and the ability to vote in occasional elections (for those RALOs that have elections),  
435 dedicated users will magically flock to us. This is akin to the movie Field of Dreams – if we build a  
436 baseball stadium in the middle of nowhere, long-dead baseball players will arrive to play and people will  
437 flock there to watch them, not even knowing why they are arriving. But that was fantasy movie and we  
438 need more solid logic here. The report does recommend a number of distinct outreach mechanisms with  
439 the aim of attracting more new participants. Unfortunately, in virtually all cases, At-Large already uses  
440 those mechanisms to the maximum that our funding allows.

### 441 **Survey has design problems and results interpretation problematic**

442 Parts of the survey were poorly designed and the result interpretation questionable.

443 As an example, one of the questions asked: *In your opinion which of the following statements most*  
444 *accurately describes the role played by the At-Large Community within ICANN?* There were a number of  
445 options, but respondents could pick only one. Among them:

- 446 • ALSes act in their own interest, a basically accurate statement. Each ALS is an organization that  
447 exists largely for purposes other than ICANN and looks at issues from its own perspective. In  
448 theory, if we can gather enough of these individual positions, together they do indeed represent  
449 the needs of the global end user.
- 450 • ALSes and individuals can engage in ICANN policy processes; a true statement, unless you  
451 interpret it as they cannot due to the steep learning curve and time commitment involved.
- 452 • At-Large allows users to participate on an equal and non-discriminatory fashion. True in theory,  
453 quite false in practice.

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<sup>1</sup> The EMPOWERED Membership Model name is clearly borrowed from the new ICANN Bylaw construct the Empowered Community (EC). However the Members in the EMM have no powers akin to those of the EC, and certainly the ALAC EC powers are not being transferred to them. ITEMS was advised that using this name would only cause confusion or concern in other parts of ICANN, where there was strong belief that LAC should not be part of the EC, but they decided to keep the name.

454 Several of the choices were correct to varying degrees, and several could be the selected answer but for  
455 completely different reasons than the Review Team presumed. It is not surprising that answers were all  
456 over the place and were subject to varying interpretations by the Review Team.

457 Another question asked how many ALSes were active in ccNSO and GNSO policy processes. The results  
458 were 39% and 31% respectively. It is difficult to gauge how many this really is, since we were not told  
459 how many ALSes responded to the question. However, if the number is very small, the data is  
460 meaningless, and if the number is substantial, the results are not believable – we have accurate counts  
461 of people claiming to be with At-Large who are active in GNSO PDPs, and the number is small indeed.  
462 And the ccNSO has very limited PDP activity and the At-Large participants are well documented and  
463 minimal.

464 As noted above, although we are told that there were 242 surveys completed, all of the rest of the  
465 statistics presented are percentages of specific groups, but with no information of the group sizes.

466 In a similar vein, reports such as this typically list the people interviewed and their affiliation. This report  
467 is totally silent on this with the exception of several Tweets that are displayed verbatim, and like other  
468 Tweets we are familiar with recently, not accurate.

#### 469 **Focus on events at the time of the Review**

470 It is perhaps natural that the Review Team focused on what they saw at the various events they  
471 attended, but they did not seem to grasp that the previous two years in ICANN were very atypical, and  
472 the focus of much of the organization has been on the IANA Stewardship Transition and ICANN  
473 Accountability. At-Large and the ALAC invested VERY heavily in these processes, to the clear detriment  
474 of many other activities. The ITEMS team arrived at the tail end of this and seem to believe that what  
475 they saw was the norm. In reality much of the “regular” policy work of ICANN has largely been on hold  
476 for close to two years, and the work of At-Large along with it. There is virtually no mention in the report  
477 of the significant accomplishments of At-Large during these efforts.

#### 478 **Misunderstanding of Current Process**

479 In reviewing this document, it might be noted that a significant number of the Recommendations are  
480 being accepted by the ALAC, because the Recommendation partially or completely describes current  
481 practice. There are numerous cases where the Review Team seemingly did not fully grasp what was  
482 occurring and chose not to verify their impressions with Staff or At-Large leaders prior to publication.

### 483 **6. Non-Recommendation Suggestions**

484 The report includes a number of very specific suggestions that do not surface as formal  
485 recommendations, but are referenced in the Implementation Guidelines. They warrant comment  
486 because in the minds of many within the ALAC and At-Large, they are extremely misguided and  
487 demonstrate a lack of understanding of our environment.

488 **FOLLOWING SUB-SECTIONS NEED TO BE EXPANDED**

## 489 **Conflation of RALO Leaders and ALAC Members**

490 The concept that RALO leaders should at the same time be the RALO appointed ALAC Members presume  
491 that:

- 492 • Both jobs can be readily handled at a reasonable volunteer workload
- 493 • The skills and interests of both are similar enough to be of interest and within capabilities of  
494 sufficient volunteers

495 Based on volunteer management experience within At-Large for many years, neither of these is likely to  
496 be true on a regular basis, and presuming it is the case will inevitably lead to significant failures to  
497 deliver.

## 498 **ALM “activity” certification**

499 The EMM model presumes that we (an undefined we) will be able to recognize when people have been  
500 “active” for N months, and also presumes that we will monitor them to ensure that this activities level is  
501 maintained. It was pointed out to the Review Team that this was not a minor “implementation detail”.  
502 Recognizing that people are truly active (and not just dialing into meetings and never saying anything, or  
503 using mailing list but never sending out anything other than “+1” indicating support or birthday wishes)  
504 is a really difficult problem that we have been grappling with for years. If the EMM were to actually be  
505 successful, the number of such people to monitor could be significant. Who would do this monitoring,  
506 and on what basis if completely unclear.

## 507 **Rapporteurs**

508 It is unclear exactly what the Rapporteur is expected to do, but regardless, the assumption that after a  
509 12 months a new person will fully grasp the complexities of some of the issues we address as well as the  
510 user-related issues woefully underestimates the learning curve and complexity. Similarly it over-  
511 estimates the relatively few people who will be able to regularly keep up and then represent At-Large.  
512 Moreover, the selection of the rapporteur by random selection if there are multiple candidates is far less  
513 than optimal.

514 It is unclear who would act in this capacity for the first year of a WG. Although some WG last well over a  
515 year and at times over two years, efforts are continually underway to have targeted WG take far less  
516 than the process associated with Rapporteurs would allow.

517 The Review Team believes that we need multiple people on each WG, a position the ALAC supports.  
518 However it is a mystery how the wisdom of all of these people will be funneled into the Rapporteur so  
519 this one person can represent to entire input from the WG members to the ALAC and RALOs.

520 Lastly, the report calls for selected Rapporteurs to be sent to ICANN meetings for a year, although it is  
521 not necessarily true that WGs even meet during ICANN meetings, and if they do, it is typically just for a  
522 few hours. This could well amount to “Here is one year of travel funding whether you need it or not.  
523 Have fun.”

## 524 **Liaisons**

525 The first draft simply said that NomCom appointees will take on Liaison roles. The comments made it  
526 clear that this could not work. Liaison positions were critical to the relationships between very clear that  
527 this could not work. Liaisons were critical to the relationship between the ALAC and other AC/SOs,  
528 special skills, knowledge and background was essential, and that in several cases, the other organization  
529 had to agree to accept the particular person as Liaison.

530 The only change in the report was that the ALAC should supply the NomCom with a list of criteria they  
531 should use in their selection. This presumed that such “criteria” could be quantified and that there  
532 would be abundant applicants with suitable knowledge (including knowledge of the ALAC and other  
533 AC/SO, at odds with the NomCom responsibility of getting “new blood” into ICANN) and skills. It also  
534 ignored the issue that the other AC/SO had criteria that they used to judge acceptability.

535 As important as Liaisons are, it is possible that the ALAC would decide to dispense with them if this is the  
536 only way we would be allowed to have them.

## 537 **Council of Elders**

538 The Council of Elders is an interesting concept (although the name is rather questionable). The rigid set  
539 of rules around how long a person could serve, how often they could travel, and the presumption that  
540 they would be endlessly available regardless of these rules is (for some of the current “elders” around  
541 At-Large) rather laughable.

## 542 **7. Analysis of Prior Review Recommendation**

543 Part of the mandate of the Review Team was to report on the “Effectiveness of implementation of prior  
544 review recommendations”.

545 The first At-Large review was originally carried out by an external consultant. Once the review was  
546 delivered, the ICANN Board committee responsible for reviews at the time chartered the “ALAC Review  
547 Working Group” which:

548 *According to the Charter, the ALAC Review WG has been formed to help ensure that the evaluator's*  
549 *final report (independent review) contains the data and information needed to conduct the work of*  
550 *the BGC and the WG, and (primarily) to advise the BGC on whether any change is needed for*  
551 *At-Large. The WG will consider the Independent Reviewer's final report, Board input, and comments*  
552 *from stakeholders and the public, and will:*

- 553 • *Advise the BGC whether, in general, the ALAC has a continuing purpose in the ICANN*  
554 *structure; and*
- 555 • *If so, consult broadly and advise the BGC whether any change in structure or operations is*  
556 *desirable to improve its effectiveness -- and recommend to the BGC a comprehensive*  
557 *proposal to improve the involvement of the individual Internet user community in ICANN.*

558 That group ultimately created a set of recommendations which the ALAC implemented and it is that set  
559 of recommendation that ITEMS was supposed to evaluate.

560 The Review Team put significant effort into comparing the external evaluator’s recommendations to  
561 that of the ICANN WG and was quite concerned that ICANN had decided to not follow some of the  
562 external evaluators recommendations. They seemed to believe that the changes in the  
563 recommendations were due to an At-Large effort to ignore recommendation that it did not like. It was  
564 apparently not understood that the ALAC Review WG had no current At-Large people on it, and only one  
565 former At-Large member (and former Liaison to the Board).

## 566 **8. Travel Issues**

567 Many of the restructuring recommendations seem to be driven largely by a desire to free up travel slots  
568 so that they could be used by Rapporteurs.

569 There is no doubt that a number of extra travel slots could be useful to allow those who make significant  
570 contributions to attend ICANN meetings. To date, that has only been possible when regular travelers  
571 cannot attend a meeting.

572 The ALAC believes that merging RALO leadership with ALAC Membership and Liaisons with NomCom  
573 appointments would both have extremely detrimental effects and are not a reasonable exchange for the  
574 questionable benefit of having 10-12 rapporteurs attend meetings.

575 The ALAC does agree that having the ability to bring a limited number of non-RALO/ALAC leaders and  
576 Liaisons to ICANN meetings could be extremely beneficial, but believes that other methods must be  
577 found for doing so.

578 Given that some other AC/SO travel allocations have doubled or tripled in recent years, while the At-  
579 Large allocation has remained unchanged, perhaps there are alternatives to the ITEMS proposal.

580 [TABLE TO BE INSERTED OF TRAVEL ALLOTMENT HISTORY]

## 581 **9. Volunteer Turnover**

582 To be written – including Tables showing turnover since start of current ALAC.