

ICANN|56 | POLICY  
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# Community Session – Developing a Final Framework of Uniform Principles for Cross Community Working Groups

ICANN56 | 29 June 2016

# Goals of this Cross Community Session

<b>Purpose</b>	<ul style="list-style-type: none"><li>• To discuss topics identified by the community as major concerns in public comments to the Draft Framework</li><li>• To obtain the community's input as the Working Group begins to finalize the Final Framework</li><li>• Aim is for Final Framework to be adopted by Chartering Organizations before ICANN57 (in time for upcoming anticipated CCWG on New gTLD Auction Proceeds)</li></ul>
<b>Scope</b>	<ul style="list-style-type: none"><li>• Topics:<ul style="list-style-type: none"><li>• Ensuring <b><i>diversity</i></b> in membership and representativeness</li><li>• Planning for <b><i>budgeting and other resource allocations</i></b> (exception rather than the norm for CCWGs)</li><li>• Defining <b><i>consensus</i></b></li><li>• Role of CCWG in <b><i>implementing</i></b> recommendations</li><li>• [if time permits] Board approval of CCWG recommendations</li></ul></li></ul>

# Introduction to the proposed final Framework of Uniform Principles

# What has been completed and what are the next steps?

## About this CCWG

- Co-chartered by the ccNSO & GNSO Councils
- More CCWGs are being used but with no uniform, commonly-agreed principles on their formation or operations
- Draft Framework published for public comments in February 2016
- Framework is a set of recommended guidelines, not rigid rules (though some elements are strongly recommended)

## What the Framework covers

- Certain questions to answer before initiating a CCWG
- Adoption of a single Charter
- CCWG outputs to be based on CCWG consensus
- A CCWG does not replace policy development mechanisms



## Next steps

- CCWG will review ICANN56 community feedback and prepare final version of Final Framework
- Submit to ccNSO & GNSO Councils for adoption; send to all other SO/ACs – before ICANN57
- If adopted, apply to all future CCWGs





**Community discussion on the topics identified  
as of major concern**

# 1. What should the Framework recommend for diversity of membership and representativeness in future CCWGs?

- Draft Framework did not contain a specific recommendation
- Proposed Final Framework retains SO/AC autonomy for appointing members
  - Adds recommendation that they should *“consult with one another to ensure that there is diversity of representation to the extent feasible – including but not limited to geographical region, stakeholder group and relevant skill sets”*
  - Board/staff liaison roles to be included in a CCWG Charter, as needed
- CCWG considered but decided it would be impractical to have a full list of what might constitute diversity
- Some public comments suggested additional diversity categories and collecting data to measure effectiveness

QUESTION FOR THE COMMUNITY:

**Does the CCWG’s proposed language address the concerns in a sufficiently pragmatic and inclusive way?**

## 2. How should issues relating to additional budgeting and resources be handled?

- Draft Framework did not contain a specific recommendation
- Proposed Final Framework suggests that:
  - From experience, most CCWGs will not require additional budget/staff support over and above what is normally provided to working groups (i.e. CWG-Stewardship & CCWG-Accountability are exceptions rather than the norm)
  - The need for any additional budget or other resources must be raised as early as possible (e.g. in pre-chartering initiation phase when SO/ACs are discussing the need for a CCWG) and further described in the Charter
  - Such budget requests should be handled as far as possible through ICANN's usual annual budget cycle

QUESTION FOR THE COMMUNITY:

**Does the CCWG's proposed approach suffice as a guideline for future CCWGs?**



## 3A. Is there a need to change the suggested definition/methodology for determining consensus?

- Draft Framework contained the following specific recommendation:
  - Full Consensus - no minority disagrees; identified by an absence of objection
  - Consensus –a small minority disagrees, but most agree
  - In the absence of Full Consensus, minority viewpoint(s), if any, may be submitted
  - If Chair(s) cannot designate any consensus, Chartering Organizations to be informed in order to take mitigating measures (to include closing the CCWG)
- Some public comments suggested more detail on deriving consensus, including guidance on who is involved in consensus calls (e.g. members vs participants)
- Some public comments were concerned at the ability of a group to “stack” a CCWG, or a single SO/AC to block consensus outputs by objecting to them
- CCWG believes most concerns addressed by other recommendations and does not propose changes to its definition or guidance on internal CCWG consensus

QUESTION FOR THE COMMUNITY:

**Does the CCWG’s proposed approach suffice as a guideline for future CCWGs?**

## 3B. A note on the role of the Chartering Organizations vis-à-vis a CCWG's output

- Both the Draft and Final Frameworks distinguish between who “holds the pen” on the content of CCWG output – this is the CCWG
- If a Chartering Organization objects to or has concerns about proposed CCWG output, it must send the report back to the CCWG for its consideration
- CCWG output/recommendations are deemed final only if all Chartering Organizations adopt/approve/support/do not object
- Draft and Final Frameworks also propose that Chartering Organizations have the authority to close a CCWG:
  - If Chartering Organizations cannot agree to support the recommendations; OR
  - If the CCWG Chair(s) report that the CCWG itself cannot reach consensus

## 4. Should a CCWG have a role in implementing its recommendations, if adopted?

- Draft Framework acknowledges this to be the area where community has the least experience to draw from
- Proposed Final Framework adds further details to facilitate future CCWG work:
  - If applicable, in formulating its recommendations, a CCWG should refer to and incorporate the Policy & Implementation Guidelines developed by the GNSO in 2015
  - If a CCWG believes it is necessary to be involved in implementation, this must be spelled out in its deliverables to its Chartering Organizations
  - If the COs agree, they should specify a timeline and task list for the CCWG during implementation, as far as possible

QUESTION FOR THE COMMUNITY:

**Does the CCWG's additional recommendations suffice as a guideline for future CCWGs?**

## 5. Other Topics of Community Interest

### (i) Role of the Board in approving CCWG recommendations

- Proposed Final Framework recommends this be clarified during the Charter drafting phase
- Charter to specify that Board consideration needed if anticipated outcomes will:
  - impact SO policy development processes;
  - require implementation by ICANN (e.g. similar to implementing GNSO policy);
  - result in possible Bylaw changes); or
  - otherwise trigger action by the Board, the Charter and the CCWG's Final Report should make clear that the final recommendations will require Board consideration
- If so, Charter may also need to specify appropriate role for the Board during the CCWG's work phase

### (ii) Other topics of interest?

A world map where the continents are defined by a network of white dots connected by thin white lines, set against a solid yellow background. The dots and lines are more densely packed in some areas, creating a complex, interconnected web that represents global connectivity.

# Community Feedback on Some of the RPMs being Reviewed in Phase One

- Working Group Charter (describing the scope of work):  
<https://community.icann.org/x/pgfPAQ>
- Draft Framework (as published for public comment):  
<https://www.icann.org/public-comments/ccwg-framework-principles-draft-2016-02-22-en>
- Report of Public Comments:  
<https://www.icann.org/en/system/files/files/report-comments-ccwg-framework-principles-draft-06may16-en.pdf>
- Public Comment Review Tool (prepared for the Working Group to aid review of the public comments):  
<https://community.icann.org/x/SwSOAw>
- Draft proposed Final Framework (to be finalized after ICANN56 and community feedback): <https://community.icann.org/x/4CiOAw>