



Comment on Independent Review of the ICANN At- Large Community

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Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

BC Comment on Independent Review of the ICANN At-Large Community

This comment is formatted to match the template provided on ICANN's public comment page, at <https://www.icann.org/public-comments/atlarge-review-draft-report-2017-02-01-en>

For each recommendation, the BC indicates from among the 4 options requested in the template:

Support

Do Not Support

Not Sure

It Depends

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.*

The BC indicates **Support** for recommendation 1.

At-Large Members (ALMs) are defined as individual end users who have contacted the RALO leadership in the region where they live and who have been briefed on current ICANN Constituency and Cross-Constituency Working Groups. While some members may be actively involved in ALAC activities, many are not. Accordingly, all members should be encouraged to understand more about ICANN processes and policies so they can raise awareness of ALAC when they attend non-ICANN events.

Since end user engagement in regions around the world is difficult to arrange, any funding provided to ALMs should have a requirement that they conduct outreach in some measured fashion and share this with end users following attendance at a regional event. The BC applies a similar requirement when we provide funding to BC members doing outreach events.

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

The BC indicates **It Depends** for recommendation 2.

Section 4 paragraph *a* of ICANN Bylaws describes the role of ALAC:

“The role of ALAC shall be to consider and provide advice on the activities of ICANN, insofar as they relate to the interests of individual internet users. This includes policies created through ICANN’s Supporting Organizations as well as the many other issues for which community input and advice is appropriate.”

Accordingly, ALAC should have something to say about end-user impact on most policy development and enforcement activities at ICANN. Since ALAC does not drive policy development, there should be no limit on the quantity of issues it can provide advice on. But it is important that ALAC is specific in its advice. Beyond policy matters, ALAC must be attentive to other issues that may have an effect on end users, such as ICANN’s enforcement of Public Interest Commitments and other user safeguards.

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

The BC indicates **It Depends** for recommendation 3.

While the BC endorses some aspects of the Empowered Membership Model (EMM), we do not support Implementation #4, which assumes, “Within this context there should be scope for further cooperation with the NCSG (Non Commercial Stakeholders Group)”. In fact, **at-large Internet users have an even greater need to cooperate with the Commercial Stakeholder Group in ICANN’s GNSO**, within each of its 3 constituencies:

At-Large Members most likely are using business-oriented domains as much as they frequent non-business domains, so they should be cooperating with the ICANN Business Constituency, who represents business users and registrants.

Every At-Large Member relies upon internet service providers and connectivity providers for their interaction with the Domain Name System.

Many At-Large Members want to trust that the domains they access are the genuine websites for banking, commerce, news, and charitable donations. ALMs are therefore natural allies of ICANN’s efforts to reduce trademark abuse in domain names.

That said, the BC does support several aspects of the EMM:

Required participation by ALMs.

ALMs become Rapporteurs after 12 months of participation in ICANN Working Groups.

Eligibility to vote in RALO leadership elections after 3 months of participation in ICANN Working Groups. This encourages engagement, sustained commitment, and increasing knowledge. The

EMM funding proposal enables ALMs to flow through an increasing and changing role over a 6-year period.

The notion of officer term limits is intended to motivate At-large leadership to encourage existing members to step-up to leadership roles and responsibilities. The BC struggles with the same challenge and empathizes with ALAC's difficulty in motivating members to stand for office. It's possible that term limits will help with this challenge, but term limits alone may not be sufficient.

The BC notes that ALAC leaders contend that many aspects of the EMM are already practiced in three of the RALOs. It may be helpful for ITEMS to examine those RALO activities more closely and to assess whether incremental changes will enhance participation in these RALOs.

Finally, the BC suggests that EMM be implemented with a pilot in one or two RALOs, for a one or two year period. Experience and learning from the pilot would inform whether and how to implement EMMs across all of At-Large.

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.*

The BC indicates **It Depends** for recommendation 4.

It is appropriate for ICANN Staff to provide policy analysis and execution for outreach, cross-constituency support, and logistical support. But ICANN Staff should not be drafting strategies or initial policy comments for the ALAC. Drafting should remain the responsibility of ALAC members.

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

The BC indicates **Do Not Support** for recommendation 5.

At-Large was created by ICANN to be Advisory within ICANN. That means advising and interacting with ICANN structures and management – not organizations outside of ICANN. If individual ALAC members wish to interact with ISOC and other International organizations, they may do so at any time. But ICANN and its Advisory Committees should respect ICANN's limited scope and mission, and minimize any official interaction with other global bodies.

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.*

The BC indicates **Do Not Support** for recommendation 6.

Board seat 15 should be filled through a process that is solely administered by At-large, without any direct input from NomCom. The request for an additional board seats like the GNSO cannot be supported unless ICANN also re-aligns the board to give additional seats to GNSO, which generates over 98% of ICANN revenue and accounts for the vast majority of policy development and compliance activity.

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.*

The BC indicates **Do Not Support** for recommendation 7.

The BC fully supports active participation by At-large members in GNSO working groups, review teams, and cross community working groups. But that should be encouraged without prohibiting ALAC from having any internal working groups or committees. The BC often creates ad-hoc drafting teams and subcommittees to take advantage of its members' experience and knowledge in certain areas, and would not welcome any restrictions on our ability to do so.

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

The BC indicates **Support** for recommendation 8.

We fully support the use of social media by At-large to reach, connect and engage end-users across the globe. We also encourage that other social tool aside those listed be explored, especially those that provide ability for tracking a wide range of matrix and effectiveness.

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 BC indicates **Support** for recommendation 9.

The BC fully supports this position as we believe it would enhance outreach to end users.

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.*

The BC indicates **It Depends** for recommendation 10.

While the BC agrees with the usefulness of adopting online communications platforms for At-large members that maximizes engagement with end users, the BC would be concerned with moving away from widely adopted communications platforms, since tools with limited adoption could reduce participation and limit the flow of information to ALAC members. Should ICANN adopt an appropriate and widely-used “instant messaging-cum team workspace” platform that maximizes the flow of information to end users, the BC would support ALAC having the ability to adopt that platform.

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

The BC indicates **It Depends** for recommendation 11.

The ATLAS meetings were envisioned to provide individuals who may otherwise not participate in ICANN meetings the opportunity to learn more about ICANN, issues of importance, and work with other end users on topics of interests. The review notes there is broad support for global get-togethers like ATLAS, but the current model of an every 5-years global ATLAS meeting may not be sufficient for accomplishing the objectives of recruiting and including grassroots support, while communicating the overall functions and responsibility of ICANN. The BC would support more regional meetings to engage end users, but recognizes adding additional yearly meetings may be redundant, given the three yearly ICANN meetings and other intersessional meetings. In addition, the BC also notes the resources and budgetary needs for organizing five additional RALO meetings per year may be quite high.

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.*

The BC indicates **Support** for recommendation 12.

The BC supports the five RALOs partnering with well-established regional events and using CROPP and other funding mechanisms to provide support for the costs of organizing and participation of At-Large members.

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.*

The BC indicates **Do Not Support** for recommendation 13.

The BC believes efforts to enhancing global outreach and engagement with end users should be encouraged. While the review notes the positive aspects of At-Large working closely with partner organizations, the BC does not believe At-Large should be compelled to partner with certain organizations.

As we noted in our response to Recommendation 5:

At-Large was created by ICANN to be Advisory within ICANN. That means advising and interacting with ICANN structures and management – not organizations outside of ICANN. If individual ALAC members wish to interact with ISOC and other International organizations, they may do so at any time. But ICANN and its Advisory Committees should respect ICANN’s limited scope and mission, and minimize any official interaction with other global bodies.

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.*

The BC indicates **Support** for recommendation 14.

The BC supports increased transparency within ICANN across the board. According to the draft review report’s survey respondents, travel funding allocation is an issue of particular concern within the At-Large Community. Anything that enhances transparency in this area is therefore a welcome step.

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 to gaining access to these funds in support of the At-Large Community.*

The BC indicates **It Depends** for recommendation 15.

As the leading proxy for internet end users, At-Large has a role to play in the CCWG on new gTLD Auction Proceeds. In our 2015 comments¹ on this issue, the BC outlined the principles that should be

¹ <https://forum.icann.org/lists/comments-new-gtld-auction-proceeds-08sep15/pdfSbLcjgcH4p.pdf>

applied to fund auction proceed disbursement. In this context, At-Large proposals, if well defined and consistent with ICANN's non-profit status, should be well-positioned to compete for funding.

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.*

The BC indicates **It Depends** for recommendation 16.

This recommendation assumes adoption of the Empowered Membership Model (EMM) for At-Large. In response to recommendation 3 above, we indicated concerns with the EMM as proposed. Assuming the EMM is adopted, we also note that the draft report itself recognizes that even with the EMM, "We do not anticipate participation in At- Large to increase by orders of magnitude, but instead expect a moderate but significant increase in the number of ALMs." This suggests that the EMM may not yield statistically significant results that can be fed into a set of metrics.

Other Comments: *Are there any other comments or issues you would like to raise pertaining to the Independent Review of the At-Large Community Draft Report? If yes, please enter your comments here:*

The BC supports the creation of a council of elders as proposed in the draft review to retain active contributions by experienced members of the community within At-Large and suggest they play an active role in mentoring volunteers and Newcomers. BC members already play effective and important mentoring roles for our members on an informal basis and the benefits are palpable.

Finally, given the challenges of representing a broad user voice through a few individuals, the BC encourages the At-Large Community to draw upon publicly available research and studies on users in their work. We also support the recommendations to broaden user involvement by expanding individual representation within At-Large Structures, and emphasizing outreach as the central mission of the Regional At Large Organizations.

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This comment was drafted by Ari Giovenco, Gail Slater, Tim Smith, Lawrence OlaWale Roberts, Hibah Kamal-Grayson, and Steve DelBianco.

It was approved in accord with the BC charter.