



ORIGINAL: English

SUBMISSION DATE: May 5 2008

STATUS: Final

At-Large Advisory Committee Statement.

To the ICANN Board on the Draft Operating Plan
for FY 2008-2009.

To be read in conjunction with the Statement on Public Consultation Related to Development of a Travel Policy, a copy is found (for easy cross reference with this document) in PDF format, from [this link](#).

Our comments on the Draft Operating Plan and Budget Framework for FY 2008/2009 are as follows:

Firstly, please note our endorsement of the change to the budgeting and operational planning process introduced this year. It seems to us that the combination of the consultation on these obviously closely-related issues is eminently sensible. We also welcome the longer public consultation timelines that this allows.

As this is the first stage of this process, these comments are introductory. We provide this document so that these preliminary reactions and comments may be taken into account as the Staff prepares the Budget and Operating Plan for its first iteration consultation.

Our comments, therefore, are primarily related to the various “Activities/Outcomes by Initiative”. We do not propose to comment on each of these, but on those most important to the At-Large Community.

IDN Activities

This is a very important area of work for At-Large – and also for all of ICANN. The extra funding should serve to accelerate the implementation of IDNs and enhance consultation with the relevant local language communities. Therefore, we would like to emphasize the importance of the element of communications related to IDNs, including funding, as appropriate and required, to accelerate the implementation of the IDNs and enhance consultation with the relevant local language communities.

Fundamental choices that will affect the many communities that do not rely upon the Latin character set will be made in the next few years. For that reason, we believe ICANN, in partnership with other stakeholders of course, needs to make a substantial, sustained, greatly increased effort to communicate with these communities –to ensure that the message about the forthcoming choices to be made related to IDNs reaches a far larger pool of potential contributors to the process than is currently aware and participating. This should not simply take the form of translated press releases but really a well-thought-out media campaign which ‘reaches out’ to the public. We know that efforts to do this work exist – we wish to emphasize that this is extremely important. We note that we have asked

the At-Large staff to propose funding in the forthcoming FY to revise and expand the available materials related to outreach to the individual Internet user community and this is just one aspect that such an effort must address.

Compliance Activities

We note the increase in staffing and staff work related to compliance. We are pleased to see that the budget framework proposes further considerable investment in this area. However we wish to note what we see as two crucial missing major activities in this area related to compliance:

- WHOIS Accuracy and Reporting. We all know that WHOIS is very inaccurate. Many in the At-Large community see this as a very serious problem and considerable effort needs to be made to improve this situation. Multiplying the number of gTLDs as is proposed when the existing database is inaccurate is just asking to make a big problem worse – and the existing reporting system is already not fit for purpose. ICANN is not living up to its obligations with respect to WHOIS – fixing this should be a headline compliance activity in the Operational Plan for 2008/2009.

At the same time, many in the At-Large community continue to believe that the lack of privacy of the WHOIS Service, especially as regards the information it holds related to individuals, is not acceptable and is not congruent with the legal protection of personal data in many jurisdictions. Increasing the accuracy of WHOIS will likely therefore have the side effect of exposing even more personal information. As a result, compliance activities with respect to WHOIS should not take place in a vacuum, decoupled from resolution of other fundamental issues such as that above-referenced.

- Complaints Processing. We note that there is now some information on how registrants can complain on the ICANN website, which is a welcome improvement. We also note that there is a provision as a headline activity in the Operational Plan Framework to “Implement Complaints Process System to address complaints and forward them to correct parties as approved”. This is a start but is not nearly enough – such a system needs to also verify whether or not the forwarded complaints were addressed, and provide options so that the complainant can easily report whether or not

they are satisfied with the result. The underlying philosophy should be that, as the contractor, ICANN should ensure that the contractees are living up to their side of the 'deal' and completely offloading complaints to the contractee – or anyone else – is in our opinion not satisfactory.

Global Outreach

This is a particularly important area to us. The various communities in ICANN are not representative of the worldwide Internet-using community. Whilst we appreciate the initial provision of a substantial increase in funds allocated to Global Outreach – we will look forward to seeing more detail about precisely what this consists of when the draft budget is posted. However, we note that on page 23 of the Draft Framework, under Global Outreach, there is a major area of work listed as 'Implement business engagement outreach'. If this is intended to be outreach only to business communities, this is, in our opinion, clearly far too narrow – outreach efforts and recruitment efforts must be even-handed, global – and to all communities and potential participant communities, not just 'business'. We draw the attention of the board to the many comments about the importance of dramatically increasing the outreach and recruitment of ALL stakeholders that was a common theme of the respondents to the JPA review recently; from this we propose that there is broad support for greatly increased work by ICANN in these respects.

We welcome the continued support for participation by our community from ICANN. Without it the Internet end-user's voice will simply not be adequately represented. Facilitation of community participation (and specifically that of volunteers) in ICANN is an extremely important issue and one important aspect of this is covered in greater depth in our statement to you in relation to the development of a volunteer travel and expense support policy, transmitted separately.

Policy Development Support

We welcome the major theme associated with this area of work on page 25, that ICANN will "provide additional secretariat support to SOs, constituencies and ACs to make volunteer efforts more effective." We are direct beneficiaries of this, with the addition of two members of staff on the At-Large team. We hope that the support our community receives of this kind will become generally available

across the constituencies and communities and look forward to seeing the detailed plans for how the objective listed in this area is to be achieved.

Registrant Protections

We welcome the increased activity in this area – however, the board needs to be aware that from our perspective, the RAA review process appears to have ceased operation. We hear anecdotally that there is current work in this area inside ICANN, but it is not visible to us (or anyone else from what we can tell). This is a very important area of work for ICANN and to our community. It should not suffer, for example, due to work on new gTLDs taking priority –the priority must be given to the protection of existing registrants and only then worrying about adding many more through new gTLDs. We believe there should be meaningful deadlines set for the concluding of work on the RAA – in a completely open and transparent manner.

Transcription and Translation

Our community has been calling for ICANN to become a truly multilingual organisation for years now. We appreciate and applaud the increased budget commitment, draft translation framework, and other moves in this direction but we wish to remind you that ICANN has a very, very long way to go to reach the mission that the translation program proposes.

In our opinion, this area of work is of absolutely central importance to the organization’s credibility, as we do not believe that any consultation or policy development process conducted entirely in English is globally legitimate. This is especially true with subjects like IDNs that – incredibly –continue to be largely English-only, with multilingual documents provided only in some cases, often far later than the original English versions, and only as an afterthought.

Ensuring that the work of ICANN becomes truly multilingual is a core, critical objective. It must not be sidelined, or de-emphasized by other objectives like new gTLDs. As it becomes more multilingual, ICANN should continue to work closely with other international organisations such as UNESCO. The BBC is also a good source of inspiration for effective multilingual communications which ICANN should look at.

Broaden Participation

This area is of great importance – not just to our community but to all communities. In particular, whilst the provisions for teleconferences for our community have improved by changing vendors, we do not believe that it makes sense to continue to outsource this core communications function and so we welcome the news that ICANN proposes to purchase a truly fit-for-purpose system to facilitate telephonic interactions. We hope that in doing so choices will be made which truly facilitate equal access and quality for all participants, regardless of where they might be.

In particular, the new system must provide for the technical operation of simultaneous interpretation on teleconferences. This is an absolutely essential function, not something that is “nice to have”. Our experience with this has clearly shown that the ability to work, interact and correspond (both face to face and remotely) in the language that is most comfortable and easy to work with greatly increases and enhances effective participation.

We would also like to emphasize how important it is to broadening participation of effective remote participation in meetings, of which telephonic two-way participation is only one element. We believe that the current remote participation modalities for ICANN meetings are not fit for purpose. Our statement in relation to the development of a volunteer travel and expense support policy, in document AL.ALAC/BUD.SC/0308/1/1 accessible at [al alac bud sc 0308 1 1](#) also has the elaboration on our views on the subject of remote participation, and meetings.

In addition to these points, we wish to emphasize that one of the most important elements of participation is ICANN producing documents in standardized formats which are accessible, written in plain language, with excellent summaries, indices, glossaries, and the like. This is a real shortcoming of present document production at ICANN and it is a real barrier to participation.

We also believe that fostering participation actually requires a regionally sensitive approach and often regionally differentiated materials. In developing countries, radio and audiovisual materials, to mention just two formats, are the best way to reach non-traditional ICANN stakeholders. It is understood that this kind of

outreach would not be in the nature of general Internet education but should be related to the mission of ICANN and its mandate. Radio should be made a priority for communications from ICANN.

Other Priorities

We believe that there are other issues which ICANN should integrate into the work of the organisation this year which are of particular interest to Internet end-users, such as: reform of the UDRP and protection of end users and registrants against abuse of data sent through DNS lookups or registration enquiries. We note that the implementation of DNSSec is a part of the Operating Plan for this year, which is a positive development.

In closing, we look forward to a response from the Board to our concerns and recommendations in due course.

Transmitted (via email) on behalf of the ALAC,
by Cheryl Langdon-Orr

ALAC Chair 2007-2008.