

## Draft Principles for Cross-Community Working Groups

1. Scope of CWGs	Rationale
a) <u>Possible</u> Purposes:	
i) To provide information and recommendations to the chartering organizations <u>[and ultimately the broader ICANN community]</u> in accordance with the charter or directions from the chartering organizations.	To ensure community understanding about the specific role and purpose of CWGs
ii) A discussion forum to achieve greater community understanding <del>either prior to a PDP to help define issues and concerns, or following a PDP to provide implementation recommendations or related guidance.</del>	To maximize sharing of expertise on new, emerging or complex issues that affect the community in general and not one SO or AC specifically and/or to provide community guidance and expertise to enhance the quality of later decision-making
iii) In any event, Consensus Policy development must occur using current Supporting Organization (SO) and Advisory Committee (AC) rules.	To harmonize existing Policy Development Process (PDP) bylaws requirements
b) PDP:	
<u>The formation of a CWG may occur either prior to, following, or independent of a PDP to help define issues and concerns, or to provide implementation recommendations or related guidance.</u>	<u>To harmonize existing Policy Development Process (PDP) bylaws requirements</u>
<b>2. Operations of CWGs</b>	
a) Formation of CWGs:	
i) Apply appropriate SO/AC WG Guidelines to all CWGs whenever possible.	For consistency, predictability
ii) All participating SOs/ACs should approve a single, joint Charter <u>[whenever possible]</u> that defines the rules and procedures for the CWG.	For consistency, predictability, and to reinforce joint support of the scope and terms of each WG tasking
iii) CWG Charters should include outcomes expected of the CWG and steps to be followed to review outcomes by chartering SOs and ACs.	For consistency, predictability and to reinforce joint support about the scope and terms of each WG tasking
b) Execution of CWGs:	
i) CWGs should follow the approved charter and bring concerns back to all chartering organizations for resolution according to their respective processes.	Helps ensure that concerns are addressed in a consistent way
ii) SOs/ACs should solicit and consider the views of other SOs/ACs.	DT recognizes importance of identifying and considering the full diversity of views that may exist
iii) CWGs should seek to accommodate diverging views where possible before finalizing positions.	This is always the goal in any consensus-based WG model
c) Outcomes of CWGs:	
i) <u>CWG</u> s do not develop policy. <u>Policy-CWG</u> recommendations should be considered <u>for possible approval and approved</u> through the appropriate Policy Development Process.	Assures consistency with ICANN bylaws

ii) CWGs must communicate Final Reports and Outcomes to chartering organizations for review and action	For consistency, predictability, helps assure that the SO and AC views on CWG recommendations are fully understood and documented
iii) CWGs' output must not be taken as an expression of community consensus, except as it may be endorsed as such by its chartering organizations.	<p><u>A CWG's charter could override that provision, with explicit reference, giving people notice that unless they participated in the CWG, they'd risk losing opportunity to object. Limitations on the use of CWGs' output makes the groups themselves more flexible and easier to establish.</u></p> <p><u>Suggest changes by Chuck Gomes: "Groups should feel free to commission CWGs to help them in working through issues, identifying preliminary points of consensus and difference, generating possible solutions, without fearing that they will be bound by what the group says."</u></p> <p><u>Also perhaps: "At some point, the policy process reaches a final conclusion, at which point participants need to live with its outcomes or use ICANN's appeal mechanisms. In the general case, that happens through GNSO PDP - explicitly not through CWGs."</u></p>
iv) SOs/ACs should commit to timely review and finalizing of actions to avoid delays.	Assures expeditious treatment by all SO/ACs regardless of level of priority attributed by each