2018/07/17

Statement of the Non-Commercial Stakeholders Group on the
Draft Community Travel Support Guidelines

1. The Non-Commercial Stakeholders Group (NCSG) welcomes the opportunity to comment on the draft community travel support guidelines that were published by ICANN org on 30 May 2018. We participated in an earlier community consultation on this topic, submitting a comprehensive response to the ICANN org questionnaire back in November 2017.[1] Our comments today are consistent with our comments six months ago, and in summary, we would like to highlight several points on the proposed revisions to the community travel support guidelines that we disagree with. We therefore ask that they be amended to adjust the proposed travel support guidelines in order to bring our most active and valuable voices to each public ICANN meeting at reasonable cost and in reasonable comfort.

2. The NCSG represents the interests of non-commercial domain name registrants and end-users in the formulation of Domain Name System (DNS) policy within the Generic Names Supporting Organisation (GNSO). We are proud to have individual and organisational members in over 160 countries, and as a network of academics, Internet end-users, and civil society actors, we represent a broad cross-section of the global Internet community. Since our predecessor's inception in 1999 (the Non-Commercial Domain Name Holders Constituency, NCDNHC), we have facilitated global academic and civil society engagement in support of ICANN's mission, stimulating an informed citizenry and building their understanding of relevant DNS policy issues. We believe our evidence-informed public interest-orientated contributions provide balance against state and market interests.

3. We strongly disagree with the assertion on page 6 of the guidelines that "travel is not required for community work." This would be true only if no face-to-face ICANN meetings ever took place and all meetings were carried out online. The whole purpose of face-to-face meetings is to add the richness of relationships to the ICANN process. For policy development processes, for example, that face-to-face work is considered so critical that we now hold a meeting once a year dedicated to policy development. Some groups have the means to participate in face-to-face meetings without the financial support of ICANN: large law firms, for instance, would be happy to send their attorneys and to bill expenses onto their clients.

   But non-commercial participation relies, depends, and is based on community travel grants. This is true for participation at both the membership and leadership levels. There is absolutely no level playing field of participation — and indeed a voice critical to the multistakeholder process is missing — if only three stakeholder groups are represented in person, and one is comprised of disembodied voices participating remotely. While remote participation is important and helpful in particular occasions, from our experience at the ICANN meetings,

[1] See Questionnaire Response from the Non-Commercial Stakeholders Group: https://community.icann.org/display/~carlos.reyes/ICANN+Community+Travel+Support+Guidelines+Consultation?preview=/71604699/74587042/NCSG%20Community%20Travel.pdf

online participants are never able to be fully engaged and integrated into the discussions and the processes. They are not on an equal footing with the participants due to various reasons, such as technical issues, time zone differences for participants not from the region where the meeting is taking place, remote moderators multitasking and not paying attention to the room, among other reasons. As we saw in San Juan, remote participation platforms are also prone to security vulnerabilities that impact their availability as well as put the remote participant at risk of electronic footprint compromise. While remote participation may work for a single session or meeting, the quality, substance, and effectiveness of participation in the ICANN process mandates being at the meetings in person: being in the PDP meetings, being in the public forums, being a part of the flow of the hallway conversations, negotiations, and hard-fought compromises — and this is a common truth of our ICANN process (and has been for 20 years)!

We remind ICANN org that recommendation 10.5 of the Accountability and Transparency Review 2 report,[2] accepted by the Board in 2014, called for ICANN to "*facilitate the equitable participation in applicable ICANN activities, of those ICANN stakeholders who lack the financial support of industry players*." We thus suggest that ICANN org be more in touch with the community to understand our needs and the valuable work that we, and others, do.

4. The guidelines indicate that, "Travel support by ICANN is not intended to cover all travel costs. There are inherent discretionary travel costs that a supported traveler may incur that are not eligible for reimbursement and not within the scope of travel support." It is not clear to us what is meant by "inherent discretionary travel costs". If ICANN feels the need to come up with a list of costs that are not eligible for reimbursement, there is a need to make it clear which costs can not fall under the scope of travel suport, like it does in the ICANN Staff Travel and Expenses Policy. Otherwise, such broad statements could potentially lead to there being no reimbursement of legitimate expenses incurred by community members. The bottom line is, the justifiable costs incurred by community volunteers as a result of their participation in ICANN's policymaking processes should be covered to the maximum reasonable extent possible.

5. Regarding banking information, we suggest that the Travel Support Team confirm with travelers their preferred means for transferring funds, including confirming which currency they would like their per diem to be paid in — with the choice being their local currency, or US Dollars. Some banks charge outrageous fees to receive wire transfers in foreign currencies, whereas other travelers may reside in countries where currencies have wild fluctuations, and therefore prefer to receive a per diem in a 'stable' currency. Other travelers may exceptionally prefer to receive a per diem in cash rather than transmitted via Western Union. Providing the supported travellers with a certain degree of flexibility on this matter would be highly appreciated.

[2] https://www.icann.org/en/system/files/files/final-recommendations-31dec13-en.pdf

6. We suggest that ICANN reimburses basic travel insurance expenses for all travelers, not only those who require insurance in order for a visa to be issued. This would also reduce ICANN's liability in the event of a supported traveler sustaining injury or death while attending or traveling to/from an ICANN meeting.

7. We also recommend that if a meeting is held in a region where there is a need for travelers to obtain a vaccination or immunization (as recommended by their doctor, not at ICANN's discretion), the reasonable costs associated with doing this must be reimbursed by ICANN.

8. We respectfully ask that ICANN make an adjustment to the community travel guidelines to ensure that participants are able to arrive to the meeting location at least 12 hours before the start of their first working day. This is to ensure that travelers have received enough rest to be productive, as many have to contend with jet lag and changes in time zone differences. For most travelers, this will be their approved date of arrival and will therefore incur no additional costs to ICANN, but for some travelers from rural regions who, in order to attend a meeting must combine several modes of transportation, it may require that ICANN purchase an additional night of hotel. This would not be a great cost to ICANN but would assist travelers greatly in recovering from their journey. Similarly, there should be a reasonable degree of flexibility in a traveler's departure time, to allow for a final night of sleep and a breakfast debrief meeting with their community before heading home.

9. We suggest that for the long distance travel if the difference between the cost of a premium cabin and economy class is marginal, ICANN be willing to cover that cost. We understand that travel in a higher class of travel could slightly raise the overall cost of community travel support to ICANN, so we suggest that the relief be targeted at those with no other means of financial support to attend a meeting, and be aimed at long-term volunteers with at least two years of proven active involvement in the ICANN community, in order to avoid overspending. We provided other suggestions on how overall travel expenditure could be reduced in our November response to the travel questionnaire.

10. ICANN should allow a traveler to fly on their preferred airline if the cost between the ICANN preferred itinerary and the traveler's preferred ticket is USD 250 or less. There are many valid reasons to prefer flying one airline over another. Airmiles and 'status' in aviation do matter: ICANN community members are flying three or more times per year, frequently long haul. Being even on the lowest rung of a mileage plan can help with check-in, lounges, flexibility with luggage allowances, and rebooking in the event of irregular operations and flight cancellations -- not to mention being able to use miles accrued to upgrade to a higher class of travel in order to arrive at a destination less exhausted.

11. The policy states that, "If an airline does not allow a supported traveler to select a seat free of charge, fees for selecting a standard seat are eligible for reimbursement, up to a maximum reimbursement of USD 100. No preferred, premium, bulkhead, or exit row seat fees will be reimbursed." We believe that the final sentence should be deleted, and that ICANN should reimburse travelers up to USD 100 per travel leg to select a seat of their choice. An exit row seat, for instance, would allow a traveler a slightly more comfort on a 14-hour journey.

12. If a flight is scheduled to arrive before 7:00am, the travel guidelines indicate that ICANN will reserve a hotel room for the traveler for the previous night. That allows the traveler to get their room immediately on arrival, and not have to wait for the official check-in time which can easily be 3:00 pm in many places (and which is typically enforced at conference hotels). However, when a departure is scheduled for late at night into the morning hours, as was the case in Hyderabad when some flights departed between 11:00 pm and 1:00 am, ICANN does not similarly offer a hotel room for the remainder of the day. We ask that ICANN facilitate a late checkout for impacted travelers, paying either for an extra night of accommodation or a late checkout fee in case if the traveller has a journey back home longer than 4 hours, so instead of long hours before the long haul flight departure with no hotel room, the traveller had some comfort after a week of ICANN meeting. We suspect the overall cost to ICANN here will be minimal, as most travelers will not be impacted by these unusual flight banks in most cities where ICANN hosts meetings.

13. We ask that the Travel Support Team make contact with travelers indicating the number of days per diem that he/she will receive, prior to this being wired to their bank account, so that he/she can verify that the per diem has been calculated correctly and will be transmitted in their preferred currency.

14. Under ordinary circumstances, ICANN should process all requests for reimbursement within 10 business days of receipts being submitted to the Constituency Travel team, including non-refundable airfares if a traveler has received permission from ICANN to book their own flight to a meeting. If the traveler has purchased a refundable airfare, we understand it would not be appropriate for ICANN to reimburse the flight costs until the flight has been taken and therefore cannot be refunded. In such cases, ICANN should reimburse the traveler within 10 business days of the return flight being taken. We understand that there may occasionally be exceptional circumstances which delay reimbursement occurring within 10 days of a receipt being submitted (i.e. audit), but these should be the exception, not the rule.

15. Under travel responsibilities, ICANN requires the traveler to present the visa two weeks before the departure date unless they can provide a letter from the embassy that their visa is being processed and they will receive it one week before departure. Unfortunately, embassies are not always responsive or clear about their timelines. This requirement cannot be implemented in most cases and we recommend ICANN consider each applicant's unique situation and not apply a one size fits all measure.

16. While ICANN should treat each traveller's visa situation separately, there are measures that can be taken to prevent the purchase of tickets for participants who cannot receive visas. For example, ICANN can urge the visa seekers to apply for visa at their earliest opportunity. In order to do so, it should provide them with the appropriate visa letter and other documents that they may need to submit to the embassy.

17. While obtaining a visa is the responsibility of the visa seeker, ICANN has to ensure that the visa seekers are given the necessary documents well in advance to present to the embassy. Dummy hotel reservations do not work for most embassies.

18. The travel policy is very clear that obtaining a visa is the responsibility of the traveler and throughout the document emphasizes that ICANN might not be able to provide support in certain aspects. This non-committal language has to change. ICANN should commit that it will provide the documents for visa seekers in a timely manner and that it will do as much as possible in order to provide the documents in a format accepted by the embassy.

19. On case by case basis, visa seekers should be notified about the possibility to self-arrange and be allowed to book their own flight and hotel. This should not incur more costs on ICANN. ICANN should follow the maximum allowance guidelines it has in place when self-arranged. The possibility to self-arrange for visa seekers is very important; local travel agencies are more savvy about visa processes and have a list of hotels that are acceptable by the embassies. Moreover, travel agencies located in developing countries might have special arrangements with the airlines to provide flexible flights, even sometimes cancellable, and acceptable hotel reservations.

20. Thank you again for opening this conversation up to the community. We are grateful to ICANN for this opportunity to share our perspectives on this important issue that impacts us and other community members, and we trust you will find our recommendations helpful. Finally, the NCSG would be happy to participate in a webinar with the Travel Support team to answer any clarifying questions that you may have regarding the contents of this document.