

ALAC Updates ----AUG/SEPT 2020

Policy development activities

Statements approved by the ALAC

[GNSO New gTLD Subsequent Procedures Draft Final Report.](#)

The details of this report are available in the above link.

[Addendum to the ALAC Minority Statement to the EPDP Phase 2 Final Report.](#)

The Members of the At-Large Advisory Committee (ALAC) appreciate the opportunity to submit this Addendum to the statement that was submitted on 29 July 2020.

The ALAC, along with its EPDP team, has now had the opportunity to review and discuss the statements submitted by the BC/IPC, GAC and SSAC, along with those submitted by the other EPDP Member groups.

Although the ALAC and the BC, IPC, GAC and the SSAC each took a somewhat different approach to addressing our positions in respect to the report, the ALAC is in general agreement with the positions taken in the GAC, SSAC and BC/IPC statements. In particular, the ALAC appreciates the in-depth and insightful analysis provided by the GAC, SSAC and BC/IPC.

Dissenting on the outcomes of what has been over a year of very challenging debate is not something that the ALAC has taken lightly. To be clear, this is not a situation as has been implied that we are dissenting because “we have not gotten our way”. Proceeding without addressing the issues that we believe are critical to the success of an SSAD will result in a system that will not meet the needs of the users of the SSAD, with little opportunity to significantly correct those problems going forward. We hope that the GNSO and if applicable the Board will take this into consideration as this process moves forward.

[Enhancing the Effectiveness of ICANN's Multistakeholder Model - Next Steps.](#)

The At-Large community is pleased to follow up on its prior ALAC statements regarding ICANN's Multistakeholder Model (see: 13 June 2019, 14 October 2019, February 2020) with this ALAC statement on Enhancing the Effectiveness of ICANN's Multistakeholder Model - Next Steps. The At-Large community and its At-Large Advisory Committee, composed of 15 ALAC Members representing 5 regions around the world, represent the interests of the global Internet end user community within ICANN.

1. Priority Issues vs. "Low-Hanging Fruit"

At-Large is concerned about the current ranking of issues that remain before us. We note that the final six issues identified by the community as essential to the evolution of ICANN's Multistakeholder Model have now been re-ranked into three priority issues and three "other" issues. In contrast, the previous request for comment related to this issue (see: ALAC statement on Draft FY21-25 Operating & Financial Plan and Draft FY21 Operating Plan & Budget) asked the community to identify issues that were already being addressed in some way, that could be considered "low hanging fruit", and others that were more fundamental and would have to be approached in more holistic ways. We think it is important to retain that original representation of these issues. Within the six remaining issues, we would describe the issues "Prioritization of Work/Efficient Use of Resources" and "Precision and Scoping the Work" as "low hanging fruit". We are sensitive to the fact that bandwidth to deal with issues is limited and that issues like prioritization and scoping are already being addressed in various other processes. However, that does not cause other issues on the list to become less important. We emphasize that all six of these issues, having already been culled from a list of 21 issues, are "priority issues." All six issues must be addressed in order to have a meaningful evolution of the Multistakeholder Model.

We note that community participants are invited to initiate their own actions to help address additional work areas. Regrettably, framed this way, this no longer feels like a community-wide push to improve the system, but an invitation for single constituencies to "go it alone." For overstretched, under-resourced, volunteer-based stakeholder groups, this is not a viable way forward. In order to restore the balance of attention to priority issues, At-Large seeks a timeline that would see all issues addressed by the end of the current 5-year ICANN Strategic Plan.

2. Moving Out of Silos

We reiterate our message in previous submissions (February 2020, October 2019, June 2019) that ICANN's Multistakeholder Model cannot evolve without a holistic review of

roles and responsibilities within the system. At-Large questions a structure where the registries/registrars, non-commercial and business communities make the policy decisions, whereas the security, government and end user communities can act in their advisory roles only and do not participate in the final decisions - in short, where some of the multi stakeholders are "more equal than others". This is fundamental in addressing the problem of silos and trust.

In our response to the ATRT3 Report., we supported the recommendation to evolve both specific and organizational reviews as per Section 8 of the final report:

1.1. with the creation of a Holistic Review to allow a global view of ICANN various structures and their relations,

1.2. with the pause of specific reviews,

1.3. with a common process (with possible adaptation by each SO/AC/NC) aimed towards ensuring continuous improvement of the ICANN community and the multistakeholder governance model it represents.

We believe that this would result in a uniform process aimed towards ensuring continuous improvement of the ICANN community and the multistakeholder governance model it represents, as per Section 8 of the ATRT3 Final Report. If there is one holistic review, then the more important issues of silos, complexity and trust have to be addressed, particularly the silos - raising questions about cross community dialogue and how to support it.

3. Restoring Recruitment and Demographics

With respect to consensus, representation and inclusivity, we are concerned about the omission of the closely related topics of demographics and recruitment. The footnote at the bottom of page 4 states: "The Business Constituency, in its public comments regarding the work plan, suggested a seventh topic - Recruitment and Demographics. As there was no other support for the inclusion of this topic, it has not been fully explored as part of this project." We find this puzzling.

In its response to the October 2019 request of comments, At-Large contributed quite a number of suggestions towards supporting and growing active and concerned stakeholder participation. We spoke of representativeness/inclusiveness and demographics/recruitment in terms of partner issues. In its follow up response, (February 2020), At-Large stated quite clearly that we believe that representativeness/inclusiveness and demographics/recruitment were two interrelated, but different, streams. Although At-Large did not specifically ask for recruitment and demographics to be added as a seventh topic, our comments on these topics over the three consecutive comment papers emphasize our view of the importance of these issues.

The analysis of responses to the requests for comments ought to have taken the ALAC's concerns into account, and found a way to include recruitment and demographics as part of the discussion. We ask that this omission be corrected.

4. Reviewing Previous Responses

In developing our response to this report, we have reviewed our prior responses on the topic and note that we have contributed a great many suggestions already, as have other stakeholder groups involved - on actions and activities that could be undertaken to improve the ICANN Multistakeholder Model. We would like to see more of these suggestions brought forward.

As an example, we previously suggested that ICANN would benefit from engaging professional facilitation services, experts to help diverse groups work in a more purposeful, efficient and effective manner. Such organizations could also help train community leaders on communication and consensus building techniques. Proactive use of such expertise could be used at the start of a potentially contentious process by adding a 1 or 2 day in-person stakeholder's workshop, parsing out issues, sides, sensitivities and looking for potential solutions from day one potentially saving much time and money and distress. Such an approach would also be valuable when addressing a number of the priority issues -- consensus, silos, trust, etc.

To keep track of such suggestions, we request that ICANN staff create and release a document that analyses the suggestions that have already been offered and show how these suggestions fit into the issues that have been identified.

5. Identifying Gaps

To the suggestions we have previously offered as input to the MSM Evolution project, we would like to add the following.

On Prioritization:

We note that the ALAC fully endorses the recommendation to enhance current methods of Prioritization and Rationalization of Activities, Policies, and Recommendations (as per Section 10 of the ATRT3 Report). This needs to be done through a community-led entity tasked with conducting a prioritization process for recommendations made by review teams and cross-community groups.

Prioritization for At-Large starts from the regions, and is then put forward to the SO/AC Chairs. Recognizing that SOs set direction for the work activities, the inputs each region put into that discussion will help prioritize the At-Large workload.

On Complexity:

We suggest that the development of learning materials go beyond webinars and ICANN Learn, with community-driven initiatives such as:

- Schools of Internet Governance (IG);

- Central database for all resources that are being developed regionally and centrally including powerpoint presentations, video recordings, information on respecting copyright and legal issues, etc.

6. Pandemic Related Issues

The COVID-19 pandemic has interrupted ICANN processes and the work of staff and volunteers. This will certainly continue to affect our work on evolving the multistakeholder model. However, redesigned processes can offer new perspectives. At the Virtual Public Meetings, there was a significant multistakeholder turnout to the ALAC/At-Large policy sessions. All parties were around the table to discuss solutions, or at least explain what they are doing to address the issues. We suggest that this pattern be continued during future public meetings, Virtual and Face-to-Face. It takes the discussions out of the silos, clarifies the issues, and allows all parties to be heard.

ICANN public meetings should continue to feature policy sessions where ALAC/At-Large is the host, asking the questions, seeking better explanations (thus addressing the complexity issue) breaking down the silos - and in the process, starting to redefine roles.

The ALAC also recommends that ICANN consider making more use of regional Face-to-Face meetings, once we start to emerge from this crisis. This will enable representation and inclusivity by bringing ICANN to a more local regional audience.

7. Evaluation of Success

We agree with the proposal in the current report that the ICANN Board adopt an ongoing evaluation method. A connection with the evaluation of the ICANN Strategic Plan is appropriate. Our suggestion above for a timeline for addressing all six priority issues within the 5 year strategic plan should help with setting objectives within a particular time frame that could then be evaluated.

Subjective metrics such as: “Is there a sense that consensus is better defined and thus more achievable?” are vague and should not be the only measure used.

With respect to accepting “partial progress” on these goals as sufficient to declare the effort a success, we note that a system like ICANN’s multistakeholder system is never perfect and should always be evolving. Declaring “mission accomplished” at any point would be a mistake.

[Third Accountability and Transparency Review Team \(ATRT3\) Final Report.](#)

The ALAC, on behalf of the At-Large community, congratulates the Third Accountability and Transparency Review Team (ATRT3) for the completion of its final report and recommendations to the ICANN Board of Directors.

We recognize the amount of effort required to assess ICANN's implementation of recommendations from past Review Teams. We are appreciative of the assessment as well as the ensuing recommendations, which incorporate valuable input from our community. We strongly support the limited and focused number of recommendations proposed by the ATRT3 report, reflecting the pending implementation of proposals from previous review teams.

We find the ATRT3 recommendations to be clear, appropriate and actionable. We thus support all five recommendations and urge the ICANN Board to adopt them as a strategic priority towards enhancing the 1 accountability and transparency culture within ICANN. The ALAC also considers that the Board and the ICANN organisation should take into account all suggestions made by ATRT3 in annexes A and B. They offer a good opportunity to advance ICANN's accountability and transparency.

In moving forward, and more specifically regarding the following recommendations, we advise the ICANN Board to:

1. Swiftly implement ATRT3 recommendation to evolve both specific and organizational reviews as per Section 8 of the final report:

- 1.1. with the creation of a Holistic Review to allow a global view of ICANN various structures and their relations;

- 1.2. with the pause of specific reviews;

- 1.3. with a common process (with possible adaptation by each SO/AC/NC) aimed towards ensuring continuous improvement of the ICANN community and the multistakeholder governance model it represents.

The ALAC follows the ATRT3 Review Team in recognizing the need for a readjustment of current review processes, allowing for them to be better aligned with community needs and available resources. The ALAC views this recommendation as a much-needed shift from obligatory to adaptable and coordinated (by Holistic Review) review processes granted to individual constituencies. This shift is a rational step towards streamlining community efforts and increasing the efficiency of available resources, especially those offered by individual end-user stakeholders, as represented by the At-Large. With that, the ALAC supports the ATRT3 suggestion to introduce changes to the current structure of reviews, specifically by having the ICANN Board implement a moratorium on launching any new Organizational and Specific Reviews until it has made a decision on this recommendation, as per Section 8 of the report).

2. Fully endorse the recommendation to enhance current methods of Prioritization and Rationalization of Activities, Policies, and Recommendations (as per Section 10 of the report).

The ALAC and the At-Large community it represents advises the ICANN Board to implement the proposed creation of a community-led entity, tasked with conducting a prioritization process for recommendations made by former and current review teams as

well as cross-community groups. The ALAC fully supports all efforts made by the community to further advance this effort, as it views it of top priority to ensure further efficiency of the multistakeholder model. The Internet end user community represented by At-Large, much like other constituencies, faces significant challenges with prioritizing both: policy work, as demanded by ongoing policy development processes often impacted

swiftly and directly by outside factors, as well as continuous community improvement, as recommended by various internal review documents. The creation of a dedicated task force, providing clear guidance and accessible language on ICANN community priorities, needs and obligations would be of great benefit to the further development of Internet end user representation as well as better understanding of community needs.

3. Share the ATRT3 Review Team's approach to the review process and methodology behind it, aiming to ensure that all elements contributing to achieving strategic objectives and their subcomponents are Specific, Measurable, Achievable, Relevant and Time-based (SMART) and that all reporting on these refers to well specified metrics, to be reviewed on a regular or timely basis (as per Section 9 of the report).

The At-Large community has long supported the metrics-based approach to community work and participation, among others through the creation of the ALAC Subcommittee on Metrics. Adjusting all community processes to a clear metrics framework would significantly benefit the work done by the diverse, intercultural multistakeholder community, as it currently stands. With that, the ALAC advises the ICANN Board to take under careful consideration the recommendations on metrics and reporting, as per section 9 of the report.

[Final Report of the Cross Community Working Group \(CCWG\) on new gTLD Auction Proceeds.](#)

The ALAC approved the Charter of the Cross Community Working Group (CCWG) on New gTLD Auction Proceeds on 07 November 2016.

The CCWG has now completed its work and has issued the Final Report of the new gTLD Auction Proceeds Cross Community Working Group dated 29 May 2020.

The ALAC appointed five Members to the CCWG and these Members, alongside several participants from At-Large, were very active contributors to the work of the CCWG.

The ALAC submitted comments to the Initial Report in December 2018 and the Proposed Final Report in February 2020.

The ALAC believes that all of its concerns have been addressed and therefore fully supports the Report Recommendations.

As such, the ALAC, as one of the CCWG's chartering organizations, is pleased to accept and ratify the Final Report of the new gTLD Auction Proceeds Cross Community Working Group.