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AT-LARGE ADVISORY COMMITTEE

Draft Statement of the ALAC

On the ATRT Draft Proposed Recommendations

Introduction

By the Staff of ICANN

Yrjö Länsipuro, Co-Chair of the At-Large Improvements Work Team A, originally composed this statement.

A first version of the ALAC Statement on the ATRT Draft Proposed Recommendations was posted for discussion during on an At-Large Community [wiki page](#) on 15 November 2010. During an At-Large Improvements Work Team call on 18 November, a second revision was drafted. In a follow up e-mail sent on 19 November 2010, Yrjö Länsipuro suggested an additional sentence thus making a third version.

The third version was discussed by both the At-Large Improvements Work Team A and the ALAC in the ALAC and Regional Leadership Working Session 1 held on 5 December 2010 during the 39th ICANN Meeting in Cartagena, Colombia. A drafting team was created to finalize the text which went through three additional versions. The sixth version, the present document, was sent out for final comments and ratified by the ALAC on 6 December 2010. Cheryl Langdon-Orr, as the At-Large representative to the ATRT was not directly involved in the drafting process and abstained from this ALAC ratification process.

[End of Introduction]

The original version of this document is the English text available at www.atlarge.icann.org/correspondence. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on the ATRT Draft Proposed Recommendations

The At-Large Advisory Committee (ALAC) shares the ATRT concerns regarding the role and effectiveness of the GAC and its relationship with the ICANN Board and staff. We would extend this concern to the relationship between ICANN and all of its Advisory Committees.

To this end, we propose an immediate engagement by the Board to establish standards for all ACs regarding:

- Clearly defined channels through which to define and transmit advice from all ACs to the ICANN Board, as well as regarding appropriate Board response
- Formal mechanisms for the ACs to alert ICANN to issues of substantial concern, that have the ability to seriously affect government and public confidence in ICANN
- Methods which require the Board to either implement such AC advice, or refer policy back to the appropriate Supporting Organizations for reconsideration

We also ask that the ATRT support and encourage paragraph 9.1 e) of the AoC through expansion of the multi-stakeholder working group model. Ad-hoc versions of this model have been recently used by the "JAS" working group on gTLD applicant support, and the "Rec6" WG studying the gTLD components related to what had been known as "Morality and Public Order". These groups have achieved surprising levels of consensus amongst diverse stakeholder groups, on some of ICANN's most contentious issues. They have indeed demonstrated the ability to "*facilitate enhanced cross community deliberations and effective and timely policy development*". While we encourage ICANN to facilitate the use of such cross-community groups through formal processes, it is imperative that ICANN treat the recommendations of such groups with appropriate weight and respond accordingly.

On issues that have implications within the area of scope or competence of any Advisory Committee, its advice should be actively sought and considered by relevant SOs or the Board. Indeed, it would be preferable for SOs to consult Advisory Committees early in policy development, to make feedback easier and more efficient.

In addition, to make the Board more effective and transparent, the ALAC recommends

- designating or establishing a journal of record
- allowing working groups to review, in advance, materials being presented on their behalf to the Board
- adding the requirement for notice publication
- soliciting comments for at least thirty days

- provide response that accurately reflects the Board's decision-making processes

Implementing these steps will produce the record necessary to facilitate a full and timely review of any action.

Concerning public comments processes, the ATRT should consider how to compare and rank the representativeness and relative weight of comments from individuals, groups and organizations of different sizes. The ALAC points out that its own comments and those from RALOs have gone through an extensive bottom up consultation process designed by ICANN itself, designed to maximize participation and community consensus.