

# ALAC Updates ----November 2019.

## Policy development activities

### Statements approved by the ALAC

#### [ALAC Statement on DRAFT PTI and IANA FY21 Operating Plan and Budgets](#)

The proposed PTI and IANA FY21 Operating Plan and Budgets are aligned with the ICANN Strategic Plan, and are also very similar to previous years' budgets. An adjustment in the PTI budget is noticeable, including adjustments in salaries, services and other administrative cross-charges from ICANN to PTI or IANA.

However, the last paragraph of the executive summary reads:

"In FY21, PTI expects to deliver a comprehensive set of systems and tools to support protocol parameter assignment workflows following a multi-year development effort. This investment will enhance the way service is delivered to the Internet standards community by providing modern interfaces and request management. Other areas of activity include continued evolution of the Root Zone Management System (RZMS) to cater for customer demand, as well as ongoing enhancement to the IANA website and continuous iteration on the root zone key management software and facilities. ICANN initiatives and their timing will inform aspects of this work that contain a significant IANA component, such as variant top level domains (TLDs) and the subsequent procedures for new generic TLD (gTLD) delegations."

In August of this year, community comment was requested regarding the evolution of the Root Zone Management System, based on RSSAC 037 and RSSAC 038. The ALAC provided a statement in response to the ICANN Public Comment on Evolving the Governance of the Root Server System accordingly.

This evolution involves a big change in the governance of the Root Server System. But these changes are not reflected in the proposed PTI and IANA FY21 Operating Plan and Budgets. Did these changes have any consequences (short, medium or long term) to the PTI and IANA Operating Plan and Budgets? Do ICANN, PTI and IANA need to be prepared to take on an additional Root Server?

## [ALAC Feedback on the Invitation to Provide Input for PDP 3.0 Implementation](#)

The ALAC appreciates proposed reforms to the PDP process that may make the process more effective and efficient in achieving outcomes. However, concern was expressed that the “reforms” suggested by the PDP 3.0 could be used to actually limit the participation by the ALAC / At-Large Community. In striving for timely, inclusive, productive and broad-based participation in PDP 3.0, the ALAC wish to share some feedback with the GNSO Council.

### **Selection of WG Model**

The proposed Improvement #2 suggests 3 models from which the GNSO Council (or the PDP Team Charter drafting team) would select, subject to rationale and arguments for their selection and presumably based on a pre-determined set of elements. The ALAC believes that membership and participation in a WG should be limited only in VERY specific situations. The current Open Model clearly was problematic in the Registration Directory Service (RDS) Review and perhaps would be in the EPDP on the Temporary Specification for gTLD Registration Data, but it has served us well in many other PDPs, so any decision to depart from it under regular circumstances will lead us back to the Task Force model that was abandoned for good reasons after the first GNSO Organizational Review over ten years ago. Therefore we propose the default should be the Open Model and that the GNSO Council (or the PDP Team Charter drafting team) should always be called upon to explicitly address why their selection should not be the Open Model.

In the case of the Open Model and the Representative & Open Model where participation is open to anyone, we suggest that a process be put in place for a periodic reminder (or invitation) be issued to persons who had volunteered to be WG members but do not appear to be actively turning up for calls or contributing on mailing lists to renew their Statement of Participation (see: proposed Improvement #1) failing which, they could opt to become observers instead. We think this would assist in ensuring active engagement by WG participants.

### **Encouraging Compromise and Cooperation**

Regardless of the WG Model selected, we do need better ways to ensure compromise and cooperation among WG participants. This aspect does not appear to have been considered

within the proposed implementation documents and we hope to see some developments on this in the near future.

### **WG Leadership Selection**

We are concerned about a lack of considered improvements to the selection of WG Leadership as such selection is critical to the success of a PDP. WG leader(s) MUST be able to do the job, and must be able to do it without bias or vested interest in the outcomes. That has been a major issue in previous successes and failures.

### **Better Support to Facilitate Broad-Based Participation**

The GNSO Review of 2014 recognised the need for the GNSO WGs to more broadly reflect the ICANN community and made several recommendations to achieve those ends. Specifically, its first three recommendations - grouped together under the heading “participation and representation” - recommended that the GNSO develop outreach strategies for new WG membership, a drive to recruit volunteers for new WGs and remove any cost barriers to participation in GNSO WGs.

While there are no specific cost barriers to direct participation in GNSO WG, indirectly, there are costs. Almost all ALAC and At-Large Community members are volunteers, and their participation in WG is generally not related to their employment. Therefore participation in WGs does represent a loss - either of time with family and friends or loss of holiday time since many such “volunteers” use their holiday leave to attend ICANN meetings and/or WG meetings.

We also ask that the GNSO recognise and take into account the barriers others, including ALAC and AtLarge Community members face in participation in WGs. Those barriers include lack of technical knowledge on the issue, language barriers, geographical barriers (making the time of WG calls very difficult for “the other half” of the globe), and the fact that ALAC and At-Large Community members are volunteers; time taken to understand and participate in WGs is time away from paid employment and/or family.

Thus, the GNSO could help ensure more participation by members of the At-Large Community through steps such as:

- Providing webinars (to accommodate different time zones) to explain the issues to be considered.
- Providing webinars in different languages
- In the webinars, either have a technical expert to explain in simple terms the issues to be addressed, or have a separate webinar specifically to provide background information on the issue to be considered.

### **Request for Data Gathering**

We are supportive of the proposed Improvement #14 in its aims to not only clarify the criteria for data gathering at the charter drafting phase or during the working phase of a PDP, but also to optimise flexibility for the same as we recognise the value of possessing relevant data to aid the drawing of conclusions in a PDP.

In conclusion, the ALAC would welcome the opportunity to work with the GNSO for reforms to the PDP that encourage and support broad-based participation which upholds ICANN's mission as a truly multistakeholder organisation.

## [ALAC Feedback on the ICANN Board's Proposed Public Interest Framework](#)

The public interest is more of a political concept that usually accompanies other main principles like transparency and accountability. As mentioned in the paper there were many attempts in the past to define the public interest in relation to ICANN's remit that did not succeed. This is understandable because generally speaking it is difficult to pin down exactly what public interest means. Usually we look at the public interest in relation to the common good and common interest. The public interest in relation to ICANN's work should be scope and purpose specific. Therefore, trying to identify the public interest in relation to specific purposes or instances and how these instances link to ICANN's work as defined by its mission and bylaws makes sense. Also, in determining the public interest one should not only look at the outcome, but also at the process and procedures that led to the outcome and the proposed framework, takes into consideration ICANN's multistakeholder community and the policy development process. So, Conceptually speaking the tool developed seems logical, however the problem lies in how we practically apply it or make use of it. In an attempt to actually use the tool, one could argue that two stakeholder groups with opposite opinions on the same subject matter could equally use the tool and each prove that his decision or comment is in the public interest. This is because both opinions could be complying with the mission and bylaws. Using the tool to justify one position over the other could prove in some cases to be not useful. However, after reaching a certain decision, the tool could be used to make sure that the decision or comment is in the public interest.

To conclude the proposed GPI tool could be useful in determining what is not in the public interest and in noting how an already taken decision or comment serves the public interest. However, it will be challenging to use the tool to favor one path over another

## [ALAC Statement on Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model](#)

### Executive Summary

#### I. Strengthen ICANN's bottom-up multistakeholder decision-making process and ensure that work gets done and policies are developed in an effective and timely manner.

Issue 1: Prioritization of work. ALAC feels this must be addressed (Category A). Some suggestions include: spreading the workload, increased outreach (ATLAS III, further incentives to keep contributing volunteers, adequate knowledge and resources (specified in II) The entire community, as well as ICANN.org must contribute to the resolution of this problem.

Issue 2: Precision in scoping the work. This issue may fall into Category A - must be addressed - or Category B -- might be partially addressed in current processes. We foresee scoping that is tight and smart and relevant to the process. It is impossible to say who should be responsible when so much activity around it is unresolved.

Issue 3: Efficient use of resources. This is a category A issue which must be addressed. We recognize that it might be partially addressed by current processes but cannot assess the situation until these processes are completed. We are concerned that PDP 3.0 may offer efficiency at the cost of inclusiveness which we feel would be a backwards step in the evolution of ICANN's MSM.

Issue 4: Roles and responsibilities and a holistic view of ICANN. This is a category A issue although it will require further processes to resolve. ALAC seeks a bottom-up review of roles and responsibilities as an independent process. II. Support and grow active, informed and effective stakeholder participation. Strategies to expand the concept of participation are offered as well as various resources and support needed to ensure informed participation. We consider this to be a Category A issue -- the model cannot evolve if it is not addressed. This is a major concern for At Large and other volunteer-based constituencies and all will need to be involved in addressing it. Support from ICANN.org and the Board will be necessary.

Issue 5: Representativeness and inclusiveness. Mentorship programs are a key part of ensuring that the MSM system remains representative and inclusive. Relevant constituencies as well as staff need to make sure these programs are working as they are intended and that they are reaching the right demographics. Inclusiveness at the leadership level needs to be improved through a bottom up process with staff assistance. III. Sustain and improve openness, inclusivity, accountability and transparency.

Issue 6: Culture, trust and silos. This is a category A issue that needs to be addressed in this process. All constituencies need to reach across their boundaries, respect for other viewpoints must be reinforced. This is a problem in many large organizations and there are professional services available to help build trust and cooperation. By engaging some of these services, ICANN.org could help constituencies build a better working environment.

Issue 7: Complexity. This is an inherent feature of ICANN work, but where it can be alleviated, ICANN.org should take the lead. Make sure information such as the website is well organized and understandable and closely monitor the internet governance environment for issues that will impact ICANN directly.

Issue 8: Consensus. Creating conditions that would facilitate consensus is the goal of the issues already listed. Preserving the voice of end users in the decision-making processes is crucial to ICANN's MSM model -- a Category A issue in which all parties play a role but the role of the Board will be particularly important.