

Wendy,

I trust you will find the following information and review of activities and the record useful to you in answering your request for further clarification...

In response to your question I will review and outline here the processes and resolutions around the last three ALAC only statements, and the joint UC Statement which included ALAC as part of its development in parallel.

Firstly as you know there will be a discussion in Paris about how we can perfect the process by which the views of the community are compiled and positions agreed going into an ALAC (and here it must represent to the best of any one's ability the consensus or majority views of all regions in the ALAC as well as wherever possible recognise that regional and cultural / linguistic differences may, on some issues exist, and that minority reports are always possible. It must be stated however that the process is somewhat iterative and we should keep in mind that we are all learning as we go forward, but that it is I believe our mutual aim to be as inclusive as possible of At-Large views into these ALAC processes, (as it acts as an AC) as opposed to its opportunity to also interact in policy development just like the RALO's, the ALS's and individuals who also contribute to public commentary periods on policy.

Secondly, all of the statements conveyed to the board have undergone a far more in-depth review by the entire community, including multiple open calls for comments from the community and community leaders, than any other ALAC statement ever adopted.

I think we need to remember what is important – which is that ensuring the positions taken by the ALAC on behalf of the community should represent the views of the community. In respect of all three statements, this was achieved.

The process adopted to create these three statements are based upon unanimous resolutions of the ALAC, on 11<sup>th</sup> March 2008:

- **GNSO Improvements:**  
[https://st.icann.org/alac/index.cgi?al\\_alac\\_cc\\_0308\\_1\\_2\\_proposal\\_of\\_the\\_chair\\_on\\_gns0\\_improvements](https://st.icann.org/alac/index.cgi?al_alac_cc_0308_1_2_proposal_of_the_chair_on_gns0_improvements).
- **Operating Plan and Budget Consultation and Travel Policy Consultation:**  
[https://st.icann.org/alac/index.cgi?al\\_alac\\_cc\\_0308\\_1\\_6\\_proposal\\_of\\_the\\_chair\\_on\\_the\\_alac\\_budget\\_committee\\_and\\_its\\_work](https://st.icann.org/alac/index.cgi?al_alac_cc_0308_1_6_proposal_of_the_chair_on_the_alac_budget_committee_and_its_work).

On 8 April, the ALAC discussed the progress of the GNSO Improvements statement and noted that the extension of the comment period would allow the ALAC statement to be completed after the conversations between the BC, the NCUC, and At-Large were concluded, and the results of those discussions could then be clarified and expanded upon in the ALAC statement.

The Staff asked how the statement would be finalised – voted on or not voted on – since the public consultation window was closing on the 24<sup>th</sup> and the next

ALAC meeting would be subsequent to that time. As Chair I stated that the community needed to review the joint statement of users but that due to time constraints a vote on the statement would not be held, though comments from the community would be incorporated after they had the chance to review the finalised Joint Statement of Users.

This was not objected to or commented on by the ALAC.

As you know, there were modifications to the ALAC statement to incorporate the views expressed after the Joint Statement was transmitted to the lists for review.

On April 24<sup>th</sup>, I directed the staff to post all three statements, including links to the revisions that had been made to the statements congruent with the discussions on the ALAC call on 8<sup>th</sup> April and incorporating all the community comments received. You can review these postings here:

GNSO Improvements: [http://atlarge-lists.icann.org/pipermail/alic\\_atlarge-lists.icann.org/2008q2/003683.html](http://atlarge-lists.icann.org/pipermail/alic_atlarge-lists.icann.org/2008q2/003683.html)

Operating Plan and Budget / Travel Policy: [http://atlarge-lists.icann.org/pipermail/alic\\_atlarge-lists.icann.org/2008q2/003672.html](http://atlarge-lists.icann.org/pipermail/alic_atlarge-lists.icann.org/2008q2/003672.html)

With respect to the Operating Plan and Budget statements, note that it was clearly stated, congruent with my statement on 8 April, that the statements would be finalised by the working group and then transmitted to the Board. No objections were registered to this method of proceeding.

With respect to the GNSO Improvements draft, the review went on beyond the April 24<sup>th</sup> deadline, in order to give everyone time to discuss the ALAC statement in more detail, since there had been less time than was hoped for the community to view the Joint Statement of Users.

I note further that a discussion about voting on the GNSO Improvements statement ensued online, after Danny Younger asked if there had been a vote. I replied ([http://atlarge-lists.icann.org/pipermail/alic\\_atlarge-lists.icann.org/2008q2/003772.html](http://atlarge-lists.icann.org/pipermail/alic_atlarge-lists.icann.org/2008q2/003772.html)) making clear the above, and that there had been no call for a vote. I further draw your attention to the original draft resolution related to the GNSO Improvements statement.

At the ALAC Meeting in May, a discussion about whether or not there was a need for future statements to be explicitly adopted by vote of the ALAC was conducted. At no point did any member or liaison suggest that the three statements transmitted to the board were invalid due to a vote not being explicitly held on them – which is not surprising, since as you can see from the above, it was explicitly and clearly stated that there would not be a vote due to time constraints.

There were interventions to suggest that in future explicit voting was favoured, this has been agreed to by all of us, and again, this will be discussed in Paris.

As you also know (as you as Board liaison are c.c. on all messages sent from the ALAC and/or the ALAC/EXCO or Chair to the board) that has also been made clear (at least in my opinion) to them.

I hope that this is useful information and that as the ALAC elected you as 'our' Board Liaison, (remembering of course that during and after this election process we all had clear and frank discussions about the need for liaisons to forward the ALAC/consensus view on matters {see also the ROP's} and that personal or minority {regional or otherwise} views should always be prefaced as such, as far as practical {and recognising vote or no vote status}, there is in fact on the ICANN Board, no real distinction made between Board members and liaisons, and that liaisons are free to express their personal views on any topic), that you will find no impediment in forwarding the three ALAC Statement and in presenting the ALAC support for the general outcomes on suggested equitable structural design for User Community involvement in a new GNSO model, as it is a product of an extensive consensus process between the signatory SO's and our AC.

Naturally much detail work (as has been discussed on these lists) would still need to be done even \*if\* the Board was to choose to adopt without modification the proposals in the Joint UC Statement, and no doubt much more discussion will be held on the specifics of this (and alternate options) in the Public Consultation activities and outreach on this topic in the Paris meeting, which I further trust all of us will be keen to be actively involved in.

Remember you are most welcome to discuss this further with the ALAC / ALAC ExCo and the ExCo is meeting next just before the ICANN Board Meeting on May 28<sup>th</sup> hopefully you can attend...

See [https://st.icann.org/alac-excomm/index.cgi?28\\_may\\_2008](https://st.icann.org/alac-excomm/index.cgi?28_may_2008)

ALAC Executive Committee Teleconference.

**Date: 28 May 2008**

**Time: 1230 UTC ( For the time in various timezones [click here](#) )**

Meeting Number: AL.EXCO/CC.0508/1

Regards,

Cheryl Langdon-Orr (CLO)  
ALAC Chair 2007-2008