

# Motion for the adoption of a clear version of the LACRALO Operating Principles

## Barbados Association of Non Governmental Organisations

**To:** LACRALO Secretariat

**Subject:** Request for the following Motion to be part of the Agenda for the LACRALO General Assembly / Meeting to be held in London in June 2014:

### **Motion for the adoption of a clear version of the LACRALO Operating Principles**

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### Preamble

In view of the problems caused by ambiguity and misinterpretation of the Principles and Rules of LACRALO and the need for the rules to be set out in a manner that preserves the spirit of the organisation and do not lead to any misinterpretation whatsoever, in either the present or the future...

AND...

To facilitate the easy understanding of the OP by members and finally establish the spirit of the rules, avoiding misinterpretation and misrepresentation...

AND...

To the extent that the version below represents a clear understanding of the vision, goals and objectives of the founding members of LACRALO, which was established by MoU with ICANN and the importance of LACRALO not losing its focus...

AND...

To avoid the organisation being politicised and sustain but maintain LACRALO as a users' platform that interfaces with ICANN in a manner that is not at odds with the rules of ICANN, but rather in harmony with the objectives and goals of ICANN to be a multi-stakeholder organisation...

### Resolution

BE IT RESOLVED...

That the clear version of the Operating Principles below be adopted as the Operating Principles of LACRALO before any amendments are made:

## CLEAR VERSION

### Latin America and the Caribbean Regional At-Large Organisation (LACRALO) OPERATING PRINCIPLES

#### **1. Establishment**

- i. The Latin America and Caribbean Regional At-Large Organisation (LACRALO) was established on December 4th, 2006 during the 27th ICANN International meeting in Sao Paulo, Brazil, by way of a Memorandum of Understanding between ICANN and At Large Structures which were established in Latin America and the Caribbean.
- ii. The LACRALO is guided by the By-Laws, rules and policies of the Internet Corporation for Assigned Names & Numbers (ICANN). See documents establishing ICANN at <http://www.icann.org/en/about/governance>

#### **.2. Interpretation**

- i. In this document, unless otherwise stated:
  - a. "ICANN" means the Internet Corporation for Assigned Names & Numbers as described at paragraph 1. above.
  - b. At-Large Structures shall mean organisations made up of and established for the benefit of internet users, hereinafter referred to as "ALSs";
  - c. Regional at-Large Organisation shall mean regional groupings of ALS according to the recognized regions of Africa (AF), North America (NA), Europe (EU), Asia, Australia and the Pacific (AP) and Latin America & the Caribbean (LAC), hereinafter referred to as "RALO"s.
  - d. At Large Advisory Committee means the committee that renders advice to ICANN, hereinafter referred to as "ALAC".
  - e. "NOMCOM" means the Nominating Committee which selects the board members and persons for other key leadership position in the structure of ICANN as described at: <http://nomcom.icann.org/>.
  - f. "General Assembly" shall mean the General Assembly of LACRALO;
- ii. The proper authority for the interpretation of these Operating Principles is the General Assembly of LACRALO.

#### **3. Membership**

- i. All the At-Large Structures (ALSs) of Latin America and the Caribbean which have been accredited as ALSs by the At Large Advisory Committee (ALAC) shall be members of LACRALO.

#### **4. Objectives**

- i. To promote, encourage and maintain the participation of internet users in Latin America and the Caribbean, in the process of developing ICANN policies for the use of the Internet in the region.
- ii. The LACRALO shall promote the formation of user groups and assist them with their accreditation as ALSs by the ALAC.
- iii. Notwithstanding Paragraph 3 above, mechanisms shall be maintained to give users in the region, who are not members of any ALS, the opportunity to express their opinions on the development of ICANN policies for internet users.

#### **5. Language**

- i. The LACRALO shall be multilingual in keeping with its core principles of diversity and inclusiveness, adopted from its inception.
- ii. Unless otherwise provided for, all documents shall be written and all discussions shall be held in English and Spanish.
- iii. The General Assembly may, by majority vote, add other languages such as Portuguese and French, being the language of members of the Latin American and Caribbean region and may periodically reassess the need to add other languages used in the region.

## 6. The General Assembly

- i. Subject to the By-Laws of ICANN, the governing body and highest decision making authority of the LACRALO shall be The General Assembly properly constituted as set out below.
- ii. The General Assembly shall be composed of two (2) representatives of each accredited ALSs. Each ALS shall inform the Secretariat in writing of the names and contact information of each appointed representative.
- iii. A quorum of the General Assembly shall be made up of a majority of accredited ALS, as specified at paragraph 3.i (above), where 50% of Caribbean Countries and 50% of Latin American Countries are represented.
- iv. The appointed representatives shall act as official contacts of the ALS in relation to the business of the LACRALO for the duration of their appointment.
- v. The General Assembly shall, to the extent possible, operate by consensus. If a consensus cannot be reached, each ALS accredited in the General Assembly shall be entitled to one vote and any matter put to vote shall be decided by simple majority. In the event of a tied vote, the person chairing the meeting shall have the casting vote.
- vi. The General Assembly may from time to time, establish any committees, working groups or tasks force as it sees fit for the proper conduct of its business.

## 7. The Officers of LACRALO

- i. The Chairperson:
  - a. Shall be elected by the General Assembly from among its members, in accordance with Rule 13 of the LACRALO Rules of Procedure;
  - b. Shall serve for a period of one year and may stand for reelection;
  - c. Shall have a casting or deciding vote in the event of a tie in votes.
  - d. The Duties of the Chairperson shall be to:
    1. Establish links between the discussions in ALAC and the contributions made by the region
    2. Represent the region in the ALAC face-to-face meetings in consultation with the Secretariat.
    3. Chair the meetings of the Assembly held through discussion lists, teleconferences and face-to-face meetings in consultation with the Secretariat.
- ii. The Secretariat:
  - a. Shall be elected by the General Assembly from among its members, in accordance with the rules for the election of officers.
  - b. Shall perform the duties of a Secretariat.
  - c. Shall facilitate the work of the LACRALO.
  - d. As the Secretariat, shall have administrative and informative functions and shall be responsible for maintaining the relevant communications systems as to enable the proper flow of information on matters under discussion among all the ALSs belonging to the LACRALO.
  - e. Shall undertake any other responsibilities assigned to it by these rules or by the General Assembly.
- iii. ALAC Representatives
  - a. The LACRALO shall elect two (2) individuals to serve as representatives before the At Large Advisory Committee (ALAC) on the terms specified in the ICANN By-Laws.
  - b. The term of office of the two representatives elected by the LACRALO vis-à-vis the ALAC shall not exceed two (2) years and they may not be re-elected.

## 8. Voting and Elections Rules of Procedure

- i. Only those ALSs that have been accredited prior to the election shall be entitled to vote in the election.
- ii. Each accredited ALS shall be entitled to one vote.
- iii. All elected or selected representatives shall be members of various ALSs and shall have their main places of residence in countries of the region, and their nationalities must be distinct.
- iv. The elected or selected representatives shall be responsible for the duties outlined in the ICANN By-Laws.

## 9. The NONCOM Representative

i. In the case of the election, the affiliation, residency and nationality shall also be taken into account with respect to the person acting as a representative vis-à-vis the ALAC on behalf of the LAC appointed by the NONCOM.