

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

V14_16 March 2017

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- Executive Summary

	RECOMMENDATION	ALAC SUPPORT
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.	Yes
2	At-Large should be more judicious in selecting the amount of advice it seeks to offer, focussing upon quality rather than quantity.	Yes
3	At-Large should encourage greater direct participation by At-Large Members (ALMs) in ICANN WGs by adopting our proposed Empowered Membership Model.	Partly
4	At-Large Support Staff should be more actively involved in ALM engagement in policy work for the ALAC, drafting position papers and other policy related work.	Partly
5	At-Large should redouble efforts to contribute to meetings between ICANN Senior Staff and Executives, ISOC (and other international I* organisations) to engage in joint strategic planning for cooperative outreach	Yes
6	Selection of seat 15 on ICANN Board of Directors. Simplify the selection of the At-Large Director. Candidates to self-nominate. NomCom vets nominees to produce a slate of qualified candidates from which the successful candidate is chosen by random selection.	No
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.	No
8	At-Large should use social media much more effectively to gather end user opinions (Twitter poll/Facebook polls, etc).	Yes
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.	Yes
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.	Yes
11	At-Large should replace 5-yearly global ATLAS meetings with an alternative model of annual regional At-Large Meetings	Partly
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, as part of their annual outreach strategies, continue to partner with well-established regional events	Yes

	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	
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.	Partly
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.	Yes
15	At-Large should be involved in the Cross-Community Working Group on new gTLD Auction Proceeds and initiate discussions with the ICANN Board of Directors with a view gaining access to these funds in support of the At-Large Community.	Partly
16	Adopt a set of metrics that are consistent for the entire At-Large Community to measure the implementation and impact of the EMM and track the continuous improvement of the At-Large Community.	Yes

2. Introduction

The At Large Advisory Committee (ALAC) welcomes this opportunity to comment on the *ITEMS Review of the ICANN At-Large Community (The Review)*. The ALAC particularly welcomes The Review’s clear statement of ALAC’s four responsibilities:

- *To serve as a “primary organisational home” for individual Internet users.*
- *To coordinate with the other Supporting Organisations (SOs) and Advisory Committees (ACs) to ensure that end user interests are taken into account.*
- *To conduct outreach activities to raise awareness about ICANN activities among end users.*
- *To serve as an important accountability mechanism for the ICANN organisation as a whole.*¹

These responsibilities emphasise the key internal and external roles that ALAC undertakes as the means by which the interests and concerns of end users can be channelled into ICANN policies and processes, and as a means of reaching out to global communities providing information about ICANN and its impacts on end users.

Overall, the ALAC accepts many of the Review’s recommendations to varying degrees, and indeed, already implements some of the recommendations that have been proposed. However, in some

¹ *The Review*, Section 5, p. 16

cases, it is not clear how implementation of proposed recommendations will result in what are seen as desired outcomes.

The Review identified issues that the reviewers believe should be addressed as part of a reformed ALAC including the following:

- A focus by At-Large on internal, procedural matters, to the detriment of providing policy advice
- Difficulties for individuals in becoming involved in ALAC
- A lack of understanding of the role of ALAC within ICANN and outside of ICANN
- An ‘unchanging’ ALAC leadership and consequent lack of upward mobility for newer participants
- Difficulty for end users in participating in ICANN processes²

The ALAC believes that some of these issues can be easily addressed: for example, individual membership is already in place for three out of the five Regional At-Large Organisations (RALOs), and it is ALAC policy that the others will follow suit. But the ALAC also believes that the Reviewers have been too simplistic in their recommendations that have not fully recognised the diversity of our end-user communities and the barriers to participation in ICANN processes that ALAC continues to spend much of its time in between meetings, trying to ensure full participation across the board for all potential participants whose challenges include the thousands of languages we are dealing with, people cultures, connectivity levels, time zones, disability issues, and the extent to which many of our ICANN meetings and activities are conducted in “ICANNESE”. We are not persuaded that, despite the attention ALAC has given to these issues over the years, that the changes to ALAC structures proposed within the Review will be changes for the better, for end-users overall.

In the development of this response, such was the collective concern of the ALAC, that a large body of contributions were gratefully received from across the five regions in a variety of languages and modes of communication (emails, comments on wiki, Google drafts, in phone and teleconference calls, etc) to ensure that their views and opinions have been heard. Wherever possible, these have been incorporated in some way into this summary.

The ALAC appreciates the continued commitment of the Review Team to interact with the Review Working Party (WP) and to include some of the comments already provided by the WP and community to their first draft report.

Nonetheless, the ALAC, after thoroughly reviewing this new document, wishes to offer further input that we believe can enhance and enrich the outcome of this mandated review and hopefully will lead to an improved At-Large organization.

² *The Review* pp. 4, 15, 19

1. 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 where RALOs make use of any opportunity they can to carry out outreach within their vast regions covering multiple countries, cultures and languages. With Hubs being set up in many regions, At-Large members are often dissuaded from attending some events because ICANN staff are already attending and are seen as the "official" ICANN attendees. At the same time, the ALAC and RALOs encourage greater coordination and collaboration with regional staff for more focused outreach. An outreach calendar for each RALO was specifically set up for At-Large Structures (ALSes) and regional staff to notify regional/global members of their events. ICANN should ensure that equitable opportunities are available for regional end-users (ALS or individual) to make an impact from their region.

However, it must also be noted that the At-Large community has often found access to funding for outreach activities to be challenging. While CROPP provides funding that specifically targets outreach, this is limited to 5 slots per region (providing funding for airfares and accommodation for 4 days and three nights, per slot). At-Large requests for funding through annual budget processes have found that any mention of "outreach" can make requests less likely to get approval unless other capacity building or engagement elements are added. Many RALOs also take advantage of non-ICANN regional events that offer fellowships and other sponsorships to enable their members to attend, or individuals fund themselves in order to fulfil the voluntary roles and contributions they already make on behalf of their regions.

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

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

	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%

While ALAC responses involving community input are usually quite comprehensive, a small proportion were simply supportive statements where the ALAC felt a nominal response was advisable but did not warrant any substantive effort. Similarly, advice to the Board composed just a small fraction (fewer than 5 such statements) of the overall documents drafted. The ALAC believes it is far more desirable to influence the policy development processes before they come to the Board than to advise the Board after the fact at a time when it may have little latitude to alter the outcome.

It has been the general practice of the ALAC, that when a public comment issue arises, the ALAC will identify a penholder who, often with others, is prepared to take responsibility for firstly assessing if there is a significant user-impact reason for further investigation and community consultation. If this is the case, then the writing team collects and organises data to put together an appropriate advice statement or comment for consideration and formal endorsement by the ALAC, before the response is returned to the relevant section of ICANN. This is a time consuming process, inviting members from across At-Large each time, to contribute to the many different subject areas for which ALAC is tasked to cover and provide appropriate advice.

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

ALAC Response: The ALAC supports the analysis indicating that we would like and in fact need more participation from the wider At-Large community. Moreover, this need for a wider participation was clearly stated to the Review Team³. The issue has been the subject of an ongoing Task Force within

³ "Review Team" is the term used in this document to refer to the ITEMS International independent examiner reviewing At-Large.

At-Large over the last year (one of the frowned-upon inward-looking activities).

The Empowered Membership Model (EMM) is effectively a generalization of the Individual Members concept that exists in three of the five RALOs. The ALAC supports the overall concept, and fully intends to ensure that such members are allowed in all RALOs. To be clear, the ALAC supports increased focus on individual user members not affiliated with an ALS.

Nonetheless, the ALAC strongly disagrees with the proposed recommendation, not because, as characterized in the report, “we are defending our privileged positions and afraid of any change”, but rather because the proposal is far too prescriptive and has a number of apparent critical flaws that the Review Team were asked to address (in the At-Large WP responses to the first draft report) and have chosen not to.

No evidence is presented as to why or how the vote-empowered membership will be significantly more attractive to end-users world-wide⁴, or why the ongoing potential to vote will encourage people to actively participate in what has been acknowledged as a complex, and time-intensive space. Moreover, many of these users are not fluent in English which is the language used for most of these activities and no proposal is presented on how that might be overcome.

The ALAC has found it difficult to get ALS members to participate in working groups, At-Large or Cross Community, the main reasons being that they are all volunteers but they do not all share the same commitment of time, or similar levels of expertise or knowledge on the content areas. With the intensified engagement required to get up to speed, the ALAC does not see that the number of people interested in, motivated enough and ready to carry out the voluntary services required within At-Large would be any different between the ALS model and the EMM model.

The ALAC sees one potential outlet for the objective of enhanced individual participation in the current Fellowship or NextGen programmes. These programmes are geared specifically to get interested and enthusiastic individuals from across the globe up to speed about the workings of the ICANN ecosystem and finding their own niche areas of interest within it for subsequent engagement. These are two already successful programmes from which ICANN itself has started recruiting staff. Other former alumni have joined the ICANN Community and have become members of the ALAC and now, even the ICANN Board.

The ALAC believes that the ALS membership model should remain because it is the At-Large link to grassroots inputs. In their local context, ALSes are recognised as established organisations, in some

⁴ It must be noted that in most other parts of the ICANN volunteer community, the potential participants are well acquainted with ICANN. This is certainly true for Registrar, Registries, Internet Service Providers, Intellectual Property Attorneys, etc. This is definitely not the general case with users, even technology-savvy users.

cases older than ICANN, and they play a role in national-level multistakeholder cooperation that clearly benefits ICANN and the user community they represent.

Finally, there are still elements of the EMM model which the ALAC continues to have difficulty comprehending not only as to the rationale but also the value that they would give the At-Large Community. For example, giving Empowered Members the right to vote for their leaders or on other actions, should a vote ever be initiated. As ALAC and RALO decision-making is often by consensus, it is difficult to understand why this voting issue is a key feature of EMM. Or the use of rapporteurs, and giving them travel slots after a year. For members selected by their RALOs, it is typical that a minimum of two years of active participation in one or more working groups before being elected to the ALAC and getting travel slots would be the norm.

No evidence is presented as to why or how the vote-empowered membership will be significantly more attractive to end-users world-wide⁵, or why the ongoing potential to vote will encourage people to actively participate in what has been acknowledged as a complex, and time-intensive space. Moreover, “direct” participation by an increased number of individual members, does not guarantee that they can truly represent the interests of billion end-users any more effectively than the current model, where ALSes at least provide outreach capacity at local level.

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

ALAC Response: The ALAC agrees with the recommendation in relation to policy work. Currently, an ICANN At-Large Staff member has edited and “cleaned up” documents drafted by volunteers and in several cases has created the initial draft based on instructions from community members. Similarly, but on a larger scale, staff will be the main content creators of the planned regular messages outlining policy activity to be sent to individual and ALS members. This is of course dependent on ICANN management making the appropriate resources available.

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

ALAC Response: As desirable as such an approach sounds, At-Large is not notified about when and

⁵ It must be noted that in most other parts of the ICANN volunteer community, the potential participants are well acquainted with ICANN. This is certainly true for Registrar, Registries, Internet Service Providers, Intellectual Property Attorneys, etc. This is definitely not the general case with users, even technology-savvy users.

where ICANN Senior Staff and Executives, ISOC (and other international I-STAR organizations) meet, nor are they invited. At regional level, RALO leaders may hear of regional Hub staff meetings with key I-STAR organisations after the event through the Hub newsletter, but then again this is a cost item for which participation of volunteers is not given any consideration.

However, lack of notification at the ICANN executive or regional Hub level does not inhibit the initiative of ALAC and RALO leaders as they form their own models of cooperation with other organizations. NARALO has recently signed an MOU with American Registry for Internet Numbers (ARIN) and will hold their upcoming General Assembly in conjunction with an ARIN meeting; APRALO has MOUs with three key regional support organisations and has recently become a recognised member of the AP-STAR community as well as being active participants in Asia Pacific School on Internet Governance (APSIG) and Asia Pacific Regional Internet Governance Forum (APrIGF) programmes and activities. Relatively little funding from ICANN supports these activities.

In brief, if At-Large has a great interest in such joint activities and would welcome the opportunity to participate and foster joint strategic planning and cooperative outreach amongst I-STAR organisations and other relevant non-governmental or public entities outside the ICANN bubble where our interests coincide and such cooperation makes sense.

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

ALAC Response: The ALAC strongly objects to this recommendation which overall disenfranchises the At-Large community (the proposal's Empowered Members) from selecting their own Board Director.

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

were to do so.

By transferring this very organic selection process to the NomCom, the At-Large community would be isolated from the process (and consequently, the Board member), making the appointee just another NomCom appointee, and reduces community ownership. It has been noted that this recommendation would expand the number of Board Directors that the NomCom would be entitled to select and therefore goes against the recommendation of the Board Governance Committee towards the end of the first At Large Review.

The concept that the “Director nominated by the At-Large Community” (a quote from the ICANN Bylaws) should be even partially selected by the Nominating Committee and then by random selection cannot be taken seriously if ICANN considers the multi-stakeholder bottom up, consensus driven decision making process the cornerstone of its governance methods. The NomCom already appoints half of the Board, and two-thirds of its voting members are from the ICANN Supporting Organizations and the IETF. Furthermore, turning the designation into an exercise of random selection, which presumes that all candidates are identical, would be no more legitimate than throwing a coin. Random selection is not an acceptable way to select a Board Director from among a slate of candidates, although it is currently used as a last resort in order to break repeated ties between two final candidates in an election of the At-Large Board Director.

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

Lastly, any Review Team recommendations that are to be implemented will be formally approved by the Board. It is a direct conflict of interest for the Board to instruct At-Large on how to select its director.

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.

ALAC Response: The ALAC strongly objects to this recommendation. Working Groups (WGs), under a variety of names, are the core way that ICANN and its constituent parts discuss issues, address concerns, come to agreement and make decisions. The At-Large community has WGs for a number of reasons, the together they form the framework allowing participation by the At-Large community in

the discussion and shaping of policy that can properly reflect the interests of end users. Hence the existence of these WGs is not trivial and in contrast it constitutes the grassroots of participation for end users within the ICANN policy development process.

WGs constitute the base forum for end users to voice their thoughts, discuss their concerns in relation to any given policy being discussed at ICANN, and frame agreements and strategies on how to positively impact the policy development process to benefit internet end users.

Recommending that At-Large abandon its WGs and discourage the creation of new ones is, literally, taking away the main tool of the end user community within ICANN to have a say on any issue that may affect them. It would effectively silence their voice and weaken the multi-stakeholder model. .

The uses of WGs include:

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

Administrative Tasks: These WGs, which may be convened at special times or are standing, carry out tasks on behalf of the ALAC, at times referring issues back to the ALAC, and at other times charged with making decisions on behalf of the ALAC. Tasks include: triage of volunteers to a variety of positions within the ALAC or other groups within ICANN that we are required to appoint people to or endorse them for; advice and decisions on ICANN special budget requests; advice and decisions on CROPP requests; deliberation and advice on outreach; deliberation and development of capacity building programs.

It should be noted that the CCWG-Accountability subgroup on SO/AC Accountability is considering recommending that SO/ACs create an outreach WG to better perform that function - one of the WGs that this recommendation is suggesting being abolished.

Environment Enhancement: We have WGs which address such needs including: Tools (such as messaging and conference), translation, captioning; Social Media, Accessibility (ensuring that those with disabilities can participate equitable). Several of these have been sufficiently successful that they have, or are in the process of transitioning to ICANN-wide projects (ICANN Academy, Accessibility,

Captioning).

The At-Large community, as for every Supporting Organisation / Advisory Committee (SO/AC), has policy and process activities that must be addressed for the effective functioning of their organization. At-Large Working Groups are instrumental to At-Large as an organization in order to address its policy and process issues. They constitute the base forum for end users to voice their thoughts, discuss their concerns in relation to any given policy being discussed at ICANN, and frame agreements and strategies on how to positively impact the policy development process to benefit internet end users. Open Working Groups are the backbone of At-Large in reaching consensus by providing bottom-up, grassroots input. We have policy oriented WGs, as well as process and organization building oriented WGs. There are also WGs internal to RALOs set up to respond to ALAC policy and process in particular regions. RALO WGs are the prime form for individual members and ALSes to provide input and highlights awareness of the regional diversity of approaches as well as taps into the skills and interests of individual and ALS members. At the same time, they can be dismantled as their tasks are completed.

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

The ALAC strongly supports this recommendation and already has a Social Media Working Group that is functioning well and also looking at developing such uses of Social Media (one of the inward-looking WGs that are recommended to be abolished). Further to this recommendation, the ALAC suggests that a pilot advertising program is funded to test the effectiveness of outreach through social networks.

Many At-Large and ALAC members are already highly active in social media under their own handles, communicate in real time via Skype chats and At-Large boasts active Twitter and Facebook pages. The Social Media Working Group has looked at other tools such as Mattermost, Slack, Eno, as well as FLICKR and YouTube. There are however many of our members who are still unfamiliar with social media and who prefer a simple phone call to keep the community connected. Maximizing these tools to enhance internal communications as well as end-user participation will continue to be an important ALAC goal. Despite the interest in more heavily using social media, there are other issues to consider. Polling on these platforms is unrepresentative and not actionable. Furthermore, access to some social media is skewed towards certain populations and cannot be presumed to be balanced.

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.

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

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.

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

At-Large cannot unilaterally start using tools that are not supported by ICANN. We cannot depend on volunteer technical support and so must rely on ICANN IT, which adds an additional level of vetting and bureaucracy.

We have community members all around the world, some with very low and/or very expensive bandwidth (and ICANN will not subsidize such access for volunteers). Often ONLY the older tools such as e-mail and Skype chat, will function effectively or cost-effectively.

We have community members in locations where their national governments block access to certain services and tools.

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

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

Ge

After organising regional meetings (general assemblies) as part of normal meeting schedules on an ad hoc basis for the last eight years, ICANN has recently agreed to formalize the process and integrate it

into its normal planning and budgeting process. The proposal can be found at <http://tinyurl.com/At-Large-GS-Summit>. The exact scheduling of a General Assembly (or ATLAS) depends on many variables: type of meeting; venue capabilities and cost; other ICANN events planned (such as GAC high-level ministerial meeting) and the availability of volunteers and staff to plan the event. At times, a GA may be held in parallel with a non-ICANN event, such as the upcoming NARALO GA in April which will be held in conjunction with an ARIN meeting.

Curiously, there is a reference to the regular General Assemblies in the section reviewing the 2008 At-Large Review, incorrectly attributing the newly approved multi-year budgeting directly to the original Westlake review. Part of the rationale for this recommendation is that with the EMM, the number of participants will grow and the larger number of ATLAS participants will not be practical, presumably from a funding and other resource point of view. The ALAC does not support the EMM, nor does it believe that if implemented, the number of active participants would grow inordinately. However, the core issue is relevant, and should numbers change radically in coming years, the ALAC will have to adapt, as it does with all other aspects of its existence.

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, as part of their annual outreach strategies, 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.

ALAC Response: The ALAC supports this recommendation. The use of the word “continue” in the recommendation implies, as is the case, that this is already an ongoing practice and subject to ICANN funding, it will continue and hopefully grow. Recently the CROPP fund (previously catering for 3 days and 2 nights) was increased so that it has become 4 days and 3 nights which is much more popular option for participants to be able to experience more of their middle days experiencing more of the actual programme of an event, Requests for CROPP to be used to enable RALO Leadership participation at regional IGFs, regional SIGs, and other regional events, sometimes sponsored by other localised funding sources, to enable to participate more flexibly.

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.

ALAC Response: The ALAC accepts this recommendation in a modified form. Specifically At-Large should maximize its natural synergies with organizations such as ISOC, not only at the “Regional Hub” Level (actually called Regional Bureaus), but also as locally as possible, at the Chapter Level. For example the ISOC Latin America and Caribbean Regional Bureau - one of six ISOC Bureaus- sits in the “Casa del Internet” in Montevideo, Uruguay, alongside several ICT and telecom organizations. Although there is synergy (and overlap) between ISOC and ISOC Chapters that are also ICANN ALSes, it is not an At-Large decision as to how or if the Internet Society chooses to work together with their Chapter. ICANN has provided some support for Schools of Internet Governance, but under our new Bylaws, it is not fully clear whether being more proactive in such endeavours would be in line with the Mission and Scope identified in the Bylaws.

That being said, the ALAC notes that ICANN has a number of regional hubs, and while some work very cooperatively with their regional At-Large leaders and community (for example, APRALO and the APAC Hub), others have not shown the same in supporting At-Large in the way the recommendation presumes. . Also, although there is synergy (and overlap) between ISOC Chapters and ALSes, it is not an At-Large decision as to how or if the Internet Society and ICANN choose to work together. ICANN has provided some support for Schools of Internet Governance, but under our new Bylaws, it is not fully clear whether being more proactive in such endeavours would be in line with the Mission and Scope identified in the Bylaws.

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.

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

The ALAC strongly supports full disclosure of all travel costs, and not just those for unpaid volunteers.

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

ALAC Response: The ALAC supports the first part of this recommendation to the extent of being heavily involved with the CCWG Auction Proceeds activity. The Vice-Chair of the CCWG Charter Drafting Team was from the ALAC and the ALAC is one of the Chartering Organizations, and as such was required to contribute Members to the CCWG. The ALAC will be called upon to ratify any recommendations that arise out of the CCWG.

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

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

Moreover, although one can envision all manner of good projects that could be funded, it is not clear that actually funding operational expenses of At-Large are among them, and in fact there is already considerable opposition to doing this, both within At-Large and the rest of ICANN. So to be clear, the ALAC does not support the recommendation in relation with having access to the auction proceeds funds to support the operational expenses of the ALAC. Some ALAC and At-Large members have supported using auction funds for targeted and project-oriented uses within ICANN and At-Large. Whether that will end up being allowed remains to be seen.

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

ALAC Response: As noted elsewhere, the ALAC does not support implementation of the EMM. However, the ALAC does support the establishment of metrics to track performance and

improvement of the At-Large Community. In fact, we have a Metrics WG (one of the groups recommended to be abolished) that has been tasked precisely with that responsibility. It is currently on hold pending the completion of the ALS and RALO Criteria and Expectations group. Although consistency is important, there are also significant differences between the regions and any discussion of metrics needs to factor that in.

2. Recommendation Made Through Omission

Maintain the single voting Board member by At-Large.

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

1. The ALAC has significant - and sufficient - power with one voting seat. “Sufficient” is clearly a judgement call and not a rational argument.
2. The ALAC has more voting power than the GAC, the RSSAC or the SSAC. The Bylaws forbid government representatives from sitting as voting Board members, so the GAC is not even a question. The RSSAC and SSAC have made it clear through their decision not to participate in the Empowered Community that they wish to stay purely advisory. We note that the other ACs have always been in a different position relative to the ALAC in that they have only non-voting Liaisons to the NomCom while the ALAC has always had decisional responsibility on the NomCom.
3. At-Large has 5 delegates on the NomCom, so it does not need a second Director. However, we note that the GNSO has 2 voting Directors and 7 delegates on the NomCom.

4. Comments on EMM Implementation Guidelines

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

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

Implementation # 3: Adopt the Empowered Membership Model described in this document to

engage more end users directly in ICANN work. (Section 11).

ALAC Response: It is unclear what mechanism will be required by which users will become informed of the EMM, and what is it that will motivate them to begin spending significant time and effort to participate in ICANN policy issues (including learning the vernacular, getting up to speed on the issues in question and expending significant time on a regular basis). The presence of a vote seems to be a critical part of this, since it is that which differentiates the EMM from the individual unaffiliated members that three of the five RALOs have, and the other two are committed to allow. But this vote is only allotted after demonstration of active participation. It is unclear who will judge such participation and how this will be done. Such metrics have been an issue that At-Large has been grappling with for years and is not a minor implementation issue. If a possible vote is the critical issue in motivating people to engage, then one has to question their overall commitment. Moreover, since some RALOs rarely if ever have votes, one has to question whether the EMM would work if voting is a critical issue.

Implementation # 4: 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 the NCSG (Section 12).

ALAC Response: It is not clear what the connection is between the EMM and participation in At-Large and cooperation with NCSG. The ALAC is always interested in cooperating with other parts of ICANN and does so regularly with most other groups. That being said, ALAC is currently planning a cooperative outreach event with NCSG to be held in ICANN58, Copenhagen.

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

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

Implementation # 6: 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)

ALAC Response: Outreach is already a core focus for RALOs today, not only for engaging new entrants but also for capacity building within the RALO (inreach). Mentoring has developed from this, and for example, in APRALO, leadership has been a focus of capacity building among members who volunteered for leadership mentor guidance. Policy issues have been a focus for APRALO meetings, and a survey last year highlighted interest areas for potential involvement in Workstream 2 topics. Other RALOs do not have the same level of policy or mentoring focus but the ALAC would support more ALS members being engaged in policy development.

Implementation # 7: 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)

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

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

ALAC Response: In the entire history of the modern ALAC (after the Interim ALAC appointed by the Board), there have been 65 RALO and NomCom appointed ALAC members and only five of them have served for more than two consecutive terms (and two of those only exceeded the two-term point after the last AGM).

Taking this into account, term limits would not have had much impact in the past, and it is unclear if having such limits would have fixed problems, or created them.

That being said, term limits may well be reasonable, but it is less clear that two terms is optimal. One

RALO currently has a shorter limit, and others may feel that in critical times, the limit should be able to be overridden.

Implementation # 14: The proposed Empowered Membership Model (Section 11) 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 for CCWGs and regular WGs (to be decided openly and transparently).

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

5. Methodology

Reliance on Comments

The ALAC believes that the reviewers have placed greater focus on comments that have been made, and cited as “facts”. Unfortunately many of these “facts” are incorrect. For example,

“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.” (NCSG Participant)

There is no doubt that the commenter could only think of a half dozen or so, but the actual statistics give a somewhat different picture. In the last ten years (2007-2016), there have been:

- 5 ALAC Chairs
- 17 people in ALAC Leadership positions
- 23 RALO Chairs (or equivalent)
- 41 people in RALO Leadership positions

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

Lack of connection between Conclusions and Recommendations

Many (but not all) of the conclusions reached in analyzing At-Large are correct. This is not particularly surprising because the ALAC and its leaders have spent significant time understanding what is working and what is not working in At-Large (part of the inward focus for which we are criticized) and we were very open with the Review Team when they started their work. However, as noted in the comments

to the Recommendations and Implementations, in many cases, there is little connection between the problem identified and the solution.

Survey has design problems and the interpretation of results is problematic

Parts of the survey were poorly designed and ITEMS' interpretation of their results are questionable.

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

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

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

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

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

Focus on events at the time of the Review

It is perhaps natural that the Review Team focused on what they saw at the various events they attended, maybe not completely realising that the previous two years in ICANN were very atypical, and the focus of much of the organization has been on the IANA Stewardship Transition and ICANN Accountability. At-Large and the ALAC invested VERY heavily in these processes, to the clear detriment of many other activities. The Review Team arrived at the tail end of this and seems to believe that what they saw was the norm. In reality much of the "regular" policy work of ICANN has largely been on hold for close to two years, and the work of At-Large along with it. There is virtually no mention in the report of the significant accomplishments of At-Large during these efforts.

Misunderstanding of Current Process

In reviewing this document, it might be noted that a significant number of the Recommendations partially or completely describes what is already current practice, the status quo. This seems to indicate that the Review Team seemingly was not listening to its At-Large participants, or that they did not fully grasp what was actually occurring and chose not to verify their impressions with Staff or At-Large leaders prior to publication.

6. Non-Recommendation Suggestions

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

Conflation of RALO Leaders and ALAC Members

The concept that RALO leaders should at the same time be the RALO appointed ALAC Members presumes that:

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

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

ALM “activity” certification

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

Rapporteurs

It is unclear exactly what the Rapporteur is expected to do, but regardless, the assumption that after a 12 month period a new person to the ICANN system will fully grasp the complexities of some of the issues we address as well as the user-related issues, underestimates the learning curve and

complexity. Similarly it overestimates the relatively few people who will be able to regularly keep up and then represent At-Large. Moreover, random selection of the rapporteur if there are multiple candidates is far less than optimal.

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

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

Lastly, the report calls for selected Rapporteurs to be sent to ICANN meetings for a year, although it is not necessarily true that WGs even meet during ICANN meetings, and if they do, it is typically just for a few hours. Currently, this reporting role is done by the WG Chair by remote participation, if funding is not available to get that person to a meeting. Although the concept of “rapporteurs” is not likely appropriate, this IS a rationale for having travel slots in addition to those currently assigned for the ALAC and Regional leaders.

Liaisons

The first draft simply said that NomCom appointees will take on Liaison roles. The comments submitted made it clear that this could not work. Liaisons are critical to the relationship between the ALAC and other AC/SOs, and their special skills, knowledge and background are essential. In several cases, the other organization has to agree to accept the particular person as Liaison.

The only change made in the report following our comments was that the ALAC should supply the NomCom with a list of criteria they should use in their selection. This presumed that such “criteria” could be quantified and that there would be abundant applicants with suitable knowledge (including knowledge of the ALAC and other AC/SO) and skills. We note that the requirement for such prior knowledge of ICANN and its constituent bodies is potentially at odds with the NomCom responsibility of getting “new blood” into ICANN. It also ignored the issue that the other AC/SO may have criteria that they use to judge acceptability.

Council of Elders

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

7. Analysis of Prior Review Recommendations

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

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

According to the Charter, the ALAC Review WG has been formed to help 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. The WG will consider the Independent Reviewer's final report, Board input, and comments from stakeholders and the public, and will:

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

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

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

How ICANN developed its Recommendations to be implemented by the ALAC for the first review was a matter internal to ICANN and was a decision of the ICANN Board. It should not be an issue that the present Review Team needed to look at or question.

8. Travel Issues

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

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

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

The ALAC does agree that having the ability to bring a limited number (perhaps 5) of non-RALO/ALAC leaders and Liaisons to ICANN meetings could be extremely beneficial, but believes that other methods must be found for doing so.

Given that some other AC/SO travel allocations have rapidly increased over the last seven years (the period for which statistics are available) in recent years, while the At-Large allocation has remained nearly unchanged, perhaps there are alternatives to the Review Team proposal.

Annual FTE Travel Slots Per AC/SO

	At-Large	GNSO	ccNSO	SSAC	GAC	RSSAC
FY09	72	42	30	0	2	0
FY10	73	51	35	0	16	0
FY11	77	58	36	0	15	0
FY12	81	62	37	14	37	0
FY13	73	114	34	29	50	0
FY14	78	128	36	29	64	3
FY15	78	138	33	37	65	6
FY16	79	143	34	38	85	12

Note that the table excludes extraordinary travel including At-Large General Assemblies and Summits, and Intersessional meetings that have become common in the GNSO. For At-Large the yearly average

over seven years has been 32 FTE per year, and for the GNSO over the last two years has been 37.

Note also that in most years, the numbers are slightly inflated from the actual approved traveller because incoming members often attend the Annual General Meeting. These were omitted from the FY16 counts, but are present in other years.

9. Volunteer Turnover

The Review Team received many comments alluding to a lack of volunteer turnover, stagnant leadership, and people “clinging to power”. There is no question that such perceptions exist in the community.

Volunteer statistics tell a quite different story. They demonstrate that over the 14 years of the ALAC history, and the 10 years since the current ALAC plus RALOs have existed, there has been very abundant turnover.

To repeat and expand on the statistics reported earlier in this document, over the life of the ALAC,

- 126 people served on the ALAC or RALO leadership
- 19 people in ALAC Leadership positions
- 7 ALAC Chairs
- 41 people in RALO Leadership positions
- 23 RALO Chairs (or equivalent)

The detailed charts of service show that many people stay for a short while (typically their two-year term), some for a more extended period, and a few for relatively long periods. Often, a person starts in a more junior role and progresses through other roles. This is exactly what one would hope for and expect. Those who have a great interest step into advanced roles, and some people stay around to ensure continuity and experience.

The following two charts show

1. all ALAC members and then
2. ALL leadership roles (ALAC plus regional leaders⁶).

While the charts are too dense to readily read, the overall movement of people is evident.

⁶ Some regions have more than two people in leadership positions (Chair, Vice Chair(s), Secretariat(s)), but travel is limited to two per meeting.

3. Also included is a distribution of the amount of times (counted in ICANN meetings) that each person in a leadership position has served from 2007-2017, This is the total number of meetings served, not necessarily contiguous.

ALAC Members, Sorted by Region - 2003-2017

Total At-Large Appointments - 2007-2017
(Not necessarily contiguous)

