

2009 LACRALO Elections - Issues and Resolution of the matter.

Due to an inadvertent calculation error in the weighted votes an incorrect announcement for the position of LACRALO Chair was made in the GA held in Mexico City, the corrected calculation gave a different outcome from that originally announced, and considerable concern and confusion resulted both on the LACRALO list and within the regions ALSes, as a result of these announcements.

The ALAC ExCom became involved after correspondence with and requests to the ALAC Chair and the resolution processes undertaken outlined on this page is a report to the community regarding this matter and acts as repository for Regional, ALS, and At-Large access to proceedings and interchanges undertaken by all parties involved in as fully a transparent manner as possible.

*^ still need to cross check some dates of calls with my diary ans add a few bits then find the audio to match etc., but this is almost what I want CLO**

The following provides a chronology of the events related to the LACRALO Chair election held during the LACRALO GA in Mexico City, and the process engaged in subsequently in order to conclude the debate on the issues which arose from it.

Process Leading Up to the Voting in Mexico City

On January 22nd, 2009, the LACRALO Secretariat Carlton Samuels sent an email to the LACRALO distribution lists to announce that proxy voting would be recognized during the LACRALO GA if a written authorization from one LACRALO member was received through the Secretariat before 0500 UTC on March 1. (see http://atlarge-lists.icann.org/pipermail/lac-discuss-en_atlarge-lists.icann.org/2009/001488.html)

Prior to the LACRALO GA, Carlton Samuels received three authorization emails from ALSes wanting to cast a proxy vote during the GA:

- ICT4D Jamaica: http://atlarge-lists.icann.org/pipermail/lac-discuss-en_atlarge-lists.icann.org/2009/001696.html
- DevNet: http://atlarge-lists.icann.org/pipermail/lac-discuss-en_atlarge-lists.icann.org/2009/001697.html
- ICT Society of Trinidad and Tobago: http://atlarge-lists.icann.org/pipermail/lac-discuss-en_atlarge-lists.icann.org/2009/001698.html

Conduct of the Voting, Vote Tabulation, and Announcement of the Interim and Final Results

Shortly before the LACRALO Chair election was held during the GA, Carlton Samuels, the presiding officer of the GA, announced the three Proxy votes and ensured that their votes were cast according to their instructions. Matthias Langenegger, the At-Large Staff member who was asked to be the rapporteur of the LACRALO GA, counted all the votes cast and applied the weighted voting formula provided by the Rule 12.9 of the LACRALO Ordinary Rules of Procedure of LACRALO, as adopted by the LACRALO GA in Puerto Rico on June 24th, 2007.

The rules of procedure can be retrieved at: https://st.icann.org/data/workspaces/lacralo/attachments/ralo_organising_documents:20080815141136-1-12341/original/AL%202007%20SD%202%20Rev2%20LACRALO%20Rules%20of%20Procedure%20EN.pdf

The interim result of the Chair election was then announced during the GA by the presiding officer. Upon returning from the Mexico City Meeting, the At-Large Staff listened to the audio recordings from the LACRALO GA to verify the election results and noticed that in fact, the interim result presented at the GA omitted the Proxy vote cast by DevNet.

> There are two audio recordings that allow you to verify the above stated facts. You can either listen to the full GA recording or to an excerpt that covers the vote count of the Chair election.

> Full GA audio recording: <http://audio.icann.org/atlarge/LACRALO-03-03-2009-EN.mp3>

> Chair election audio recording: <http://audio.icann.org/atlarge/LACRALO-GA-03-03-2009-Chair-Election.mp3>

The presiding officer of the election was immediately informed of the error when it was discovered and a separate email was sent to the region (see http://atlarge-lists.icann.org/pipermail/lac-discuss-en_atlarge-lists.icann.org/2009/001690.html).

As the presiding officer during the voting, Carlton Samuels announced on March 19th that Andres Piazza had been elected Chair of LACRALO.

At the same time, he announced a timetable for the nomination of candidatures and voting for the LACRALO Secretariat. (see http://atlarge-lists.icann.org/pipermail/lac-discuss-en_atlarge-lists.icann.org/2009/001691.html)

Immediately prior to the announcement of 19th March, the Staff ensured that Andres Piazza, Carlton Samuels, and Sergio Salinas-Porto had a teleconference to discuss the result in advance of publication. (<http://audio.icann.org/atlarge/LACRALO-Chair-Election-Discussion-19-03-2009-EN.mp3>)

Events Subsequent to the Announcement of the Election Results

After the announcement of March 19th, discussion of the results was entered into on the LACRALO list, as well as during the monthly LACRALO teleconference of 19 March 2009. The recording of that teleconference may be reviewed here: <http://audio.icann.org/atlarge/LACRALO-19-03-2009-EN.mp3>

As it was clear that strong views were held on various aspects of the result of the election announcement on 19th March, the ALAC Executive Committee entered into a dialogue with Andres Piazza and Sergio Salinas Porto, and undertook several interviews and briefings (calls and provided text references and audio materials) to ascertain the facts of and points of misunderstanding and/or misinterpretation in relation to the matter. Having identified to their satisfaction what specific issues required addressing and being aware that all parties concerned genuinely desired the best outcome for the Region and for LACRALO function a careful process of discussions and explorations of pathways forward began... ML NOTE_The AUDIO FOR THIS NEEDS TO BE INSERTED HERE!!!_

A first formal discussion by the proponents and the Chair candidates at the General Assembly election, was held on Friday 27th at 2000hrs UTC., the agenda agreed on by the parties and some additional information and explanatory notes for this teleconference, follows:

<http://audio.icann.org/atlarge/LACRALO-Chair-Election-Discussion-27-03-2009-EN.mp3>

>> Participation in this call was limited to:
>> The ALAC ExCom (our Elected Officers and the African Region appointed lead provided to ensure full regional balance

Unknown macro: {as per the ALAC resolution late last year}

i.e. Cheryl Langdon-Orr [who will Chair this meeting], Sebastien Bachollet, Vanda Scartezini, Alan Greenberg and Fatimata Seye-Sylla.

>> The ICANN Ombudsman Dr. Frank Fowlie, PhD (who is acting as expert advisor to the ALAC ExCom on this matter, but without any prejudice to any future action undertaken officially by his office)

>> Sergio Salinas

>> Andres Piazza

>> Also on the call will be the Maya from ADIGO who will do the Spanish<=> English interpretation for the call.

>> Like all of our ADIGO calls it will be recorded but the MP3 will only be made available for the use of and reference by the call participants unless expressly agreed by all parties that this is to change.

>> Agenda for this call.

>> 1. Introduction and Housekeeping.

>> 2. Outline of the Purpose of this call.

>> 3. Discussion about the agreed Purpose. (short)

>> 4. Discussion.

>> 5. Review of the Discussion.

>> 6. Establishment of Agreed Outcomes (from Discussion).

>> 7. Next Steps (including the transmission of the Agreed Outcomes and brief report about this Meeting to the LACRALO and wider ALAC & At-Large)

>> Finally please be advised that as the ALAC ExCom has been fully briefed on the facts, various LACRALO discussions and debates ensuing since the LACRALO GA in Mexico and has interviewed the Returning Officer for the Election, At-Large Staff, and LAC Regional Representatives, and had shared all written (be they in text email or IRC format) letters of concern and requests for guidance on this matter this meeting will not be an opportunity to go over these details, the causal factors resulting in the matter, or the differences of various opinions about the matter, other than in the smallest referential way where it is deemed by the ALAC Chair to clearly contribute to our discussions. this will be outlined in greater detail in item 2. of the Agenda.

>> Thank you all for the time, energy and enthusiasm shown so far in addressing this issue, and I look forward to working with you all to promptly resolve this matter.

>> Cheryl Langdon-Orr
>> (CLO)

This agenda was not completed at this call and in fact several questions and points of clarification were raised by these discussions and the Agenda was suspended at item 5 until those matter were dealt with...

Several conversations followed as a consequence. These may be reviewed below.

<http://audio.icann.org/atlarge/LACRALO-Chair-Election-Discussion-08-04-2009-EN.mp3> <http://audio.icann.org/atlarge/LACRALO-Chair-Election-Discussion-08-04-2009-EN-2.mp3> <http://audio.icann.org/atlarge/LACRALO-Chair-Election-Discussion-08-04-2009-EN-3.mp3> <http://audio.icann.org/atlarge/LACRALO-Chair-Election-Discussion-04-05-2009-EN.mp3>

As a result of the discussions, Cheryl Langdon-Orr and Vanda Scartezini (now acting as the ExCom interface on this matter) asked the Staff for an opinion as to what procedurally would be most advisable to resolve the situation permanently, and requested a teleconference with the General Counsel of ICANN to discuss the options available. The Staff produced a note as requested, which is [may be reviewed here](#).

Subsequently, Cheryl and Vanda requested a further clarification of the staff in respect of certain additional questions; this note [may be found here](#).

Additional conference calls were then conducted to complete the Agenda (items 6 & 7) ML NOTE_The AUDIO FOR THIS NEEDS TO BE INSERTED HERE!!!_

Harking back to the original precept established that all the parties involved had the best interest of the Region and performance of LACRALO as their main priority, it was appreciated and greatly respected when the following text was received by Cheryl Langdon-Orr in her capacity as ALAC Chair from Mr. Sergio Salinas-Porto, effectively withdrawing himself from the matter and formalizing Andres as uncontested Chair of LACRALO and ratifying the now uncontested appointment of Dev Anand Teelucksingh to the position of Regional Secretary.

Estimada Cheryl,
quiero agradecer la dedicación y el empeño que usted a puesto en intentar solucionar los distintos problemas que se han suscitado en nuestro LACRALO. He decidido renunciar a la presidencia de mi región.
Este proceso a sido desgastante, penoso y poco productivo para los usuarios de mi región.
Creemos en las instituciones y en la integridad de los espacios participativos en los cuales actuamos.
Luego de observar que la contraparte no tenía interés en la construcción de este espacio a partir de soluciones alternativas que se fueron dando en distintos momentos de este proceso y primando la integridad de nuestra región por sobre su fractura, he tomado esta decisión en conjunto con mis compañeros de organización y de mis compañeros de la región.
Esto no significa que dejemos de reclamar los derechos que le son propios a los Usuarios de Internet.
Significa que redoblamos la apuesta, trabajaremos más duro para que sea escuchada la voz del eslabón más débil de esta cadena de poder.
No reconocemos otro destino, como representantes de los usuarios, que el de debatir sobre las distintos temas que se den en le marco de ICANN y de proponer soluciones pensadas siempre en salvaguardar los derechos de los mas los usuarios finales de Internet, en esta relación de poder entre estados, empresas y usuarios.
Seguiremos participando de las distintas actividades que se den en el marco de ICANN, aportando nuestro punto de vista, la de organizaciones de Usuarios de Internet.
Te saluda desde Argentina
Sergio Salinas Porto
Presidente
Internauta Argentina

Dear Cheryl
I would like to thank you for your attention and commitment to help to solve the several problems our LACRALO has faced.
I have decided to resign the presidency of my region.
This process has been so stressful, painful and with so few results for the users of my region.
We believe in the institutions and in the integrity of the participative spaces where we are used to work with the communities.
From the moment we recognize the counterpart had not the interest to build from the many alternative solutions that have been presented in different times during this process, and in order to guarantee the integrity of our region, avoiding any fracture, I made this decision, together with the colleagues of my organization and colleagues of our region.
This doesn't mean that we will abandon the fight for the Internet user rights. Means only that we double our bet, and we will work harder to guarantee the voice of the lowest level of this power chain will be heard.
We do not recognize another destiny as representatives of the users that we are, only to debate about the several themes under ICANN framework and to propose meaningful solutions to guarantee the rights of end users of Internet, relating to their relations with the countries, companies and other users.
We will continue to participate in all different ICANN activities related to Internet users, contributing with our point of view.

From Argentine, please accept my best regards
Sergio Salinas Porto
President
Internauta Argentina