

## Draft Principles for Cross-Community Working Groups

<b>1. Scope of CWGs</b>	<b>Rationale</b>
<del>Limit purpose to a</del> Purpose:	
•i) To provide information and recommendations to the chartering organizations <del>in accordance with the charter or directions from the chartering organizations.</del> and/or the ICANN staff	To ensure community understanding about the specific role and purpose of CWGs
•ii) A discussion forum to achieve greater community understanding either prior to a PDP to help define issues and concerns, or following a PDP to provide implementation recommendations or related guidance.	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 SO rules.	To harmonize existing PDP bylaws requirements
<b>2. Operations of CWGs</b>	
<b>a) Formation of CWGs:</b>	
•i) Apply appropriate SO WG Guidelines to all CWGs whenever possible.	For consistency, predictability
•ii) All participating SOs/ACs should approve a single, joint Charter <del>[whenever possible]</del> 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>b) Execution of CWGs:</b>	
•i) CWGs should follow the approved charter and bring concerns <del>back</del> to all chartering organizations for resolution according to <del>WG Guidelines as appropriate to their respective processes.</del>	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
<b>c) Outcomes of CWGs:</b>	
•i) Policy recommendations should be considered <del>for possible approval and approved</del> through the appropriate Policy Development Process.	Assures consistency with ICANN bylaws
•ii) CWGs <del>should-must</del> communicate Final Reports and Outcomes to chartering organizations <del>(only)</del> for review and <del>further</del> action.	For consistency, predictability, helps assure that the SO and AC views on CWG recommendations are fully understood and documented

<p>iii) <u>CWGs' output must not be taken as an expression of community consensus, except as it may be endorsed as such by its chartering organization(s).</u></p>	<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. 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." 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>
<p>•iv) <u>SOs/ACs should commit to timely review and finalizing of actions to avoid delays.</u></p>	<p><u>Assures expeditious treatment by all SO/ACs regardless of level of priority attributed by each</u></p>

### Do's and Don'ts (Suggested by Mikey for Discussion, with comments from Alan and Chuck)

Do -- devote a lot of time and effort to develop a detailed charter for the CWG working group that is deeply endorsed by the sponsoring organizations. Don't -- put the WG leaders in the position of having to invent pieces of the charter while the working group is under way -- this is like repairing an airplane while it is flying. [Gomes, Chuck] The charter certainly needs to be as detailed as possible but we need to be honest and realize that we will often have to ask the CWG to explore detail that we do not have in advance. We shouldn't ask WG leaders to invent pieces of the charter but I think we will inevitably have to ask CWGs to do some exploration and investigation of issues that we need more information on. On another point, what does 'deeply endorse' mean? I would avoid terms like that; each AC/SO has approval procedures so I do not believe that we should invent new terminology in that regard.

Do -- ensure that the puzzle that's to be solved by the WG is extremely clear and includes a chronology of how the puzzle came about (including other WGs that have attempted to solve the same puzzle in the past, descriptions of other unresolved conflicts, etc.). Don't -- put a WG to work on a puzzle that is ill-defined or addresses deeper/hidden issues -- this is like launching an airplane without maps or a destination. [Gomes, Chuck] Agree.

Do -- include as many affected stakeholders in the WG as possible (radical thought -- if staff or Board are affected-stakeholders, include them as sponsors and members). Don't -- consciously leave a stakeholder group unrepresented -- this is like leaving passengers at the terminal. [Gomes, Chuck] Agree.

Do -- define the scope of the work to be done with bright-line, easy-to-understand language that is again deeply endorsed by the sponsors. Don't -- leave blurry edges for WG leaders to interpret on their own -- this is like flying an airplane without closing the doors before takeoff. [Gomes, Chuck] Okay but avoid "deeply endorsed" as I mentioned earlier.

Do -- break the work into manageable "chunks" that it can be completed within 8-12 months (18 at the absolute outside). Don't -- knowingly set up extremely long efforts -- this is like trying to fly a plane from London to Wellington, NZ without stops or alternate crew. [Gomes, Chuck] Agree but I would say "TRY TO break the work into . . ."

Do -- include the approach and methods that the WG is expected to follow in the charter (at least at a high level). Don't -- leave the job of methods-development or selection to the WG team -- this is like asking the pilots write their own pre-flight checklist. [Gomes, Chuck] This is a worthy objective but it may not always be possible so I think we should allow some flexibility here.

Do -- identify and address WG-readiness issues before launching the effort. Don't -- start up a WG without providing time and resources for the members to "get ready" for the work to follow -- this is like putting an unprepared crew on the airplane. [Gomes, Chuck] Agree.

Do -- entrust a couple of WG-liaisons from each AC/SO to form a Steering Committee for the WG. Don't -- require the whole AC/SO to arrive at consensus over every issue that the WG needs guidance or feedback on. Don't -- put WG leaders in the position of avoiding getting feedback because the process will take several months -- this is like requiring the airline Board of Directors to approve a decision to hold a flight due to bad weather. [Gomes, Chuck] I think this is probably okay but we probably should discuss it further. It should be made clear that the steering committee has no authority to speak for the entire CWG without their consent.

Do -- conduct deep reviews of WG progress every 8-12 weeks with the Steering Committee. Don't -- wait until major deliverables are complete before conferring with WG leaders over issues and concerns - this would be like not checking to see if the plane is following its flight plan. [Gomes, Chuck] What's a deep review? The frequency of reviews should be a function of the estimated length of the effort as well as of the frequency of the CWG meetings. I doubt that it is practical to do 'deep reviews' as frequently as 8-12 weeks.

Do -- establish a weekly routine of status and progress reporting. Don't -- make this so complicated or time consuming that the reports don't get completed -- this is like making the instruments so complicated that the pilots don't have time to look out the windows to see what's in front of them. [Gomes, Chuck] Agree. [Greenberg, Alan] I think the 2nd and 3rd from the end are a bit much (deep reviews every 2-3 months and weekly status reports). I think the issue is that chartering organizations (or perhaps the chartering organization leadership) should NOT just forget about the CWG. But lets keep the bureacracy light. [Gomes, Chuck] Regarding WG reports, I want to add a few thoughts. I appreciate that regular WG reports can be a useful management tool; I use them that way myself. But 'weekly' reports probably may not make sense when a group meets biweekly or monthly, so I think that we should consider something like this: "brief status reports following each WG meeting providing at least 48 hours in advance of the next meeting". Regarding reports for the Councils, I would suggest providing those at the same frequency as Council meetings, at least 8 calendar days in advance of those meetings and would also suggest that they be provided at a high level, no longer than one page, shorter if possible. I think that more comprehensive reports should be provided at least 3 times a year at least 15 calendar days in advance of ICANN international meetings or such other time as might be needed.

Do -- strive to make the job of leading and participating in WGs work that can be accomplished by people of ordinary ability. Don't -- set the work up in such a way that it requires "super-heros" to get the work done -- this would be like setting up airplanes so that only test-pilots would have the skills to fly them. [Gomes, Chuck] Agree with the exception of cases where specialized expertise is needed.