



Working Group (WG) Charter

WG Purpose:-	APRALO WG to review APRALO Operating Principles
Name	APRALO ROP Review WG (AP-ROP)RALO - Rules of Procedure Review WG

Section I: Working Group Identification

Chartering Organization(s):	APRALO is the Chartering Organisation (CO) for this WG.	
Charter Approval Date:	TBD	
Name of WG Chair:	Cheryl Langdon-Orr	
Name(s) of Appointed CO Liaison(s):	Proposed: Siranush Vardanyan	
WG Workspace URL:	https://community.icann.org/display/APRALO/APRALO+Rules+of+Procedures+Review+2013	
WG Mailing List(s):	apralo-rop-rg@icann.org	
APRALO Action Item	Title:	Formation of a WG to review APRALO RoP
	Ref # & Link:	APRALO Meeting, 27 August 2013
Important Document Links:	<ul style="list-style-type: none"> RALO organising documents - https://community.icann.org/display/APRALO/RALO+Organising+Documents (this page includes the Operating Principles of the APRALO as agreed and modified on March 3rd 2009) ALAC Rules of Procedure - https://community.icann.org/display/atlarge/Rules+of+Procedure Article XI of the ICANN Bylaws (Section 4, No.2) - http://www.icann.org/en/about/governance/bylaws#XI GNSO Working Group Guidelines https://community.icann.org/display/gnsoppsc/GNSO+Working+Group+Guidelines+-+Including+Comments+-+Updated+24+August+2010 	

Section II: Mission, Purpose, and Deliverables

Mission & Scope:

To conduct an effective modernisation review of the existing operational procedures of APRALO. The Review will harmonise where appropriate with the new At-Large Advisory Committee Rules of Procedure while ensuring that specific regional needs are met but avoiding the creation of undue complexities.

The initial APRALO Rules of Procedure were developed in 2007 and modified in 2009. It is timely to undertake a thorough review in light of the new ALAC RoP.

As this APRALO RoP will be the first to be based on the new ALAC RoP, it may be considered as a model/template by other RALOs for their use and adaptation as appropriate.

Objectives & Goals:

To develop a revised Rules of Procedure taking into account:

- ALAC RoP
- The needs of the APRALO region
- Relevant ICANN Bylaws
- Metrics measurements under development

Deliverables & Timeframes:

At a minimum, the Working Group is expected to:

- I. Develop a revised APRALO ROP to meet the needs of APRALO that is harmonized where appropriate with the new ALAC RoP.
- II. Produce a draft revised APRALO RoP for community review and comment;
- III. Produce a final revised APRALO RoP for approval at ICANN # 49.

Work schedule

- Develop WG Charter
- Develop structure of RoP
- Review relevant documents (listed under Important Document Links)
- Analyse in detail each section of current APRALO RoP
- Analyse each section of ALAC RoP in relation to an APRALO RoP
- Consider metrics measurements
- Other tasks as determined by APRALO and/or the WG during review period

Frequency and scheduling of meetings

- Monthly teleconferences determined by Doodle poll
- Meeting frequency may be fortnightly if needed towards the end-point of the WG's deliverables target date.

Deliverables & Timeframes

- A draft revised APRALO RoP (with adjunct documents if needed) by 8th March 2014.
- Based on community feedback from ALSs, the APRALO ROP will be finalised for approval at ICANN #49 in the week beginning 23rd March 2014.

Section III: Formation, Staffing, and Organization

Membership Criteria:

The Working Group will be open to all APRALO members interested in participating. New members who join after certain parts of work has been completed are expected to review previous documents and meeting transcripts.

Group Formation, Dependencies, & Dissolution:

This WG shall be a standard APRALO Working Group. The WG will dissolve once the deliverables and targets have been met as per the Deliverable & Time-frames and has completed any assigned additional tasks or follow-up by the Leadership of APRALO or ALAC.

Working Group Roles, Functions, & Duties:

The ICANN Staff assigned to the WG will fully support the work of the Working Group as requested by the Chair including meeting support, document drafting, editing and distribution and other substantive contributions when deemed appropriate.

The standard WG roles, functions & duties shall be applicable as specified in Section 2.2 of the [GNSO Working Group Guidelines](#). These Guidelines have often followed /adopted by ALAC/At-Large WG's since 2010, **It is proposed that this APRALO WG adopt the relevant sections and definitions used in the GNSO Working Group Guidelines for this WG.**

Section IV: Rules of Engagement

Decision-Making Methodologies:

*{Note: The following material was extracted from the GNSO Working Group Guidelines, Section 3.6. **It is proposed that this APRALO WG adopt these definitions for this WG.**}*

The Chair will be responsible for designating each position as having one of the following designations:

- **Full consensus** - when no one in the group speaks against the recommendation in its last readings. This is also sometimes referred to as **Unanimous Consensus**.
- **Consensus** - a position where only a small minority disagrees, but most agree. *[Note: For those that are unfamiliar with ICANN usage, you may associate the definition of 'Consensus' with other definitions and terms of art such as rough consensus or near consensus. It should be noted, however, that in the case of a GNSO PDP originated Working Group, all reports, especially Final Reports, must restrict themselves to the term 'Consensus' as this may have legal implications.]*
- **Strong support but significant opposition** - a position where, while most of the group supports a recommendation, there are a significant number of those who do not support it.
- **Divergence** (also referred to as **No Consensus**) - a position where there isn't strong support for any particular position, but many different points of view. Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint, but the members of the group agree that it is worth listing the issue in the report nonetheless.
- **Minority View** - refers to a proposal where a small number of people support the recommendation. This can happen in response to a **Consensus**, **Strong support but significant opposition**, and **No Consensus**; or, it can happen in cases where there is

neither support nor opposition to a suggestion made by a small number of individuals.

In cases of **Consensus**, **Strong support but significant opposition**, and **No Consensus**, an effort should be made to document that variance in viewpoint and to present any **Minority View** recommendations that may have been made. Documentation of **Minority View** recommendations normally depends on text offered by the proponent(s). In all cases of **Divergence**, the WG Chair should encourage the submission of minority viewpoint(s).

The recommended method for discovering the consensus level designation on recommendations should work as follows:

- i. After the group has discussed an issue long enough for all issues to have been raised, understood and discussed, the Chair, or Co-Chairs, make an evaluation of the designation and publish it for the group to review.
- ii. After the group has discussed the Chair's estimation of designation, the Chair, or Co-Chairs, should reevaluate and publish an updated evaluation.
- iii. Steps (i) and (ii) should continue until the Chair/Co-Chairs make an evaluation that is accepted by the group.
- iv. In rare case, a Chair may decide that the use of polls is reasonable. Some of the reasons for this might be:
 - o A decision needs to be made within a time frame that does not allow for the natural process of iteration and settling on a designation to occur.
 - o It becomes obvious after several iterations that it is impossible to arrive at a designation. This will happen most often when trying to discriminate between **Consensus** and **Strong support but Significant Opposition** or between **Strong support but Significant Opposition** and **Divergence**.

Care should be taken in using polls that they do not become votes. A liability with the use of polls is that, in situations where there is **Divergence** or **Strong Opposition**, there are often disagreements about the meanings of the poll questions or of the poll results.

Based upon the WG's needs, the Chair may direct that WG participants do not have to have their name explicitly associated with any Full Consensus or Consensus view/position. However, in all other cases and in those cases where a group member represents the minority viewpoint, their name must be explicitly linked, especially in those cases where polls were taken.

Consensus calls should always involve the entire Working Group and, for this reason, should take place on the designated mailing list to ensure that all Working Group members have the opportunity to fully participate in the consensus process. It is the role of the Chair to designate which level of consensus is reached and announce this designation to the Working Group. Member(s) of the Working Group should be able to challenge the designation of the Chair as part of the Working Group discussion. However, if disagreement persists, members of the WG may use the process set forth below to challenge the designation.

If several participants (see Note 1 below) in a WG disagree with the designation given to a position by the Chair or any other consensus call, they may follow these steps sequentially:

1. Send email to the Chair, copying the WG explaining why the decision is believed to be in error.
2. If the Chair still disagrees with the complainants, the Chair will forward the appeal to the Chartering Organisation (CO) CO liaison(s). The Chair must explain his or her reasoning in the response to the complainants and in the submission to the liaison. If the liaison(s) supports the Chair's position, the liaison(s) will provide their response to the

complainants. The liaison(s) must explain their reasoning in the response. If the CO liaison disagrees with the Chair, the liaison will forward the appeal to the CO. Should the complainants disagree with the liaison support of the Chair's determination, the complainants may appeal to the Chair of the CO or their designated representative. If the CO agrees with the complainants' position, the CO should recommend remedial action to the Chair.

3. In the event of any appeal, the CO will attach a statement of the appeal to the WG and/or Board report. This statement should include all of the documentation from all steps in the appeals process and should include a statement from the CO (see Note 2 below).

Note 1: Any Working Group member may raise an issue for reconsideration; however, a formal appeal will require that a single member demonstrates a sufficient amount of support before a formal appeal process can be invoked. In those cases where a single Working Group member is seeking reconsideration, the member will advise the Chair and/or Liaison of their issue and the Chair and/or Liaison will work with the dissenting member to investigate the issue and to determine if there is sufficient support for the reconsideration to initial a formal appeal process.

Note 2: It should be noted that ICANN also has other conflict resolution mechanisms available that could be considered in case any of the parties are dissatisfied with the outcome of this process.

Status Reporting:

As requested by APRALO, reporting on progress to the APRALO monthly teleconference meeting.

Problem/Issue Escalation & Resolution Processes:

*{Note: the following material was extracted from Sections 3.4, 3.5, and 3.7 of the GNSO Working Group Guidelines **It is proposed that this APRALO WG adopt these standards and guidelines for this WG.**}*

The WG will adhere to [ICANN's Expected Standards of Behavior](#) as documented in Section F of the ICANN Accountability and Transparency Frameworks and Principles, January 2008.

If a WG member feels that these standards are being abused, the affected party should appeal first to the Chair and Liaison and, if unsatisfactorily resolved, to the Chair of the Chartering Organization or their designated representative. It is important to emphasize that expressed disagreement is not, by itself, grounds for abusive behavior. It should also be taken into account that as a result of cultural differences and language barriers, statements may appear disrespectful or inappropriate to some but are not necessarily intended as such. However, it is expected that WG members make every effort to respect the principles outlined in ICANN's Expected Standards of Behavior as referenced above.

The Chair, in consultation with the Chartering Organization liaison(s), is empowered to restrict the participation of someone who seriously disrupts the Working Group. Any such restriction will be reviewed by the Chartering Organization. Generally, the participant should first be warned privately, and then warned publicly before such a restriction is put into place. In extreme circumstances, this requirement may be bypassed.

Any WG member that believes that his/her contributions are being systematically ignored or discounted or wants to appeal a decision of the WG or CO should first discuss the circumstances with the WG Chair. In the event that the matter cannot be resolved satisfactorily, the WG member should request an opportunity to discuss the situation with the Chair of the Chartering Organization or their designated representative.

In addition, if any member of the WG is of the opinion that someone is not performing their role according to the criteria outlined in this Charter, the same appeals process may be invoked.

Closure & Working Group Self-Assessment:

The WG will close upon the delivery of the Final Report, unless assigned additional tasks or follow-up by the Leadership of APRALO or ALAC.

A plan for periodic review and update of ROP should be discussed and actioned by APRALO after the adoption of a modified set of ROP.

Section V: Charter Document History

Version	Date	Description
1.0	4 Nov 2013	Gunela Astbrink - Initial text
1.1	5 Nov 2013	(+CLO edits)
1.2	6 Nov 2013	Gunela Astbrink – minor edits
1.3	6 Nov 2013	Gunela Astbrink – ROP Review WG proposal for CO Liaison

Staff Contact:	Silvia Vivanco	Email:	stastaff@atlarge.icann.org @atlarge.icann.org
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