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DEVAN REED: Good morning, good afternoon, and good evening to everyone. Welcome to the At-Large Capacity-Building Webinar: At Large Facilitation Skills on Monday, the 4<sup>th</sup> of July, 2021, at 19:00 UTC.

We will not be doing a roll call, as this is a webinar. However, attendance will be noted on the Zoom room as well as on the audio bridge.

We have Spanish and French interpretation on today's call. Our French interpreters are Camila and Claire. And our Spanish interpreters are Marina and David.

From staff, we have Melissa Allgood, Heidi Ullrich, Gisella Gruber, Michelle DeSmyter, Kimberly Carlson, Siranush Vardanyan, and myself, Devan Reed, and Claudia Ruiz on call management.

We have received apologies from Alberto Soto and Vanda Scartezini.

Before we begin, I would like to remind everyone to please state your name before speaking for transcription and interpretation purposes and to please keep your microphones muted when not speaking to prevent any background noise. Thank you very much.

With this, I turn the call over to you, Melissa.

MELISSA ALLGOOD: Well, hello, all, and welcome to our facilitation skills webinar. I am going to attempt to share my screen. Fingers crossed I do this well. How is that? Can you all see a green beginning slide that says "Facilitation

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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Skills”? Are we good? Somebody respond just so I know before I go off to the races.

UNIDENTIFIED FEMALE: It’s good.

CHERYL LANGDON-ORR: Yup. Go for it.

MELISSA ALLGOOD: Fantastic, fantastic. Thank you for the feedback. I know that we’re living in this virtual Zoom world, but we’re going to do our best today to make this session interactive and fun.

At the top of it, there is going to be a little bit of talking from me. Then we’re going to a brainstorming session that hopefully goes on for a few minutes. Then we’re going to move to breakout rooms, where we’re going to use Jamboards. So lots of fun ahead in the next 90 minutes.

For those of you who don’t know me, my name is Melissa Allgood. I work for Org. I sit on the Policy Team and I kind of just move around between the communities doing a number of different things, one of which has been awareness and some tangible sharing of the Consensus Playbook. So, as we discuss facilitation skills today, I will be using that as a frame of reference. You might hear me refer to page numbers in the Consensus Playbook or refer to plays themselves. So all of those references are going to be to the Consensus Playbook.

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We will also, today, have a few times where we talk about “Open for questions, comments”—those types of things. So [inaudible] into the presentation, but I will tell you I do not monitor chat while I talk. My brain is not wired that way. So my colleagues from Org will be keeping an eye on the chat for me and hopefully capturing things that I may miss along the way. So don’t talk to me in chat right now because I will miss your intervention.

With that, let’s go ahead and get going. Today, our session goals are to give some tools around how to jointly investigate issues, how to foster productive dialogue, and how to ultimately build stronger relationships with, really, the broad goal of fostering environments. By “environments,” I mean meetings, whether those are working groups, whether those are other types of groups with other framing around them, where you’re trying to get everybody in the group to share a purpose—you don’t have to use things through the same lens; that’s the beauty of the multi-stakeholder model—to really be moving the same direction with shared purpose.

So, as I mentioned, we’re going to use the Consensus Playbook as a point of reference for those conversations. My typical caveat is I am likely to discuss concepts that many of you are familiar with. So my goal really is to just put tools and ideas out there for your consideration. If there’s anything you want to follow up on one-on-one after this session, I’m always here. Your Org team certainly knows how to get a hold of me.

But with that, let’s go ahead and talk about our roadmap a little bit. So we are talking about facilitation. So the first track is going to be skills of and for the facilitator. I know some of you might be thinking, “Well, I’m

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not in leadership for a working group,” or, “I’m not a chair of that topic.” But I think that it’s always good to share facilitation skills, not only to build your own toolkit but also for you to better understand what your leadership is trying to do in a given meeting setting in a given working group. So we’re going to talk about skills for that individual or those individuals.

Then we’re also going a little bit about designing an effective problem-solving process. So that’s more of the infrastructure, some ideas about infrastructure that can help reach those goals that we were talking about about that shared purpose and being able to have stronger relationships and more productive dialogue.

At the end of Track 3, we’re going to talk about memorializing consensus. I have some ideas to share with you about ways that I would suggest you consider memorializing consensus, but, really, this part of this conversation I want to hear from you. Do my suggestions make sense for you on the ground or not? And if they don’t make sense, let’s talk about what might because memorializing a consensus is a challenge that we see across the ICANN community. When do we know that the issue was closed? How do we close it? How do we move forward? So we’re going to talk about that a little bit.

And then, like I said, we are going to go into breakout rooms—you have a scenario that you get to dive into—and hopefully utilize and apply some of these things we talk about today, plus all of the fantastic facilitation skills that I have no doubt you bring to the table yourself. So we kind of want to put it all together. Staff are going to be in each of the breakout rooms to act as scribes. So none of you will be scribing. They

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will be doing all of that with the sticky notes on Jamboards. So you just need to bring your ideas and your excitement.

So that is our roadmap. Let's go ahead and move forward to Track 1. Again, Track 1 is about the individual facilitator. So we're going to talk about core competencies of a facilitator, fostering tools—collaboration tools—that that individual tools that that individual can use to foster collaboration, really how to keep that ball rolling for facilitating the process, and then kind of an overarching of putting some concepts together in our Track 1.

What I encourage you to think about as we endeavor into the facilitators skills for him- or herself is that your goal is to help your members hear one another. That's your overarching goal as a facilitator. You want to help people hear each other. You want to figure out how to stop conversations from missing each other and ho to bring people together so they are operating from the same framework because, once people are operating from the framework, then we can get creative and collaborative about how we find solutions or, in our ICANN world, how we find consensus. But really, as a facilitator, you're trying to get your arms around that framing.

So before we talk about tools for that, let's talk about core competencies of a facilitator. Play 3 of the Consensus Playbook for your frame of reference. I would generally argue there are six core competencies laid out on this slide: neutrality, an individual that is process-focused, an individual that is transparent, accountable, adaptable, and respectful. You'll hear these themes today as I talk about facilitation. I am going to lean heavily into neutrality today, and we will

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go through all of that. But all of those components are important. So I don't want you to think that, just because I'm leaning heavily into neutrality, the rest aren't important. The rest of vitality important: being process-focused, keeping the work moving forward, having a lot of transparency between you and your membership, being accountable to your membership, being adaptable—being able to change and modify the way that your group works, the way that your structure works—and obviously being important. So all of those things are important, but we are going to focus on neutrality.

So, with that, I frame neutrality like this. You are assertive on the process but neutral on the substance. It also feeds into that process focus. What that really means is that you're not inserting yourself into the conversation. Now, some of you may wonder, why would we be talking about neutrality if we have a working group or a group meeting that isn't necessarily policymaking. It's not a PDP in the GNSO, for instance. I would argue that it still is important, and I would encourage you to consider, if you are facilitating a group like that, to still lean into neutrality because of this reason. It builds credibility with your group.

If you're the facilitator of a group and you are always sharing your opinions, you may be sidelining other voices. You might have members who then think, "Well, I know what Claudia thinks on that issue. She keeps putting herself into the queue and sharing her opinions and her framing. So I think something different, but why should I share what I think? Because Claudia is a facilitator. Claudia is in leadership. She's driving the bus," whereas, if you pull yourself out of it as the facilitator, you don't open up that chance at misperception.

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So how do we do this? You act with neutrality in everything that you do—in your questions, in your approach, in your framing. So, with questions, for instance, you ask open-ended, clarifying, neutral questions. We'll talk about Appendix 2 of the Consensus Playbook later, but it's a great resource for facilitating questions that are open-ended and neutral. "Why is that important to you? What make you think that's fair or not fair? Why won't Devan's idea work? What would work better?" All of that type of framing opens up dialogue and conversation versus saying, "I don't think Devan's idea is going to work. I think Claudia's idea is going to work." When you don't act with neutrality, you potentially sideline those voices.

And I would encourage you to really be mindful of if your group feels like you're putting your finger on the scale, even if you're not, because that perception can be as damaging as the reality. So consider really putting effort behind overly neutral. You can do things at the first meeting like laying all your cards on the table, what your group can expect from you, what you expect from them—part of that transparency. And we'll talk more about that in Track 2 as well.

Then there's this infamous concept of taking the chair hat or the facilitator hat on and off. And those of you who have sat through any of my webinars before will know that I don't like this concept because I think that it damages your neutrality because ultimately, if you're wearing your chair hat, you take it off, you say, "I don't think this would work because of XYZ," and then you put your chair hat back on, the genie is out of the bottle. Everybody has heard what you think, and there can very easily be a perception that you're putting your finger on the scale as that group is trying to come to a decision and you are

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driving the agenda. So, to get to neutrality, if you are focused on helping your members hear one another versus inserting yourself into the situation, you are already 95% of the way there.

And the other thing I encourage you to think about is you are uniquely positioned to help people hear one another. There's no one else who has the opportunity to ask some of these questions we were talking about and to really get to the heart of productive dialogue.

So always remember you're more than the manager of the queue as the facilitator. You're really there to help people get past their position statements and get to their underlying interests, which is our next topic. So positions versus interests. The foundation of good problem-solving is members communicating their real concerns, their real concerns, their real underlying issues. This is where the creativity is found. So positions are top-level conclusions whereas interests are those underlying factors where you can start to get creative and find points of connection which might ultimately lead to consensus.

Positions are ... Let me give you an example. So a position would be, "I hate the winter." Now, you could take that at face value and we could keep moving on and you make all kinds of assumptions about why I hate the winter, and that could drive the conversation in a direction that is, in fact, not correct because, if you ask me those open-ended, neutral questions—"Melissa, can you tell me more about why you hate the winter? What bothers you about the winter?"—you might get a host of different answers that are very different than what your top-level assumption would have been.



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So I don't want to belabor this point, but it is quite important. Positions are interests are different, and interests are our goals.

Now, many of you have seen this slide from me before, and I will try not to belabor it but it is so incredibly important. Again, as a facilitator, you're there to help people hear one another, and utilizing and leaning into your active listening skills is essential.

How do to that? We remove distractions. You stay focused. You're doing one thing at a time. You are homed in. You're listening to the speakers' words, their tone, their non-verbals. It's one of the reasons why I really encourage you in this virtual world that it's so hard to communicate in to use your camera if at all possible because so much communication is in fact non-verbal.

Again, those open-ended, neutral, clarifying questions—ask those questions because you are uniquely positioned to do so. Many people in the group might have the same questions but they don't have the opportunity to ask them in the same way. I always encourage notetaking because it really does help solidify and understand other people's point of views. The orange oval, shall we say, is really about neutrality—letting go of your lens, letting go of your assumptions, and being neutral as you execute on those active-listening skills.

And obviously it's good to show feedback. I will tell you that one of the hardest things about giving presentations in this virtual environment is I'm going to sit here and talk to you for 30 minutes and get no feedback from any of you. And that's challenging. So where you can give that feedback, I really encourage you to do so.

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Now, active listening pairs with summarizing. So you actively listen, you identify through all of those tools that we just saw on the Venn diagram, figuring out what the underlying interests are for a given speaker. You ask the questions while being mindful and deliberate with your language.

And I know that we have to navigate a lot of cultural sensitivity. This came up in a training, actually, between Cheryl and I that happened about a week-and-a-half ago. And this is challenging. And the reality is is we're going to have cultural misfires. I'm going to ask a question that feels offensive to you, and you're going to have a natural reaction to that. What I encourage all of us to do, because communication is two-way, is for people to be thoughtful and mindful with their language. And then recipients of that language, be understanding. Rather than reacting with emotion, ask that person to clarify. Take the temperature down. Don't immediately rise to anger. And share why something might have been challenging to receive when phrased in a way. That's the way that we work through the cultural piece of this. That was a little aside, but I wanted to make sure we got it in there.

So you've actively listened. We've used all these tools. We're getting to understanding. And then I encourage you to summarize. Summarizing is simply restating what the speaker has said—what your member has said, for instance, in a working group. It's as simple as, "Cheryl, I heard you say ABC, and your proposed solution is XYZ. Did I get that right?" That gives Cheryl the opportunity to say, "Yeah, Melissa, you got it." Now we are framed. We are [having] the same conversation. We are ready to start the work of getting creative with our solutions. Or Cheryl might say, "Eh, Melissa, you missed it on C. So let's go back and clarify

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C.” And then I summarize again and then Cheryl has the opportunity to correct me again or we now are at a shared framing.

But I can’t emphasize enough how much this could really help some of the dialogues that I see across the ICANN community. This can feel redundant. You can feel kind of silly doing it. But as a facilitator specifically, it is your role in a group to bring clarity to everybody else because, again, you are uniquely positioned to ask questions and to get the framing, get everyone on the same page, versus other people in the group. But also be mindful of members of the group. You have a facilitator that’s not doing this and you think it would help your group? You are all empowered to do this.

So that’s the beautiful thing about facilitation skills: I am framing much of this as a working group leader, a chair, a head of committee, but it doesn’t have to be that. You can be a member of a committee, and you see a need for this? I would encourage you to do it. I mean, that’s part of this multi-stakeholder model and hearing all of the voices and helping move the work forward. Hopefully, that’s the shared purpose. You’re moving the work forward.

So there is additional guidance on question framing in Appendix 2. So I encourage you to take a look at that if you are so inclined.

Okay. Play: Foster a culture of collaboration. Expect there to be disagreements, because there will be, but expect those disagreements to be navigated through joint problem-solving. And what I mean by that is, as a facilitator in the leadership role, create a subgroup in a particular issue. Send a few people out to go work on that and come back to the

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main group. You can always use your neutrality skills to work out a particular issue, whether it's in your main meeting or maybe you schedule a side conversation with individuals to help them work through an issue if it's taking too much time in your main session.

Clearly explain when issues are closed and move forward. We're going to talk about this when we talk about memorializing consensus in a little while. A struggle that I know all of you can appreciate is distributing those work-intensive projects across membership. We've had lengthy conversations about burnout. I know you work hard to bear it in mind.

Then you hope, in fostering the culture of collaboration, that you have an agreed-upon set of guidelines, rules, operating procedures that you can direct members back to that kind of give the rules of the group. We're going to talk about that when we talk about the operational structure. But this can really encapsulate member expectations, leadership expectations, facilitator expectations.

So facilitators facilitate the process. This is Play 9 and 10 in the consensus playbook. Again, we'll be neutral on the substance and assertive and the process. But in parts of that, it can become a very challenging balance when you know that your group needs something but your individuals might need something different.

So I encourage you to recognize that, fundamentally, people all want to be heard, valued, accepted, and included. Most seek some degree of autonomy over decisions that impact them. They want to be acknowledged and appreciated for their contributions. And, typically, most people want to play a positive role in a group. But if any of these

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needs aren't being met, that individual is more likely to act out and engage in unhelpful behaviors. It certainly doesn't mean it will happen. But if you can't, as a facilitator, address these needs of the individual, you are less likely to see some of that challenging disruptive behaviors that we can see in working groups.

At the same time, as a facilitator, you are obligated to navigate the group dynamics. And you really need to put the needs of your group first and the individual second and your personal needs last. So how do you do that? Let's take, for example, the repeated intervener, which is what we're going to call this person. This is the person who has intervened, made their point, their point has been acknowledged, and they keep raising their hand and making the same intervention over and over again. As the facilitator, it is your job to act on behalf of the group. It is your job, I would argue ... Again, just an idea. I certainly don't want to act like ... I got impassioned. I don't want you to think I'm telling you what to do. But I would encourage you to act on behalf of the group because I promise the rest of the group will thank you.

Step in and say—I'm going to pick on Claudia again—"Claudia, your point has been noted. We're moving on." And pivot. Refocus the group back to the issue at hand. If Claudia keeps intervening, make those responses shorter. You can reach the time that you stop even calling on Claudia if it comes to that. And hopefully it doesn't. But that's putting the group first.

However, Claudia's needs are still there and they haven't been met. And I would encourage you to follow up with Claudia after the meeting. "Hey, I would tell that you had a lot to say and you had some things you

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really wanted to share at that meeting. Can we talk about it?” Touch base with Claudia, check in, and make sure that her needs to be heard and seen and valued and included are also being met.

So putting the pieces of the facilitator together. How do we do this? We ask those questions. We drill down to the interest underneath the position. This demonstrates value and respect and understanding. This is something you can do where you are addressing the individual’s needs while also addressing the needs of the group. The group needs to understand why people think what they think, why people have the positions that they do. And people want to share those. So you’re getting both of those boxes checked, if you will. Always be mindful of the language selection and be kind to one another in those cultural misfires because they do happen.

Now, something that I’d love to see more of—it’s challenging—is to ask members to speak to each other’s points of views once everyone is kind of drilled down where they’re at on a given topic. “Claudia, why won’t Devan’s position work?” or, “We’ve heard Devan thinks ABC. Claudia, what do you think about ABC?” And when Claudia finds some sort of challenge with ABC, have Devan speak to that. That’s where you start to get people talking to each other which, remember, is one of the ultimate goals. It is your job to keep the group focused and on-task. You have to do that. Intervene when things go off topic. We talk about putting topics that aren’t on the agenda, for instance, in the parking lot. Do that but make sure you go back to those topics and put them on a later agenda, later in the meeting, because that also builds credibility with your group because that helps the individual who might have taken you a bit astray feel seen, heard, valued, and included.

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The queue in chat. They're incredibly challenging in the ICANN world, and I encourage you to always get help with them because it's hard. And to the extent that you can, consider having people maybe raise their hand, speak via topic, not necessarily in order. And what I mean by that is we've all been in a meeting where we start talking about Issue #1 and you raise your hand and you're #4 in the queue and, by the time you get called on, the discussion has gone a different direction and we're talking about something unrelated or something tangentially related. And so then we have these conversation disconnects. So tightly framed issues, tightly framed scoping, as we open up those dialogues can help. But it also can help if you say, "If your hand is not on Topic 1, we're going to note that in the chat and we'll come back to you to talk about that"—some of those kinds of tools that can help create more focused dialogue.

Obviously, the point of all of this is to start figuring out where people agree and start building consensus on consensus. I really like using Jamboards and charts as a visual tool to help this. It keeps people engaged. It keeps people focused. The passive slide presentation, like you're seeing from me right now—I don't understand why it has this strange line on it; I apologize—is harder to stay engaged with than being interactive. And I recognize that. So I encourage you to think about that as you're facilitating discussions: how you can make your membership more engaged.

And then always feel confident. Oh, well, one more thing about starting to make these decisions. Page 72 of the Consensus Playbook has dialogue techniques. These are really relevant as you're starting to try to get a feel for where there might be consensus positions. We can talk

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about this more in the later section. But I know you guys like to use polls to kind of take the temperature of the room. And that's a great idea. Page 72 of the Consensus Playbook talks about a few other ways that you can do that that might help move your consensus-driven process forward.

But then, as the facilitator, don't be afraid to check into your group with your group. It feeds into your core competencies that we talked about at the beginning. Ask the group how it's going for them. Ask them how the structure works for them. Ask them how the approach to the work works for them. Solicit their inputs. Ask them how they feel about the process. Solicit those inputs and feel empowered to evolve your process. I think we all aspire to get better.

So design an effective problem-solving process. This is our Track 2. We're going to go much faster through this, but, ultimately, it's about those group expectations and obligations that I talked about earlier, things to think about ensuring inclusivity and navigating individual needs. And then we're going to have our brainstorm about consensus.

So groups expectations. I encourage you all as facilitators, as leaders of groups, to be overly inclusive about member and leadership commitments to one another because those commitments go both ways. Be overly detailed about meetings will be organized, how they will be conducted, with what frequency they will be conducted.

Something I encourage you to really think about because we're seeing an increase in this at the speed that a lot the work is happening is to detail how you expect asynchronous communication and even work to



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be conducted between your regular meeting sessions. How do you want to communicate? Do you have subgroups that are happening between sessions? And what are the expectations of members within that framework? I think that this is a real area to think about as your CPWG is navigating keeping up with cultivating consensus positions with a representative model in the EPDP. So just food for thought.

In these agreements, think about how consensus will be established and how it will be reported, our brainstorm in a moment. Tell how conflicts will be resolved. What's the process there? What's the expectation both ways through that process? Detail your leadership roles—what are they going to do and what they aren't going to do.

And then detail the expected standards of behavior. I saw we have Herb on the call. But the expected standards of behavior is a very short document. I think it might even be one page, maybe one-and-a-half. We have these meetings where, at the top of every meeting, we all implicitly agree to be bound by the expected standards of behavior and we all go, "Yes, of course." But it's a great framework of what to expect of one another. Operate in good faith. Be transparent. Be committed to find solutions because that's the foundation of the multi-stakeholder model. I mean, I'm paraphrasing of course, but I really encourage you to detail that out because there is a power in everyone looking at a document and saying, "Yes, I agree to be bound by this and I agree to execute on my duties and obligations within this. And I'm going to expect that of others in the group."

So ensure inclusivity is the norm. So one of your biggest jobs as a facilitator is to ensure every voice has a place in the dialogue. Again, this

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is an area that can get very challenging because you have so many dynamics at play. You can have culture dynamics, language dynamics, power dynamics, gender dynamics, historical dynamics—so many things. So if you feel like any of these issues are at play, talk to the members involved. That's what I would urge you to do. Talk to them. See how they feel. Take their temperature. Don't assume because it does a few things. It makes that member feel seen and heard and valued. It builds your credibility with those members. But it also potentially stops issues from snowballing and becoming bigger challenges down the road. It's really a great way to leave into that tenet of good faith that we see in the expected standards of behavior. And your members might need some guidance on these fronts. So that's your job as the chair.

Again, there's dialogue techniques on Pages 40 and 41 of the Consensus Playbook that there are there for your reference. This group certainly understands the time zone challenges. That's a way to really do your best to share the pain. I don't even know if that's inclusive as much as just pain-sharing.

And, again, regularly check in with your group. See how the process is for them. See how they feel. Take that feedback. That builds your credibility and, ultimately, it makes your shared purpose clearer and it allows you to home in on it.

So, with that, we are finally at a conversation about consensus. So memorializing consensus really is a challenge in our ICANN world. I think that we would all potentially benefit if we saw more overt consensus positions being memorialized.

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So I thought of a few ways that I think may be relevant for conversation. I'm going to share these with you and then I'd like to open it up to the group. Functionally, memorializing consensus is the job of the facilitator. Again, you are uniquely positioned through, hopefully, a neutral lens to say, "Okay, I see this dialogue. It seems like everyone is coalescing around a shared position. We need to get it down so we can keep the ball moving."

Before I talk about these, what I see happen all of the time is you have a topic and there is a robust dialogue—there is a robust exchange of thoughts and views and information—and then, at the end of the call, everyone says, "Good call. See you next week." What happened? That is a missed opportunity, I would assert, for your facilitator to step in and say, "It sounds like we have achieved consensus on Point A." See what the feedback is. Of course, the definition of consensus in different parts of the community are different. You have to be mindful of that. But say it. Put it out there. Our calls are recorded, so you naturally have a record.

Then, at the end of the session, summarize that position. I would love to see more summary at the end of meetings. Generally, I know it can be really hard when you run up against time, but summaries are powerful. "We worked on A. We decided B. We worked on C." In that, if you cultivated a consensus position, you put it in there. "We found consensus on Topic 3. That consensus position is such-and-such." Again, it's memorialized in the call. I know you have various workspaces. Think about memorializing consensus in those workspaces. Then, at the top of the next call, before you continue your conversation, you touch on that

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consensus again. “In our last call, we found consensus on Point 3. We are moving onto Point 3A.”

So, while it takes a facilitator who is willing to memorialize the consensus and make the call, it also takes a group that is willing to accept and move on. And that’s a very fluid dynamic and balance.

So, with that, I would like to ... Those are just my thoughts on memorializing consensus. I’d like to go ahead and open this up to your thoughts on memorializing consensus. And, really, after this, I had a Q&A comment scheduled as well. So I just open it up broadly. Please share with me your brainstorming thoughts or any other thoughts or questions you have. So feel free to raise your hand. I see there’s 47 comments in chat. I haven’t looked at any of them. So if my staff colleagues wouldn’t mind letting me know if there are some questions in chat. And while you guys review that, I’m going to give Judith the floor. Hi, Judith.

JUDITH HELLERSTEIN:

Hi. One of the comments in the chat also reminded me of another comment that the other groups were making in some other meetings I have. It’s setting the tone for the meeting. [Just like] Herb sets the tone with the ICANN standards of behaviors, we’re setting the tone for the meeting, saying, “We know everyone is pressed for time and we really value their time, please be courteous and respectful in the chat, and please remember we’re all trying to have the same discussions.” It’s like you said: setting the tone at the beginning of the meeting.

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MELISSA ALLGOOD:

I think that's a great idea, Judith. And I think that those are things that you could potentially put in those rules, if you will, and the group commitments to one another. And it's also a great thing to put at the top of the meeting to really get everyone focused. So thank you for that.

Is there anybody else? Anybody have ideas on memorializing consensus or anything else I went through? There was a lot of information in this presentation so far.

Cheryl, I knew you'd come through for me. Cheryl, what do you got?

CHERYL LANGDON-ORR:

That's all right. I was hoping others might jump in as well. Pardon me. I'm losing my singing voice. You know I'm a great thing of memorializing things as we go and recalling absolutely everything and making sure the context of everything is recorded and properly linked.

But I think, in the larger ICANN world—of course, all of us within the At-Large community are wanting to interact with that larger ICANN world—we need to be really careful of using the term “consensus,” not just because of what you've outlined—that is, of course, [a variant] in some parts of ICANN, depending on how that's measured; of course, in most beginnings of exercise, one actually establishes and agrees on what those measurements are going to be; in the GNSO, it's listed already; but that's the sort of thing that happens—but because there are parts of ICANN where the term “consensus”—[technically] consensus—is linked very strongly with following activities which are part of a process. And they're really hard-baked in.

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I tend to encourage people to think about using similarly meaning words and sometimes avoiding that great big capital C until you really mean you want a great big capital C. I guess maybe this is something we could workshop now or later, but on the memorializing, you have me absolutely in support. Just a cautionary tale: parts of ICANN react very differently. [That's] my expectation, once that capital C comes into play. So just a [tiny] word of warning.

MELISSA ALLGOOD:

That's all right. I think that that's an outstanding point. We can definitely dedicate about five minutes to this. I would love to hear some thoughts. I think that Jonathan has his hand up. And that's getting even more dynamic, so let's do it. Jonathan, nice to see you. Kind of.

JONATHAN ZUCK:

Yeah, sorry. I seem to have spotty ... The power is out at my house, so my cellular data is coming in and out. So I'm joining and rejoining the meeting here several times.

But I just wanted to say that ... I don't know what the best way to put it, to follow on Cheryl's comment, because this idea of memorializing consensus ... I think it's important to point out that it's a part of incremental decision-making: as you're trying to explore your position on something, breaking something down into a smaller set of questions and getting a rough alignment on a particular question is what really enables you to get onto the next question.

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And absent that, there's this sort of constant revisiting of questions that have been discussed before because, very often, there are people that, while consensus in whatever its form was reached, weren't happy with that outcome. So it leads to this constant revisiting. And I don't know whether talking about it as incremental decision-making or sub-decisions or something like that is a way to get around using the more loaded "consensus" term. But there's this notion of finding our way forward and not always taking two steps back every time we take a step forward that needs to—I don't know—become more formalized, I think.

MELISSA ALLGOOD:

If I may interject, I think you and Cheryl are definitely touching on issues that are ripe for broader brainstorming beyond the bounds of this group in terms of how do you cultivate those intermediary steps. How do you break up the big issue to the sub-issue to the sub-sub-issue. We see the way they try to do that in the GNSO in some PDPs. But, yeah, those challenges are very nuanced, especially as your community navigates through the greater ecosphere and works towards having a voice in different spaces. So I think the [purpose is up to date].

Are there any other suggestions about ways that we can at least tangibly memorialize (kind of Step 1)? We know that we have some tools in our toolbelt for actually memorializing it. Did I miss any? Do you have any other ideas on this front?

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Please. I apologize. I don't know if I'm going to pronounce your name right. So can I hand you the floor? And would you tell me how to say your name please, sir? You're the only with your hand up.

CLAUDIA RUIZ: Sivasubramanian.

MELISSA ALLGOOD: Sivasubramanian. Thank you. Thank you for helping me, Claudia. Please, the floor is yours.

SIVASUBRAMANIAN MUTHUSAMY: I think one of the major impediments to consensus that is not discussed is that there are people with contrary agendas or different pursuits within the group who are probably not identified. In a multi-stakeholder process, the members are heterogeneous, but within a subcommittee like ALAC or GAC or another constituency, the membership is supposed to be homogeneous and the people are to be drawn from that specific group with specific interests—for example, user interests.

The process of selecting members and nominating members also need to be a little more careful to make sure that, when a discussion arises and a good pursuit is followed, there is reasonable harmony and reasonable unity, even in discussions where different points of view are put forth. When someone does not want consensus to happen, then definitely there is an impediment. That is a little more artificial than natural, and I think that's an aspect that also needs to be paid attention to. Thank you.



MELISSA ALLGOOD: Thank you for that. I think you make an outstanding point. And that is one of the many layers of challenge that we really have with some of that capital-C consensus. And I wish that I had a magic toolbox of answers. It's one of the reason why I try to always draw focus back to those expected standards of behavior because, if people are really leaning into those tenets—those agreements that we all agree to be bound by as we work through this work—you hope to make some inroads into that. But certainly it's a challenge.

Is there anyone else that would like to speak to that or any other issue? If not, we're going to go ahead and move to the breakout. So this is your moment. Is there anything in chat that I need to know about, team? Are there any questions in there?

CLAUDIA RUIZ: Yeah. Actually, Evan Leibovitch just a put a question in the chat.

MELISSA ALLGOOD: Great.

CLAUDIA RUIZ: Would you like me to read it? Or perhaps Evan?

MELISSA ALLGOOD: Would you please read it? Or if Evan would like to speak. Either way.

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Why don't you go ahead and read it, Claudia?

CLAUDIA RUIZ:

Yeah, I'll read it. Okay, so it's a question about another issue raised earlier. "ICANN is an organization filled with conflicts of interest, and I am finding this increasingly in NARALO. In two boards on which I sit, the meetings start with a request that anyone with a conflict of interest with anything on the agenda state so at the outset. What is your take on this practice?"

MELISSA ALLGOOD:

So I have to say I can't speak with authority because I've never sat in a NARALO meeting. So I don't know the context of the conflict, and, ultimately, I don't think I can fully answer this question and give an opinion without that. I'm happy to discuss this in more specificity offline if you'd like to do that. The At-Large staff certainly know how to get a hold of me. I think that might be the best way to navigate it.

But I do hear you, generally. We talk about, "Is there anything to your change of your statement of interest?" And there's a lot of leaning into, again, good faith, people doing the right thing, being transparent—again a tenet of the expected standards of behavior; being transparent about who they represent or why they represent (or maybe less so about why they represent them, but who they represent), and what brings them to this work. And it is a real challenge.

But I'm happy to talk about specifics with you offline if that would work out for you, Evan.

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Sebastien, the floor is yours.

SEBASTIEN BACHOLLET:

I was really hesitating to talk, but I would ask you a question. Do you try to give your inputs to somebody who is at the same level knowledge with another cultural background? And, really, I appreciate all that you are doing, but I feel that it's so given that either we agree with you or [otherwise] we're taken out of the room. I feel that we can't learn like that. We need to learn with diversity and disagreement with different points of view. And here we have one way of thinking. Sorry. I have to leave you. I have an important call. Sorry.

MELISSA ALLGOOD:

Goodbye, Sebastien. What I will say to his question—I think I'm going to address that; and let's go ahead and move to the scenarios because I don't want to run out of time for that—is I hear what he's saying is he'd like to see ... What I think he's saying is he would like to see the exchange. He'd like to use, when there is that concept of taking something offline, a [handling] of it out of the session. Perhaps it's a disruptive member. And I made the suggestion that you check in with that person after the meeting. I hear that, and that is a possible teaching moment.

My framing on that was to not make that person feel spotlighted, highlighted, or have any sort of negative embarrassment or that type of thing. So that was really the framing. It was more of a privacy for that individual. There might have been a gender dynamic or power dynamic that was observed. Or perhaps they were clearly having a struggle in the

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session that was worth following up with later. But I think that's food for discussion.

And, again, I'm just offering you guys idea. You could think all my ideas are awful, and that's okay because this is a sharing of ideas.

So I'm sorry I'm going to go ahead and end this part of this because I want to talk to you about what we're doing next, which will hopefully be fun. So, Claudia, if she hasn't already, will be dropping into the chat a Word document that has a two-part scenario on it. Please capture this document on your own device, your own machine. The scenario itself will not be shared in the breakout room, so capture this document. Please, please, please. You will be automatically sent to a breakout room, where you will discuss both of these parts if you get to both. Go as far as you can. Your staff is there to act as scribes to help capture your brainstorm and your response to this scenario. We're going to come back together and then we'll share where we land. I do ask that, in each group, you identify someone who will speak to your group's deliberations. Don't worry about the Jamboard. When we come back together, we will share it so you will have access to the visual representation of where your group lands on these issues.

So capture the document. Please capture the document. Capture the document. And get ready to have some fun with Jamboards.

Claudia, it's all yours.

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CLAUDIA RUIZ: Melissa? Sorry. One quick note. For some reason, I was not able to drop it in the chat, so I linked it to the wiki. If they click on it, it'll just take them there.

MELISSA ALLGOOD: Okay, great. Please note the change. It is linked to the wiki. Thank you so much, Claudia. So the scenario is linked to the wiki.

And, with that, I'm happy for you to go forth and discussed closed generics and how does this facilitate those discussions.

Are you sending us, Claudia?

CLAUDIA RUIZ: Yes. Mostly everyone has gone into their rooms. We are in the main room, but we're staying here. I have—let's see. Mostly everyone who was assigned has joined. So you can feel free [inaudible].

MELISSA ALLGOOD: Lovely. Okay. Let's make sure I screenshare the right thing. Oh. What [do] you see in this room?

MICHELLE DEMSYTER: Question. This is Michelle. I'm still in the main room.

MELISSA ALLGOOD: Those of you in this room, can you see our Jamboard? Please say yes or no.

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Someone please tell me if they can see the Jamboard. Claudia, can you see the Jamboard?

CLAUDIA RUIZ: Yes, I can see it, Melissa.

MELISSA ALLGOOD: Okay. So hello to all of you in this room. I'm going to give you a few moments to read the scenario document. So please take a look at that and, when you are ready to discuss it, raise your hands and we will get going.

All right. I would appreciate it if someone would indicate when they are ready to start the discussion.

All right. Let's get going. I was trying to catch up on chat while you guys were doing that. So the closed generic issue. Any ideas on what to do? Please raise your hand. You don't have to turn your camera on, but I would appreciate the opportunity to get to talk to you.

I might eventually start calling on people, just to get those conversations going.

All right. How about—I'm scrolling through—Gordon? Gordon, are you there?

Claudia, I'm not hearing anything. Do we have a problem?

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CLAUDIA RUIZ: No. Let me see. Can you hear me okay?

MELISSA ALLGOOD: I can.

CLAUDIA RUIZ: Let's see. Nobody has unmuted their microphone. So I'm not sure [inaudible].

JUDITH HELLERSTEIN: Yeah. I just joined your group here because, in our group, nothing was happening and I have so many things going on. So ...

MELISSA ALLGOOD: Welcome, Judith. Happy to have you. So have you had the chance to take a look at the scenario and share what you think should happen? How would we facilitate this?

And, Harold, yes. Seeing just Part 1 and Part 2 on the screen is correct because I am technically your scribe, even though I'm happy to try to get the conversations going, to do sticky notes. I'll show you how we do the sticky notes. But how do you guys think that we should handle this? What facilitation steps should be taken; the questions on Part 1?

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JUDITH HELLERSTEIN: But, Melissa, it might be better if we had put the link to the Jamboard in the chat like they had done when we used Jamboards for the strategy session that ICANN has done. Then we could all do it.

MELISSA ALLGOOD: I hear that. We're trying something different. The registrations were incredibly high for this session. It didn't fully come to fruition, but we had concerns with the external components of that.

JUDITH HELLERSTEIN: Oh, okay.

MELISSA ALLGOOD: So I hear you. If we were a set registration, I absolutely think that's far more impactful. I agree.

JUDITH HELLERSTEIN: Oh, okay. Yeah, I think, last time, we were a set registration.

MELISSA ALLGOOD: Yeah. You got to navigate the challenges before you.

So who has ideas of steps that can be taken?

Sorry. Did that just change your view? Did I just change your view do you guys all still the Jamboard?



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JUDITH HELLERSTEIN: We see the Jamboard.

MELISSA ALLGOOD: Okay. Perfect. I was trying to move around my document.

Greg, please, the floor is yours.

GREG SHATAN: Sure. I'll confess two things. One is that I missed most of the presentation, so I'll be not as trained up in a sense from this session as I would have liked to have been. Secondly, I participated in this entire process in real life, so—

MELISSA ALLGOOD: I know you did, Greg. So what would you do? We got these three groups. What do you think a facilitator should do?

GREG SHATAN: Well, I think one thing a facilitator can do is ask, say, some person or people from one group, or if the group is actually formed up, as we actually did have a group that presented a proposal, with regard to a proposal ... Ask those who do not support the proposal what is one or two ways that they would change that proposal to allow them to support it.

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MELISSA ALLGOOD: So, Greg, you touched on something that we discussed, and that is speaking to each other's points of views. Right? So I think that that is an excellent idea.

One of the things that I can see here—this is far easier in pretend life than in real life, having observed you guys have those conversations—is that there's overlapping agreement between two of these groups. So one way to go might be to put those groups together in a subgroup and have them already start from a place of agreement and see how they can cultivate out some of their points of difference and then work to bring along, with some different ideas, this group that has the strong prohibition stance. I mean, it's a little utopian, but it's an idea.

What do you guys think about that?

GREG SHATAN: It's possible.

MELISSA ALLGOOD: And anyone else?

Am I going to have to start calling on people? Because I will. Again, although it didn't work so well with Gordon work so well with Gordon. Gordon, I would still love to hear from you.

Looks like Harold might have raised his hand. Please, the floor is yours.

Harold, you might be on mute.

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HAROLD ARCOS: I hope you can hear me okay.

MELISSA ALLGOOD: Oh. I can and I apologize for mispronouncing your name. By all means, the floor is yours.

Please proceed.

HAROLD ARCOS: Thank you. In your scenario, there is the prior consensus among the members, and, therefore, it's a good idea to set them up in working groups if their ideas are complementing or supplementing the idea. But it also might happen that, whenever there is prior agreement, they are not necessarily complementary agreements. So perhaps it is difficult to manage a discussion and the dialogues that may take place in the meeting in the room. And there are people who might want to have their own ideas expressed. So I would assume that, in that case, the best thing would be to hold a short call and discuss these two ideas and manage the issues through the tools we have available, such as the mailing list, to see where any complementarity can be found. When we are going to choose one or another idea, we should first discuss point after point and, if not agreement is reached, perhaps go for other tools whenever the search for consensus has been exhausted.

Let me give an example. If it is a document that has a single option, A, we should find an Option B to see how these two options can be discussed. If there is no possibility of agreement, there should be a process to see if there is any process whereby an agreement can be

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reached when all [inaudible] has been exhausted. Thank you. Thank you, Melissa.

MELISSA ALLGOOD: Of course.

HAROLD ARCOS: And this is my opinion with respect to this specific scenario you were talking about.

MELISSA ALLGOOD: I love the efforts at work, work, working through it. So thank you for that. And I hope I'm capturing what you shared in a satisfactory way.

Greg, I see your hand is up. Please.

GREG SHATAN: A couple of thoughts. First, looking at the original scenario with essentially three positions, the first two positions have some things in common. They're both looking at a limited closed generic scenario. The third position is an absolutist position; that there should be no closed generic. One, as a facilitator, could look to the first two groups, essentially excluding the third group, assuming the third group is not so large as to block consensus, and see if the first two groups can work together to gain traction. First, start with the commonalities of their proposal and agree that those are, in fact, the commonalities, and then look at the points of difference and you can either get some give from

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one group to essentially agree to the other's position, at least, as a next step, or to look for a third way that either combined the two positions or finds a middle space or breaks completely new ground to do that.

And I think, also, it's important to avoid, but I think the facilitator needs to keep the discussion moving forward and avoid traps in the discussion where you essentially are kind of getting stuck on the hors d'oeuvres and arguing preliminary issues all the way through to the end and reflecting more on the real-life version of the scenario—that there were certain hang-ups on things that were almost more semantic than really substantive, and yet that was used consciously or not to eat up a lot of the time that could be used.

So I think that facilitators and ICANN generally sometimes have too much of a sense that their job is to let everybody say anything they want to say as long as it's nominally on topic and that, basically, everyone should get a chance to exhaust what they have to say. The problem is that you exhaust the members and it exhausts the time. So I think it's important for facilitators to be a little more active in facilitation. Again, they need to facilitate the discussion in front of them and not be seen as taking it to a point that they might desire, which is where the discussion we had about before the breakout about neutrality, transparency, and accountability comes to the fore. It's also why ICANN has experimented with third-party facilitators, mostly not very successfully because what we do is just a little too complex for a non-party to facilitate no matter what their "facilitation skills" are. And some people are trained facilitators.

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So I think that's one of the issues. Free speech shouldn't be forever speech, speaking forever, just like I'm doing right now. And I think the facilitators sometimes just need to, whether by use of a clock or by use of a firmer hand, see what they can do to keep things more on topics that will move things forward. Thanks.

MELISSA ALLGOOD:

Well, thank you, Greg. And it sounds like you know a bunch of the things that I talked about in the discussion anyways. So that's fantastic. And also, I would expect it from many people on this call. So that's wonderful.

And I think you also raise a really interesting point at least as these concepts pertain to work in the GNSO: being on these tight timelines. So you certainly see that in the EPDP phases: people having the chance to exhaust can come at the cost of running out of time within the project management framework.

So I'd like to know what the rest of you think about what Greg said. Do you agree? Do we disagree? Where are we going to land? Because we have not a time left and I want to make sure that, whatever we report back, it is an accurate reflection of what you guys think. So please raise your hand.

Anyone dying to talk about this? If you don't, we can always move to the second part of this. If you think that Part 1 is exhausted, to use that phrase again, we can always move to the second part of the scenario. The floor is officially open to talk about either part. Why don't we leave it there?

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Don't all jump out at once in this group.

All right. I am going to call on someone. Of course, your names aren't popping up very well for me, which is unfortunate. Raymond, are you in this room? Raymond, do you have anything to share?

RAYMOND MAMATTAH: Hi. Raymond here. Yes, I'm in the room.

MELISSA ALLGOOD: Do you have any thoughts on this? It's okay if you don't. I just want to make sure that we're hearing from a variety of voices.

RAYMOND MAMATTAH: Yes. I think I much agree with the last speaker who gave the example of that people should not be allowed to speak forever but must be timed. And I think this is done in most ICANN meetings, where speakers have up to five minutes to speak. I think it's one of the cogent points that I much agree with. That is what I think I want to add.

MELISSA ALLGOOD: Thank you, Raymond. So it sounds like he's in agreement that we really need to be cognizant of time. And [inaudible] use of a clock for that.

Peter, do you have any thoughts on what we discussed in Part 1 or Part 2?

Peter, if you're talking, I can't hear you.

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Okay. What about Adrian? Adrian, do you have anything that you would like to share? Any thoughts on this Part 1 or Part 2 topic with closed generics?

JUDITH HELLERSTEIN: Melissa, it's Judith.

MELISSA ALLGOOD: Hi, Judith.

JUDITH HELLERSTEIN: My only thought on this is that the problem we've had in some other CCWGs that I've been in is that you get new people coming in mid-season and we close off the issues after huge amounts of debate/impasse, and they want to reopen those. And then the leader says, "Well, we discussed this and we closed it. Review back." But the problem is different people cycle in and out from different groups and they're not aware of the issues and people don't read e-mails. Then we end up cycling through these same issues again and again. It's really annoying.

MELISSA ALLGOOD: Judith, I have observed that, so I share that framing on one of these challenges. And my suggestion really would be leaning into strong facilitation with, "With all due respect, we're so glad you're here now, but the work has to progress. It has to move forward." And if you missed it, you missed it, unfortunately. I don't have a better way to really think



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about that. Maybe you guys do. Because otherwise you do: you just have the same conversation over and over.

Greg, your hand is up. Is that a new hand?

GREG SHATAN: It's a new hand. And I hate to be that guy.

MELISSA ALLGOOD: I love it. I need that guy right now, so thank you for being it.

GREG SHATAN: So I think, going to the nuts and bolts of the question of how would this group memorialize the consensus position, first it's important to recognize that there is unfinished business in the consensus position in the way that the scenario has been set up, which is that the method of oversight has not been decided. So I think that we kind of have to divide this up into two of issues.

Ideally, one could get assigned different people in the group to write up different parts. That's one way to go. Sometimes staff will write up initial write-up. Other times, the chair will write it up by him- or herself. Ideally, if people are all committed, splitting up to some extent makes sense.

I think what needs to be done first as a group first, on the part that everyone has agreed to, which is probably based on a working document anyway—let's assume—is to look at that working document

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and see how much it needs to be revised to be turned into more of a concrete type of a recommendation document or a consensus position document that can go, in this case, up to the ALAC and then ultimately be published and be understood. So any ways in which the document is kind of too much of a working document, not as much as a communication to the outside world, need be smoothed out.

We also need to look out for kind of what I mentioned before: issues that will trip people up or occupy people and distract them from moving through the entire proposal. So it's avoiding those kind of landmine things that distract people. But, ultimately, get that written up. I think you want to make sure that, at an outline level, it make sense and then work on the meat and make sure that that's written up appropriately.

I think, with regard to the part that is unsettled, you don't want to leave that completely unsettled. You don't want to leave that just for implementation or another phase. I think what you want to do is try to set up a list of high-level principles to make sure that, at least when people are thinking about oversight, they're thinking of generally the same thing, and that what you don't have is some sort of a fall consensus that gets exposed when you actually start to go into any sort of detail. Clearly, this is not going to be something that's fully fleshed out because that's the nature of the scenario, but there needs to be at least a hook or a guide, a framework, to guide those who will take the next steps on it so it doesn't end up going of into an unintended direction or unintended consequences. Thanks.

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MELISSA ALLGOOD: Thanks, Greg.

What are your thoughts on Greg's pretty thorough plan of attack? Does anyone disagree?

Don't all jump at once. If am I not hearing from you, I am assuming that there is agreement. And Greg did a great job of giving us a real hands-on approach to how it looks, especially if you're in a GNSO working group, where you go from a working document that you've been using for your points of your collaboration and your consensus-building between what is likely Groups 1 and 2 on their points of overlapping agreement. And then you cultivate that into a document, whether it's through the membership team, whether it's leadership that does, whether it's your Org support staff that does it, that is a type of a consensus document that is ready to be pushed up to the chain, ready to go through your channels. In your case, it would need to certainly go to the ALAC, etc., like Greg detailed.

But then, for those things that you agree upon but you haven't worked out the details for, giving those high-level principles, giving additional guidance, not leaving huge questions unanswered to be dealt with at the implementation phase or whatever phase might come next in our evolving set of process in ICANN World ...

And I like the comment, Greg, about making sure that it all makes sense together from an outline standpoint so you're really communicating what the agreement is, knowing that some is really granular and specific, and some is not.

Yes. Please. I see your hand again. Please proceed.

HAROLD ARCOS: This is Harold speaking for the record.

MELISSA ALLGOOD: Please.

HAROLD ARCOS: Yes, I agree with this that has just been stated. I think the time factor and the context factors are very important. I'm trying to summarize so that this tracking of the discussion many times ... Well, I feel is convenient to make two new reviews before the final date, as usually happens in ALAC, and before the resolution because, if we had started a discussion in December 2019, three months later, in March, everything could have changed, and the impact and the context of that discussion at that time, at the beginning of the pandemic, would have been different, probably. And many processes for agreement and many lobby processes—many things—just happen face to face. So there could have been a different role. But when referring to the substance, I think it is convenient in different spaces of the process to review those items that were not included that were left out and to check whether these are pertinent in the new context. This has to be part of a search to consider these other perspectives that appeared on the way.

I hope I was clear enough. Thank you, Melissa.

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MELISSA ALLGOOD: You're very welcome, and I am hoping that I am being a sufficient scribe. But the jury is still out on that, so we say.

I know we have just a few minutes left. Before we have everybody come back into this room, since we're in the main room, Greg, would you feel comfortable being elected to be the one who can encapsulate how this group kind of tackled Part 1 and Part 2? And if you agree—I'm hoping you do—you don't even have to go through Part 1 and Part 2 specifically. You can kind of do the overall picture of how to handle it or however you see fit. Would you be willing to do that for us, Greg?

GREG SHATAN: Unaccustomed as I am to public speaking, I will still go ahead and do it.

MELISSA ALLGOOD: That was the message I was hoping for, Greg. Thank you very much.

Having decided that, I would like to throw it back to you guys. We'll do a quick summary. It sounds like where we landed is really leaning into the overlapping points of agreement between Option 1 and Option 2 or Position 1 and Position 2 and having those groups and members who feel that way come together and start to really cultivate how they can agree. We talked about getting that framework down so you're operating from the same set of facts or principles or whatever it is. Then you can start to get creative with the solution-finding and work to exhaustion through all those positions and all those points of view as you do that.

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As the facilitator, be more mindful of time or certainly mindful of time, whether that's forcing people to speak to a timer or having really narrowly focused, tailored questions. That can go into how you should structure your sessions even to make sure to make sure that scope is really tight on these given issues to help keep everyone focused.

Then, when you come up with those positions, Greg detailed how to memorialize that. With more specificity, the better. And on those open questions, even if you don't have the nuts and bolts to them, you give high-level guidance and framing to all of it to fill in the gaps the best that you can.

Hopefully, my summary kind of touched on what we agreed to. We'll see how Greg interprets to it. But please correct me if I was wildly off-base before everyone rejoins us.

GREG SHATAN: Sounded good to me.

MELISSA ALLGOOD: All right. Well, thank you for that. And thank you for joining this group. I know this particular one is challenging because we're navigating through languages as well. But I appreciate all your efforts at trying. I'm continuing to evolve my facilitation skills, navigating the languages as well. So thank you very much.

And I am going to stop sharing because Kim is going to run our screenshare for the latter part of our session.

CLAUDIA RUIZ: Hi, Melissa. So I guess Group 1 is for you. So I believe it was Greg. Should you take the floor? You're on mute. Sorry.

MELISSA ALLGOOD: Thank you so much. I did not realize we were all back together. Yes, please. Greg, the floor is yours.

GREG SHATAN: Thanks. We discussed how one might handle both Scenario 1, where you have three groups and no consensus, and then also #2, where we did have a consensus but also unfinished business.

Some thoughts that came forward were, first, that the facilitators should use a clock or otherwise keep an eye on how long people were speaking and how many times the same topics are brought up repeatedly and to try to gently or perhaps not so gently keep time from being wasted and ultimately exhausted by speaking at length or reiterating or having things reopened by people who missed earlier discussions.

The thought on how to deal with this particular set of proposals is to ... One thought was to just ask generally whether there were things about any other proposal that you would change to make it more palatable to you in a little bit more active facilitation mode. The first two positions have more in common since they both look at some limited closed generic opportunities.

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And [it was] to try to harmonize those two positions, essentially leaving out the no-closed-generic absolutists, assuming there are not enough to stymie consensus, and to try to have the two groups that have some common views first agree which views are common and then, looking at the views that are not, try to find either compromises or whether one group is willing to take on the other group's position or whether there are perhaps even new paths, some new thinking, about how to deal with it that's not just merely some combination or agreement within the original two paths.

You get towards consensus trying to look at, again, where there are complementary interests. It's important, in working through these points, to go point by point and work through the points and make sure that there is, in fact, agreements and to try to isolate the points of disagreement.

Coming to the second scenario, the thought that was discussed was first that we'll need to get moving from a working document within the group to a final statement that could go to ALAC or, if it's a GNSO working group, to the GNSO Council or whoever it may be. So you have to make sure that the working document turns into a document that's intelligible to the outside world and that also uses terminology that can be understood by those who [want it] in the group and that avoids terminology that tends to hang people up. In an area like closed generics, there are topics that are very hard for groups to get past and have a discussion of all elements. Again, the facilitator can look to move past those tripwire points rather than letting the group get stuck on them. So recognize it in this scenario.



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There is unfinished business and a consensus position that the method of oversight hasn't been decided on. And rather than leaving that completely to the imagination of the next set of people to deal with this, the group should discuss overall high-level concepts or principles of oversight to make sure that, overall, there's an agreement that's talking about roughly the same thing and provide guidance for those in the next steps to avoid unintended consequences, both with this section and the first section, where what seems to be consensus is already just being memorialized. Hopefully, you can get different people to write up different sections, but sometimes it tends to fall on the facilitator to write up an awful lot of it. And then make sure that it's a coherent document and that it has a good structure that then integrates well and supports the second part that discusses how oversight could be implemented or planned. Thanks.

MELISSA ALLGOOD:

Thanks, Greg. And I would like to note, in the interest of time, we are over time. So is there anybody, if I can beg just a few more moments out of you, any group that took a radically different approach to this, took a different direction, approached this significantly? If so, please raise your hand because I would love to hear how you all did it and I'd love to share that with one another. But I do want to be respectful and mindful of your time. So if anyone is dying to share something radically different, please do so.

EVAN LEIBOVITCH:

I don't know if it's "dying to," Melissa, but this is Evan in Group 4.

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MELISSA ALLGOOD: Hi, Evan.

EVAN LEIBOVITCH: My microphone finally started working. I guess the main thing that we came up with was ... Unfortunately, I [don't] remember the actual content of the issue way too deeply, and the summary statement that was put out doesn't really even reflect the diversity that was actually in the room. There was actually a fourth position of people that were quite okay with no restrictions whatsoever.

So when you have such a broad diversity of opinions you basically have two choices. It's to either force a kind of rough consensus on people, come up with the best consensus you can, and then publish the dissenting or minority opinions as well, which may be ... In this particular issue, it was so divisive, way more than a lot of things that come before ALAC. This one was so divisive that, when you have two people that are polar opposites in some cases—you have people that said, "No, don't let them at all," and others that said, "I don't care. No restrictions"—you're not going to reconcile that with a little bit of wrangling between [close] consensus position[s]. At that point, sometimes you just got to say, "Here's the best consensus we could come up with, and here are the minority opinions."

MELISSA ALLGOOD: And, Evan, you caught me. I intentionally took that one out for that express purposes, for purposes of this activity. So, yes. And sometimes

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the answer is we can't come up with a consensus position, unfortunately, which can be quite frustrating. But no consensus is technically an option.

Sarah, you had your hand up and then it went down. Did you want to say something?

SARAH KIDEN:

Yes. I'd just like to agree with what the previous speakers have said. There's something we said in our group about debate, allowing participants to all share their point of view and why they feel the way they feel about their point of view, and then preventing it but also someone from the other group to present their point of view so that maybe you'll understand it differently if they present their point of view. Thank you.

MELISSA ALLGOOD:

Sarah, lovely. You guys were talking about trying to really get into the opposing lens, through the opposing point of view, trying to emphasize and understand why other people think what they think. And I've heard you drilling down into the interests. So I love to hear that.

Is there anybody else who wants to share? I don't mean to cut this short, but I do really want to be mindful of your time. So I'll give one more chance to raise hands.

It looks like we have ... Yes, please. Can you tell me how to pronounce your name? Is it Chokri?

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CHOKRI BEN ROMDHANE: Yes. Thank you, Melissa.

MELISSA ALLGOOD: Please.

CHOKRI BEN ROMDHANE: So I'm Chokri from [inaudible]. So I think that, in order to reach consensus, we have to prepare this team gathering together by preparing some material working on supporting all the members to well understand the recommendation or issues that we are discussing, because I think that a lot of conflicting situations were created by a misunderstanding of the issue that we are dealing with. It's not always—There is a very easy issue but apparently we [could agree,] get consensus at the first pass, since the first round or team call or [what have you.] But I think that the non-preparation of this call or the misunderstanding of the issue plays an important role for whether we'll get consensus or not. So as we have discussed in our group, we think that preparing the discussion prior to the call or to the meeting is necessary in order to get some consensus on some issues to avoid any misunderstanding of the issue. Thank you.

MELISSA ALLGOOD: Lovely. Thank you for sharing your emphasis on making sure that you are all having the same discussion. So incredibly important.

Ebenezer, please. The floor is yours.

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EBENEZER KOUKOYI:

Thank you very much. My name is Ebenezer from Ghana and I'm GhanaSIG Fellow 2021. Basically, I'm new here, but what I'm gathering from this consensus making is two categorizations: rebuilding and then putting resemblance consensus together. Rebuilding just has to do with putting all the points or the suggestions or the comments that members in the group have made together and then building on that to give out one particular point of view or line of view that everybody would now buy into. And then that is going to help build a greater number of consensus because, if I remember, [Dave] was saying that you need 50+ to get the consensus. So, if you are rebuilding consensus—that is, when other people have said ABC and you're putting all this ABC together to come out with a D—now everybody finds out that what I have put forth has been put in consideration and, therefore, when it comes to consensus, you get all participants involved and then agreeing to it.

Then resemblance consensus. People say certain things and, when you look at the main views or the main point in the different things that are being said, you realize that they are all buttressing on the same point or they all have some basis. So you put all those points that have been put forth. Though they are coming from different people and they may look different, there's basis in points that are being put forth. That has a lookalike. So when you put them together as a resemblance consensus, now members in the group tend to understand that what they are saying is the same as what the other person is saying. So agreeing to each other now becomes easier for the group. And that, I believe, would also help in coming up with full consensus. Thank you.

MELISSA ALLGOOD:                   Excellent points on cultivating consensus.

I can't in good faith keep you any longer. You have all been so generous with your time. So thank you for sharing and for staying late to share. I very much appreciate it. I enjoyed our discussions and I hope you did as well. So have a nice morning, afternoon, or evening, wherever you are.

**[END OF TRANSCRIPT]**