

## **Cross-Community Engagement Group on Internet Governance (CCEG IG)**

### **Preamble to this document (specifications. Not part of the Charter itself)**

#### **Objective**

- Creating a new vehicle to replace the Cross Community Working Group on Internet Governance and define its characteristics, roles, responsibilities, and engagement model
- Revise and rewrite the Charter to fit the new vehicle

#### **Target**

- Deliver a working draft for online and face to face discussion during ICANN60
- Take into account comments, suggestions, and deliver a final proposal to chartering organizations by February 2018
- Prepare an update on progress made at the CCWG IG F2F at ICANN61
- Deliver an update to the GNSO Council at ICANN61

#### **Specifications:**

- An accepted and supported cross-community structure for the ICANN community to discuss Internet Governance (IG) issues
- A structure that allows for accountability & reporting: building awareness on IG issues that both pertain to and affect ICANN and its mission and purpose;
- Increase awareness in the community of both the importance of IG to ICANN and the risks and threats to ICANN from other sectors of IG;
- Informs the community; engage with the ICANN Board Working Group on IG; and liaise with SO/AC about ongoing IG issues;
- Provides the community with updates at ICANN meetings and provides the community with a mechanism to give feedback to ICANN on drafts or inputs to different consultation processes
- Where the CCEG sees the need for a deliverable from the ICANN community on IG matters, it will follow the usual ICANN processes for getting comment and approval from the community and the Chartering Organizations
- The CCEG will provide clear guidance that any deliverable produced will be from the CCEG only and not from the community
- Provides a mechanism for ICANN community discussion and input on IG matters

- Builds an ongoing and two-way discussion with the Board Working Group on IG
- ICANN Support for this Group:
- Requirements:
  1. Meeting rooms for F2F working sessions & Public meetings at ICANN meetings
  2. ICANN staff /administrative, secretarial, and communications support, including transcription
  3. Engagement with staff to provide feedback to staff on Policy topics
  4. Have a defined channel to inform the chartering organisations of its activities
  5. Defined approach to seek feedback on some topics from Chartering organisations, especially if an external consultation is to be responded to by ICANN (Staff / Board / Community )

**Proposed Charter**

<p><b>1. Introduction</b></p> <p>Each of the participating Supporting Organizations (SOs) and Advisory Committees (ACs) has adopted this Charter according to its own rules and procedures, which is recorded in Annex A of this Charter.</p> <p>Chartering Organization(s): Charter Approval Date:</p> <p>Name of Group: Cross-Community Engagement Group on Internet Governance (CCEG IG)</p> <p>Chair(s):</p> <p>CCEG IG Workspace URL:</p> <p>CCEG IG Mailing List:</p> <p>Resolution adopting the charter:</p> <p>Important Document Links:</p>
<p><b>2. Problem Statement, Goals &amp; Objectives, and Scope</b></p> <p>ICANN is operating in a dynamic and global Internet environment, which has a direct impact on the Domain Name System and, therefore, on ICANN. As the Internet ecosystem evolves post IANA transition and the scope of Internet governance issues broadens, ICANN should be able to identify and react to challenges to its role and mission.</p> <p>As a proponent of the multistakeholder model it is critical that ICANN can uphold the multistakeholder governance key values which can be endangered if ICANN is not aware of and reacting to the issues that might undermine its role and mission.</p> <p>As a consequence, there is a need for the ICANN community to be able to cooperate and coordinate with ICANN the organisation and the ICANN Board on important Internet governance issues, and in particular on threats and opportunities that raise in various Internet governance fora, as they relate to the DNS.</p>

**Goals & Objectives:**

The Internet Governance CCEG is established by the participating Supporting Organizations and Advisory Committees to build awareness in the ICANN community about specific Internet governance issues related to ICANN's mission and mandate and assist the effective participation of the ICANN community in Internet governance processes that relate to ICANN's mandate.

To achieve these goals the CCEG will do the following:

- Increase awareness about relevant Internet governance and policy issues in the ICANN Community
- Enhance cooperation and coordination with the CCEG IG and the ICANN Government Engagement (GE) functions on Internet governance matters
- Enhanced coordination and collaboration with the Board Working Group on Internet Governance
- Create more targeted and effective approaches to relevant Internet governance processes and issues.
- Provide feedback loop to GE and Board Working Group, giving feedback on draft inputs to different IG related consultation processes

**Scope of Activities**

To fulfill its goals and objectives, the CCEG will:

- Identify Internet governance and policy issues, relevant to ICANN and its mission
- Coordinate, facilitate, and increase the awareness of the ICANN community participation on the discussions and processes pertaining to Internet Governance, as appropriate and within ICANN's mission and mandate.
- Work with the ICANN Government Engagement Team and Global Outreach (or other parts of organisation as appropriate) to identify appropriate Internet policy and governance related fora and meetings in which ICANN should engage.
- Align the ICANN community approaches to IG issues within the ICANN mission and align with the strategies of the ICANN Board Internet Governance WG (see below)
- Draft Position Papers and other documents as deemed appropriate by the chartering organizations, within the goals and objectives and in accordance with the rules of this Charter.

With regards to working with the ICANN Board WG on Internet Governance and ICANN's GE team the CCEG IG shall undertake the following:

1. Coordinate with the Board IG WG on a regular basis (periodicity to be agreed) and invite the Board IG WG members to CCEG IG meetings, calls, etc
2. Share updates (as appropriate) on key IG threats and opportunities, and initiate discussions on how to respond to such threats, including an assessment of the appropriate level of Board and community resource allocation to do same,
3. Agree - as appropriate - levels and scope of representation at key in-mission IG fora and processes, etc.
4. Meet in person at each ICANN meeting, remote participation will be also provided.
5. Publish at least a one to two page update before each ICANN meeting to be shared with the SO/ACs..

The CCEG IG, Board IG WG and ICANN GE should, as appropriate, coordinate written, verbal and other responses to consultations, messaging for external audiences on IG matters,.

For avoidance of doubt: The CCEG shall not act as a representative of the participating SOs and ACs collectively or individually, nor others, unless they have been explicitly asked to do so by all the participating SOs and ACs collectively or individually.

For each of the above activities there should be a clear articulation by the CCEG as to how the proposed activity is consistent with the mission and mandate of ICANN.

### **3. Deliverables and Reporting Deliverables**

#### *Deliverables:*

##### *1. Position Papers and other documents*

As part of its activities, the WG may prepare and propose a Position Paper or other documents. In order to inform the participating SO's and AC's collectively and individually, and others, in a timely manner that their endorsement or support for a Position Paper or other document will be sought, the schedule for drafting and decision-making relating to a Position Paper or other document should be included in the work plan.

2. Workshops and Reports of workshops at key Internet Governance Fora (organised and coordinated by the CCEG)

3. Annual Reports

summary of activities of the CCEG

4. Internet Governance Update Report

CCEG will report to the broader community on its activities and progress made at times set forth in the Work Plan, at a minimum before every ICANN meeting

5. Ad hoc communication based on need and urgency of a given IG matter

6. List of Internet governance and policy issues, events, and foras relevant to ICANN and its mission

#### ***Work Plan***

<p>The CCEG should establish and adopt an annual Work Plan and associated schedules. At a minimum the work plans and schedules should include the relevant schedule of activities of the WG related to the relevant Internet Governance events, and the methods for informing the participating SO's, AC's and broader community of progress made by the WG. The initial work plans and schedules should be published on the web page of the WG. The Co-Chairs will be responsible for maintaining and updating the work plan and schedule and for informing the Chairs of the participating SO's and AC's of changes made to the work plan and schedule.</p>
<p><i>Report on Progress</i></p>
<p>The Co-Chairs of the CCEG shall present updates to the participating SO's and AC's at a minimum at each ICANN meeting on the activities of the WG, in addition to an annual report, the update reports and any additional reporting as is needed/requested. The group should obligate itself to provide reports two weeks before each F2F ICANN meeting.</p>
<p>At appropriate times, as identified in the work plan, the WG shall produce a Progress paper to inform the broader community of its activities and progress made.</p> <p>CCEG members should liaise with and report to their respective appointing SO/ACs periodically.</p>
<p><b>4. Process for the launch of public consultations, development of position papers or statements</b></p>
<p>In the event that the CCEG wishes to draft and adopt an ICANN position on IG, the CCEG shall contact the chartering organizations and agree upon timeframes for input and inclusion as appropriate to the proposed task.</p>
<p><b><i>Review of CCEG Public Consultation</i></b></p>
<p>After closure of the public consultation on the position on IG, the CCEG shall review and analyse the comments received and may, at its reasonable discretion, provide appropriate responses.</p>
<p><b><i>CCEG Position Paper or Statement</i></b></p>
<p>In considering a CCEG Position Paper or Statement the CCEG shall seek to act by consensus. The consensus view of the members of the CCEG shall be conveyed to the participating SO's and AC's. If a minority disagrees with a position, that minority position shall be included in the Paper or Statement. The CCEG Paper or Statement shall be released publicly and circulated to the chairs of the participating SO's and AC's within seven days after adoption of this Paper or Statement by the CCEG.</p>
<p><b><i>Decision Making by the Chartering Organizations on the CCEG's [Final] Output</i></b></p>
<p>After submission of the CCEG Position Paper or Statement, each of the participating SOs and ACs shall decide whether to support or endorse the submitted draft, each in accordance with their own rules and procedures. The chair(s) of the participating SOs and ACs shall notify the Co-Chairs of the CCEG accordingly of the result of their deliberations as soon as feasible.</p>

In the event all participating SOs and ACs endorse and support the proposed Position Paper, the CCEG may publish it and submit it to the Internet Governance discussions and processes.

### ***Supplemental Final Output***

In the event that one or more of the participating SOs or ACs do(es) not support or endorse a Position Paper or Statement, the Co-Chairs of the CCEG shall be notified accordingly. This notification shall include at a minimum the reasons for the lack of support or endorsement. The CCEG may, through consensus, either:

- Reconsider, and submit a Supplemental Position Paper or Statement to all participating SOs and ACs to seek their support or endorsement, or
- Publish and submit the Position Paper or Statement, noting the part(s) of the Position Paper or Statement that are fully supported, and which SO or AC dissents from the CCEG view, or
- Refrain from submitting the (Supplemental) Position Paper or Statement, and making it public.

### ***CCEG Relation to Board WG on IG***

The CCEG will liaise regularly and report to the Board Working Group on IG . <https://features.icann.org/board-working-group-internet-governance-bwg-ig>.

## **5. Membership, Staffing, and Organization**

### ***Membership Criteria:***

Membership in the CCEG, and its sub-working groups should these be created, is open to Members, Participants, and others as noted in the Charter. Members are appointed by the Chartering Organizations in accordance with their own rules and procedures.

Volunteer Chair(s) will guide CCEG deliberations and ensure that the process is bottom-up, consensus-based and has balanced multi stakeholder participation.

The chair(s) shall be appointed by the Chartering Organizations, should a Chartering Organization decide to appoint a co-chair to the CCEG.

Each Chartering Organization shall appoint a minimum of 2 and a maximum of 5 Members.

In addition, the CCEG will be open to any interested person as a Participant or Observer. Participants may be from a Chartering Organization, from a stakeholder group not represented in the CCEG, or may be self-appointed. Participants will be able to actively participate in and attend all CCEG meetings, work groups and sub-work groups. Participants should provide SOIs and/or update it.

Where applicable, all Members and Participants in this process shall submit a Statement of Interest (SOI) following the procedures of their Chartering Organization or at minimum a statement listing his/her SO/AC affiliation (if applicable), and relevant expertise, skills and interest.

Chartering Organizations should make reasonable efforts that individual Members:

- Have sufficient expertise to participate in the CCEG on the applicable subject matter;
- Commit to actively participate in the activities of the CCEG on an ongoing basis;
- Where appropriate, solicit and communicate the views and concerns of individuals in the organization that appoints them; and
- Commit to abide to the Charter when participating in the CCEG.

All Members, Participants and Observers, [advisors and liaisons if applicable] will be listed on the CCEG's Wiki [LINK]. The mailing list of the CCEG will be publicly archived [LINK].

Chartering Organizations are encouraged to use open and inclusive processes when selecting their members for this CCEG, and are expected both individually and in consultation with the other Chartering Organizations to take reasonable efforts to ensure that the final membership of the CCEG IG is sufficiently diverse to the extent feasible (including but not limited to geographical region, stakeholder representation, and needed skill sets).

#### ***Support Staff and Tools***

ICANN will provide sufficient staff support to support the activities of the CCEG. The ICANN staff assigned to the CCEG will fully support the work of the CCEG as requested by the Chair(s), including providing meeting support, document drafting, editing and distribution as well as making substantive contributions. ICANN staff, in a coordinated effort with the CCEG, will facilitate outreach to ensure that the global multistakeholder community is aware of and able as much as possible to participate in the work of the CCEG. To the extent possible, any additional resources (beyond the assigned ICANN staff) that may be needed should be identified at the earliest opportunity, to ensure that such resources can be obtained and planned for.

#### ***6. Rules of Engagement***

##### **Decision-Making Methodologies**

In developing its output, work plan and any reports, the CCEG shall seek to act by consensus. The Chair(s) may make a call for Consensus. In making such a call, a Chair(s) should always make reasonable efforts to involve at a minimum all Members of the CCEG (or sub-working groups, if applicable).

The Chair(s) shall be responsible for designating each position as having one of the following designations:

- a) Full Consensus - a position where no minority disagrees; identified by an absence of objection

b) Consensus – a position where a small minority disagrees, but most agree

In the absence of Full Consensus, the Chair(s) should allow for the submission of minority viewpoint(s) and these, along with the consensus view, shall be included in the report or relevant deliverable.

In a rare case, the Chair(s) may decide that the use of a poll is reasonable to assess the level of support for a recommendation. However, care should be taken in using polls: they should not become votes, as there are often disagreements about the meanings of the poll questions or of the poll results.

Any Member who disagrees with the consensus-level designation made by the Chair(s), or believes that his/her contributions are being systematically ignored or discounted, should first discuss the circumstances with the Chair(s). In the event that the matter cannot be resolved satisfactorily, the Member should request an opportunity to discuss the situation with the Chairs of the Chartering Organizations or their designated representatives.

In the event that no consensus is reached by the CCEG, the Chair(s) of the CCEG will submit a Chair(s)' Report to the Chartering Organizations. In this Report the Chair(s) shall document the issues that are considered contentious, the process that was followed and any suggestions to mitigate those issues that may be affecting consensus-building. If, after implementation of the mitigating measures, consensus can still not be reached, the Chair(s) shall prepare a Final Chair(s)' Report documenting the processes that were followed to reach consensus. The Chair(s) may request that the Chartering Organizations provide recommendations on additional means for mitigating the issues that are preventing consensus.

**Problem/Issue Escalation & Resolution Process:**

Members and Participants of the CCEG are expected to abide by the ICANN Expected Standards of Behavior. If a Member or Participant feels that these standards are being abused, the affected party should appeal first to the Chair(s) of the CCEG and, if unsatisfactorily resolved, to the Chair(s) of the Chartering Organizations 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 may not have been necessarily intended as such. However, it is expected that CCEG participants will make every effort to respect the principles outlined in ICANN's Expected Standards of Behavior as referenced above.

The Chair(s) are empowered to restrict the participation of someone who seriously disrupts the group. 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. This restriction is subject to the right of appeal as outlined below. Any CCEG Member or Participant who believes that his/her

contributions are being systematically ignored or discounted, or who wishes to appeal a decision of the CCEG, should first discuss the circumstances with the CCEG Chair(s). In the event that the matter cannot be resolved satisfactorily, the affected party should request an opportunity to discuss the situation with the Chair(s) of the Chartering Organizations or their designated representatives. In addition, if any CCEG Member or Participant 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.

### **7. Modification of the Charter**

In the event this charter does not provide sufficient guidance and/or the impact of the Charter is found to be unreasonable for conducting the business of the CCEG, the Chair(s) have the authority to determine the proper actions to be taken. Such action may, for example, consist of a modification to the Charter in order to address the omission or its unreasonable impact, in which case the Chair(s) may propose such modification to the Chartering Organizations. A modification shall only be effective after adoption of the amended Charter by all Chartering Organizations, in accordance with their own rules and procedures, and publication of the amended Charter.

### **Working Group Self Assessment**

At each ICANN Annual General Meeting, the Charter and deliverables of the CCEG may be reviewed by the participating SOs and ACs to determine whether they should continue their participation. Consistent with ICANN community practices, the CCEG will continue if at least two of the participating SOs or ACs extend the mandate of the CCEG and notify the other participating SO's and AC's accordingly one month after the annual review date. The absence of formal notification from a chartering organisation will presume their continued involvement in the CCEG.

### **8. Charter Document History**

This section records key changes to the CCEG Charter that take place after the adoption of the Charter.