

Proposed for ALS Accreditation Processes

v4.0 - 19 July 2020

PLEASE DO NOT INSERT TEXT. USE COMMENTS.

NOTE: The references below to the **ALS Application Form** and **Due Diligence Form** are for the new forms to be used (not yet designed), not the current forms.

These new processes are based on the processes documented at <https://atlarge.icann.org/get-involved/about-als> and in <http://tinyurl.com/ALAC-RoP-AdjDoc4-2013-07>.

An abbreviated form of this listed will be publicly posted.

Note that the terms **MUST**, **MUST NOT**, **SHOULD**, **SHOULD NOT**, **MAY** have meanings as described in the IETF RFC 2119 and RFD 8174.

All Decisions of the ALS-Mobilization-WP are made by consensus in line with the ALAC rule-of-thumb (80%). Consensus is decided based on RALO representation and not simply the number of people in the WP or on a call. Consensus decisions are made by the Chair and are appealable to the ALAC Chair.

ALS Accreditation

1. **FINAL:** Prospective ALS submits an application. The form is available in English, French, Spanish, Portuguese, Russian, Chinese and Arabic. The form may be filled out in English or the language of the form. A Google (or equivalent) translation will be done when the application is received. In parallel, the application will be sent for formal translation from ICANN Language Services. At-Large Staff may flag certain parts of the application (such as voluminous copies of Bylaws) as not requiring formal translation.

Any interactions with the applicant will be done either in English and/or the original language as appropriate (using Google translate or Language Services as needed).

New ALS applications are listed on the At-Large website (<https://atlarge.icann.org/als-application-tracking>) along with the application process status, and ongoing applications may be noted in regular At-Large meetings and reports. The application form (in full or redacted) is not part of this publication.

Note to WP: When reviewing the form, determine which questions are mandatory. Also, if we will be accepting global (non-regional) ALSes, the application may need to be adjusted.

2. **FINAL:** At-Large Staff will conduct due diligence (DD), reviewing the application and performing necessary tasks in an effort to ensure that the established ALS criteria has been/will be met and to facilitate the easy review of applications by the At-Large community.

For the purposes of this process, the RALO Leadership is defined as the RALO Chair, Vice-Chairs (if any), and Secretariat. In parallel with the start of DD, the application will be forwarded to RALO Leadership for any initial comments, which should be provided in no more than 7 calendar days.

This due diligence may include, without limitation:

- Verifying that all required questions are answered and that the answers are clear.
- requesting references;
- interviewing the applicant's contact(s);
- requesting input from ICANN Global Stakeholder Engagement (GSE) related to the organization and/or people;
- gathering/requesting additional information on the applicant;
- requesting information on the applicant's leadership and operations;
- Confirm the identity/existence of organization leadership and/or applicants.

Any relevant information accumulated during this process will be added (suitably annotated) to the application form or to the Due Diligence form.

This step is typically expected to be complete within 30 business days.

Note to WP: When reviewing application form:

- See whether any of the DD details should be incorporated into the application process.
- Ensure that we ask for confirmation that they do not want or expect any funding from ICANN.
- The applicant should confirm that any funding from industry and/or government does not imply control.

3. **FINAL:** Upon completion of due diligence, the Application (revised if applicable) and the DD completed by At-Large Staff will be forwarded to the Leadership of the RALO for the geographic region in which the applicant organization resides.

The process to be followed including who will have access to the application and DD in accordance with the RALO norms will be documented and the applicant will be notified of this during the application process.

- a. In accordance with the documented RALO process as formally decided by RALO Leadership, the RALO Leadership may share the application with the region's ALAC Members, leadership council (if such a group exists) as well others deemed to be part of their extended regional leadership.
- b. In accordance with RALO processes as formally decided by RALO leadership and appropriately documented, the documents, or redacted versions thereof, will be made available to the primary representatives of the RALO ALSes for their feedback.

All RALOs will use a). It is a RALOs choice whether they use b).

In all cases, documents will be made available via a restricted access Wiki¹. None of those provided with access to the documents may further distribute them in whole or in part.

IMPLEMENTATION NOTE: The extent to which documents need to be redacted before distribution to ALS Reps needs to be explored. Note that often, the names and profiles of the prospective ALS leaders and proponents are often an important consideration.

4. **FINAL:** Those with access to the documents should comment on and discuss the application, with the intent of making a recommendation to the ALAC on whether or not to accredit the organization as an ALS. Comments could be accessible to the entire group, or sent directly to a specific person in the RALO Leadership allowing for confidentiality.

Should the RALO Leadership feel it necessary, they can ask for further information and/or clarifications. Such requests will be made to the At-Large Staff for relaying to the applicant. Any relevant answers will be incorporated into the Application (annotated as such) or the DD.

¹ The term "restricted-access Wiki" shall not be restricted to the Confluence Wiki currently in use by At-Large, but could also include any other comparable tool as decided by At-Large staff in conjunction with At-Large leadership.

IMPLEMENTATION NOTE: This process and particularly those who will have access to what (and it may vary from region to region) must be documented and clearly stated to potential applicants with their explicit acknowledgment.

5. **FINAL:** At the completion of the consultation period, the RALO Leadership will inform At-Large staff whether:
 - a. The RALO recommends that the applicant should be accredited as an ALS
 - b. The RALO recommends that the applicant should NOT be accredited as an ALS
 - c. The RALO is not in a position to make a recommendation

The RALO Leadership may choose to include a rationale for its recommendation. In particular, a recommendation to reject an application should normally include a rationale. A rationale from the RALO MAY suggest that the applicant reapply after a specific amount of time or after some other conditions are satisfied. If a rationale is included, the RALO Leadership may designate to what extent the rationale shall be public or limited to ALAC Members. If the RALO does not include such a rationale, the ALAC may request that such a rationale be provided.

The RALO response should typically be provided no longer than five calendar weeks after receiving the documents.

If a RALO recommends accreditation to the ALAC, the RALO MAY (but is not required to) inform the applicant of this and may grant the organization access to mailing lists and RALO activities pending an ALAC decision. This in no way implies the ALAC will vote for accreditation. Such status may be called “provisional”, “pending” or “observer” membership.

6. **FINAL:** Once the regional advice has been given (including no advice), the advice, and any rationale shall be provided to the ALAC. The Application, annotated if applicable; DD; and any rationale provided must not be distributed in a public manner but limited to the ALAC-Internal list.
7. **FINAL:** The ALAC and its Members will have five business days (typically 1 week) in which to ask for any additional information. If there are further questions, they will go to the RALO Leadership and potentially to At-Large Staff for forwarding to the applicant. The application will be placed on hold pending applicant replies.
8. **FINAL:** At the end of the ALAC Review (either with or without additional questions), the ALAC will conduct a vote to decide whether to accredit or not.

The formation of the vote shall be:

Do you wish to accredit [name of applicant] as an ALS. The xxRALO has [recommended that the applicant be accredited | recommended that the applicant NOT be accredited | not provided any recommendation on accreditation of the applicant]

Options:

- a. Yes, accredit the applicant [as recommended by the RALO | despite the recommendation of the RALO |]*
- b. No, do not accredit the applicant [despite the recommendation of the RALO | as recommended by the RALO |]*
- c. Abstain*

Decisions are made in accordance with the standard ALAC majority decision process as per ALAC RoP 12.2.1².

Decisions to accredit, or refuse to accredit, an ALS shall be subject to review as provided by the ICANN Bylaws, Section 4.2 Reconsideration.

Normally, as with other non-personnel-related ALAC votes, the results include how each ALAC Member voted. For ALS accreditation votes, at the request of any ALAC Member, the details of how each member voted may be kept confidential. Those details will still be available to At-Large Staff and the ALAC Chair in case a rationale for rejection may need to be formulated.

At-Large Staff will notify the applicant of its accreditation decision, and, if applicable, provide information on requesting a review of the decision. In the case of a decision to not accredit, the ALAC, should normally include a rationale for the rejection but the decision to do so is at the sole decision of the ALAC Chair³.

Note: A minority of WP members felt that we should re-open the Bylaws and have RALOs make the final determination for accreditation of an ALS. The majority accepted that the ALAC is the formal entity within ICANN that has that responsibility and did not wish to try to re-open the issue.

FOR FINAL REVIEW: Except as provided below under 'Suspension of an Application', the ALAC and the At-Large Staff shall work concertedly to ensure that the process of reaching a decision to accredit, or not to accredit, an At-Large Structure applicant shall normally take no longer than ninety (90) calendar days from the date at which an application is received to the date at which the applicant is notified of the decision.

² Subject to the terms of Paragraph 11.4 requiring Quorum for all normal ALAC decisions, a vote is deemed to be successful if at least five ALAC Members cast a non-abstaining vote, and if the number of votes in favour is higher than the number of votes against. For a vote that explicitly requires a Super-majority, the number of votes cast in favour must be at least twice the number of votes cast against.

³ The rationale for not including a rationale must be comparable to the reasons for non-disclosure of information in accordance with the ICANN Documentary Information Disclosure Policy (<https://www.icann.org/resources/pages/didp-2012-02-25-en>).

Should it become apparent that this norm may not be achieved, the applicant shall be notified of the situation.

9. **FINAL:** At-Large Staff in conjunction with RALO representatives may from time to time provide guidance to prospective ALSes as part of the ongoing Outreach and Engagement activities

Note to AG:

1. At end, ensure that all periods are consistent. I.e. Calendar/business and same units (days/weeks/months),
2. Add pause for ICANN meetings
3. Reference Bylaws in process

Suspension of an Application

An application for ALS accreditation may be suspended where:

1. The suspension is requested by the Applicant; or
2. Additional information is requested by At-Large Staff during the Due Diligence process; or
3. The RALO Secretariat of the region the applicant is based in determines that further information is required from the applicant which is essential to the evaluation of the application; or
4. Members of the ALAC believe that additional information is essential to the evaluation of the application

Wherever an application is suspended under part 1 of this section, that suspension shall be lifted upon the request of the applicant.

When notifying the applicant of the additional information, it shall be obligatory to also notify the applicant that the application is suspended until the information is received.

An application that is suspended at the request of the applicant, or waiting for information from the applicant for more than 90 days shall be considered to be withdrawn. At-Large Staff should give appropriate reminders/warnings.

When notifying the applicant of the additional information, it shall be obligatory to also notify the applicant that the application is suspended until the information is received.

QUESTION TO STAFF & WP: Are there cases where we may need to suspend an application other than to request new information? e.g. to get information other than from the applicant or due to the need for further evaluation? If so, how do we constrain the time required?

De-accreditation

An ALS may be de-accredited at the request of the ALS or by a decision of the ALAC.

1. If an ALS voluntarily decides to give up its ALS Status, the situation should be duly documented and the ALAC informed. ALAC Members may request an additional investigation to ensure that the request is voluntary on behalf of the ALAC and may request that a formal vote of the ALAC be required. A simple majority in accordance with the ALAC RoP 12.2.1 is required.
2. A RALO may request de-accreditation of one of its ALSes. The rationale would normally include non-adherence to ALS minimum criteria, but other issues may be considered. The ALS must be given adequate opportunity to correct the problem(s), generally being given no less than 6 months to do so.

A super-majority ALAC vote of the ALAC is required for such de-accreditation.

3. ALAC Members may request de-accreditation of an ALS. The RALO leadership must be consulted and given an opportunity to explain why it believes that the ALS accreditation should remain. In all other respects, the process followed for case 2 shall be followed.

In cases 2 and 3, At-Large staff will notify the ALS of the de-certification decision and provide information on requesting a review of the decision.