

RECOMMENDATIONS 10/11: WORKING GROUP SUPPORT	
STRATEGIC ALIGNMENT	
Part One – Which ICANN Objective does this meet	
Promote role clarity and establish mechanisms to increase trust within the ecosystem rooted in the public interest. Also, evolve policy development and governance processes, structures and meetings to be more accountable, inclusive, efficient, effective and responsive. See Strategic Plan main web page at: https://www.icann.org/resources/pages/strategic-engagement-2013-10-10-en .	
Alignment with Strategic Goals	
Goal	- Shared understanding by Board, staff and stakeholders of the allocation of responsibilities for design, development and implementation of policy and operational processes. - Shared understanding of the roles, responsibilities and accountability of the Board, staff and stakeholders. - Board, staff, and stakeholders use best practices and exercises appropriate behavioral norms.
Project/Recommendation	Recommendation 10: That the GNSO Council develop criteria for Working Groups to engage a professional facilitator/moderator in certain situations. <u>Recommendation 11</u>: That the face-to-face PDP Working Group pilot project be assessed when completed. If the results are beneficial, guidelines should be developed and support funding made available.

SCOPE DESCRIPTION
Scope Statement
1. Staff will provide the results of the evaluation of the facilitated PDP F2F Working Group Pilot Project and recommendations on PDP improvements and the GNSO Review Working Group to review the results. 2. Staff will provide a status update on the development of guidelines for facilitated PDP F2F Working Group meetings. 3. Staff will work with the GNSO Review Working Group to determine the best method to allow for unspecified/contingent funds, such as for a facilitator and face-to-face PDP Working Group meetings. The GNSO Review Working Group to determine whether the intent of this recommendation has been met or whether further steps need to be taken.
Out of Scope
The above scope is sufficiently clear.
Assumptions
That the PDP F2F Working Group Pilot project is complete and the results of the PDP Improvements Process are published.
Deliverables
Determine if procedures are required to arrange for facilitated meetings or additional PDP Working Group Support.

OPTION ANALYSIS
None were considered or were necessary to be considered.

SOLUTION

Staff research found the following:

1. On 09 June 2016 the GNSO PDP Improvements Implementation Discussion Group produced the “GNSO PDP Improvements Process End Report” that provides the following background and recommendation. See: <https://gns0.icann.org/en/drafts/memo-pdp-improvements-09jun16-en.pdf>.
 - a. **Background:** “Starting in 2013, the Council, in collaboration with ICANN Staff, gathered a number of ideas and suggestions to be explored to improve and streamline the existing Policy Development Process. These ideas and suggestions were translated into 10 PDP Improvements (see <http://gns0.icann.org/en/drafts/pdp-improvements-table-16jan14-en.pdf>). Many of these improvements were also closely aligned with the recommendations of the ATRT2 in relation to the GNSO PDP. Staff was tasked to explore and implement next steps for each item, including in pilot format. Since then, Staff has been providing regular status updates to the GNSO Council in conjunction with ICANN meetings. This memo is intended to provide a final status update, including proposed next steps on how to transform some of the GNSO Improvements that have been determined successful into permanent features of the PDP and close out this project until such time the Council identifies new improvements that are deemed worth exploring and/or revamps some of the improvements that were not deemed suitable for implementation at this stage.”
 - b. **Recommendation #2:** “Staff recommends that the Council directs staff to develop guidelines for the use and application for F2F facilitated PDP Working Group meetings on the basis of the experience of the pilot project [the F2F Facilitated PDP Working Group Pilot Project]. These guidelines should be submitted to the GNSO Council for review and adoption.” [Staff notes that this action is in process.](#)
2. A GNSO F2F PDP Working Group Pilot Project was conducted for three Working Groups: PPSAI (twice – Oct 2014 & Oct 2015) and IGO-INGO Access to Curative Rights – March 2015).
3. A survey was conducted to capture the results of the Pilot Project. All five Pilot Project Working Group Chairs participated. The survey was published at: <https://gns0.icann.org/en/drafts/compilation-survey-responses-pdp-09jun16-en.pdf>.
4. On 14 July 2016 the GNSO Council voted to approve the permanent integration of successful PDP Improvements into the GNSO PDP, per the recommendations in the GNSO PDP Improvements Process End Report.
5. [Staff are developing](#) Guidelines for the use and application for F2F facilitated PDP Working Group meetings, although funding and the option to request facilitation is currently is being provided for requests for facilitated PDP sessions held during ICANN meetings. [Staff notes that there is a process to follow for any request that requires resources. This process should be followed if a Working Group would like to use a facilitator that requires financial resources.](#)
6. The most recent use of a professional facilitator was for the Geographic Names sessions under the auspices of the GNSO PDP Working Group on New gTLD Subsequent Procedures at ICANN59, 26-29 June 2017. There were two 90-minute facilitated sessions. Both were extremely well attended and were conducted in a way that encouraged audience participation. The PDP Working Group determined that the sessions provided a successful and constructive way to address widely conflicting views and enabled the community to move forward. See: <https://icann59johannesburg2017.sched.com/event/B3pX/cross-community-discussion-geographic-names-at-the-top-level-session-i> and <https://icann59johannesburg2017.sched.com/event/B3pD/cross-community-discussion-geographic-names-at-the-top-level-session-ii>.
7. The GNSO Review PDP Working Group also asked for references to relevant sections of the Working Group Guidelines that could provide guidance on how to address issues where there are divergent

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opinions in a PDP Working Group. Specifically, Section 3.6 Standard Methodology for Making Decisions define “divergence” as “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.” The Guidelines including the follow procedure for determining the consensus designation:

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.

Working Group Determination:

The GNSO Review Working Group has determined that the current process for the provision of ad hoc funding and facilitation support is sufficient and has proven to work, both in the analysis of the face-to-face PDP Working Group pilot project and the recent PDP Working Group facilitated sessions. Thus, the Working Group determined that it is not necessary to develop criteria for Working Groups to engage a professional facilitator/moderator in certain situations, and the current Working Group Guidelines provide guidance on how to address divergence and do not prevent Working Groups from seeking to use facilitation. However, the Working Group agrees that this determination does not preclude ICANN staff from providing guidance as a resource in the future.

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KEY DEPENDENCIES

Completion of the PDP F2F Working Group Pilot Project and evaluation of recent facilitated PDP Working Group sessions.

RISK IDENTIFICATION

None.

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KEY PERFORMANCE INDICATORS

It is not clear to staff whether a KPI applies in the implementation of these recommendations.

NECESSARY TO PROCEED

Next Phase Activities/Resources

None.

APPROVERS

Name	Title	Approval Status	Date
GNSO Review Working Group			

REVISION HISTORY

Date	Version	Description	Author
07 June 2017	V1	Original charter.	Julie Hedlund, Policy Director
17 October 2017	V2	Updated to reflect outcome of facilitated session at ICANN60, relevant links to the Working Group Guidelines, and suggested Working Group determination.	Julie Hedlund, Policy Director
19 October 2017	V3	Updated to reflect discussion at the Working Group meeting on 19 October	Julie Hedlund, Policy Director

Attachments:

- None.