

Framework of GAC Working Group Guidelines

INSTRUCTIONAL NOTE: *This draft collaboration document is a tool of the GAC Operation Principles Evolution Working Group. The language presented in this document reflects materials developed by the GAC back in 2016 when the committee was considering the appropriate role and operations of working groups created for specific GAC work efforts.*

*Note that original 2016 language is identified as such and provided in **bright blue text**. To help keep track of working group member contributions, edits offered should be typed in black text and accompanied by the initials of the contributor set forth in brackets at or close to the end the added or edited text section (e.g., "[RLH]" for a contribution by Rob Hoggarth). If you plan on making multiple contributions, feel free to select your own personal color of text to show what proposed text you are adding or editing.*

Working group members are asked to contribute their suggestions for edits to the existing baseline language and to offer additional draft recommendations by 28 May 2019. *After that time, GAC Support Staff will compile the contributions for a follow-up working group conference call to be held in early June.*

1. Background (Task1)

Original Language:

The Governmental Advisory Committee (GAC) was created under Article XI of the ICANN Bylaws.

*"The GAC should consider and provide advice on the activities of ICANN as they relate to concerns of governments, particularly matters where there may be an interaction between ICANNs policies and various laws and international agreements or where they may affect public policy issues."*¹

The GAC has developed its own Operating Principles to govern its operations. Under those principles:

*"The GAC Chair may call for the creation of Committees and Working Groups to address matters that relate to concerns of governments and where they may affect public policy issues. Accredited GAC representatives may designate advisers to serve on such committees."*²

¹ ICANN Bylaws

² GAC Operating Principles – principle 27

Both historically and currently the GAC has made use of this provision in its Operating Principles to establish a range of Working Groups on a range of topics. Currently the GAC has seven active Working Groups.³

2. Purpose of Work (Task1)

This guideline is intended to provide guidance for the establishment, organization, operation and closure of GAC Working Groups. This guideline does not intend to dictate how Working Groups conduct their businesses. It should be noted however, GAC Working Groups should follow the procedures set forth in these guidelines where possible. For guidelines with respect to Cross Community Working Groups, Where appropriate, this guideline could be considered for the establishment and operation of Cross Community Working Groups as well.

3. Formation of a Working Group

No previous language - See Conduct of GAC Working Groups Below

3.1 Initiation (Task2)

A WG is established to address a particular issue or topic of concern to the GAC community. Members of the GAC community, members of the GAC may propose a need to create a WG in order to address a particular issue or topic. The expression of need should be sent to the GAC members. Based on the expression of need, the GAC Chair may decide to initiate a WG. As part of the initiation process of WG, the GAC Chair should:

Define the purpose of the WG

Appoint a (interim) chair of the WG

If the (interim) chair is not a member of the GAC, appoint a GAC member as liaison

If deemed appropriate, the GAC Chair instructs the secretariat to launch a call for volunteers to the GAC members email list to ask volunteers to join the WG.

3.2 Membership Applications (Task2)

GAC members who are interested in joining the WG should express their interest by responding to the call for volunteers email mentioned above. The responding email could provide information of their expertise, profession etc.. After the closing date of the call for volunteers, the secretariat will submit a list of volunteer names to the (interim) chair and the GAC chair.

3.3 Election of the Working Group leaders (Task3)

3.4 Adoption of the Term of Reference (Task3)

Original Language:

All GAC Working Groups require the following documents to be completed as part of the Working Group initiation process:

1. A Terms of Reference; and
2. A Work Plan.

³ As at 31/08/15

The templates for these documents can be found at the Appendices to this Procedures document.

Working Groups may also produce a range of other documents, but these will vary depending on the nature of the project or task that the Working Group is undertaking. Upon request the ICANN GAC Support Team may be able to provide templates or formats to support other work of the Working Group. The Working Group Chair or Co-Chair should actively seek support on this matter from either or both teams by emailing gac-staff@icann.org.

4. Roles and Responsibilities

4.1 Chair or Co-Chairs (Task4)

Original language:

Establishment

- Ask the ICANN GAC Support team to create a mailing list for the Working Group.
- Ask the ICANN GAC Support team to create an online space (within the GAC website) for the Working Group.
- Send a request to GAC Members, calling for volunteers for Working Group participants.
- Prepare draft Terms of Reference for the Working Group. Circulate these to the Working Group for review, comment and (finally) consensus agreement.
- Send the agreed Terms of Reference to the GAC Leadership Team for comment and/or endorsement.
- Prepare a draft Work Plan for the Working Group. Circulate the work plan to the Working Group for review, comment and (finally) consensus agreement. Balance the time commitments of the members of the Working Group with the need for an outcome, as the work plan is developed.
- Send the agreed work plan to the GAC Leadership Team for comment and/or endorsement.

Ongoing Activities

- Implement the agreed work plan via the online workspace, teleconference and/or face-to-face meetings and direct the discussion of the Working Group
- Convene meetings of the Working Group (both face-to-face and via teleconference) as required. It is up to the Working Group Chairs to initiate meetings, if meetings are necessary, and to ensure meeting notifications, agendas, minutes and any other meeting documents are circulated in a timely fashion.
- Prepare a draft agenda for each teleconference or face-to-face meeting. Circulate to working group for comment and/or endorsement.
- Chair the meetings of the Working Group.
- Take and maintain records of the meetings of the Working Group (or direct others to do so).
- Place all records on the online space for the Working Group (or direct others to do so).
- Use the agreed work plan to manage the activity of the Working Group. Take action to encourage progress if work stalls or slows.
- As required, appoint liaisons for the Group to other Working Groups within GAC, and/or within ICANN.

- Review documents and outputs of the Working Group.
- Review and amend the work plan as required, in consultation with the Working Group.
- If assistance is required from the ICANN GAC Support team, liaise with those teams and the GAC Chair to determine resourcing priorities.

Reporting back to the GAC

- As required, circulate Working Group outcomes and recommendations to the GAC members and leadership on behalf of the Working Group.
- For each GAC face to face meeting, prepare written briefings for GAC about Working Group progress, including next steps and timelines. These are to be provided in a Word format that permits them to be distributed by the ICANN GAC support team as part of the overall briefing pack. Briefings must be finalised at least three weeks prior to the meeting date.
- Gather feedback from GAC members and input it to the Working Group process.

Closure

- Determine, with the Working Group, when the activities of the Working Group will be deemed complete. Advise the GAC Leadership Team.

4.2 Vice-Chairs (Task4)

No previous language

4.3 Members (Task 5)

Original Language:

Working Group members as a whole are expected to participate, contribute and drive the work of the group. It is the responsibility of the Working Group Members to make sure that any initial drafts represent as much of the diversity of views as possible. This may be done by either asking multiple Working Group Members to contribute text that may be assembled with the help of staff, or for a drafting subgroup to be established to produce such an initial draft. While staff may be asked to help in assembling initial drafts, the Working Group is responsible for driving the work. Member roles and responsibilities include but not limited to:

- Contribute constructive input with ideas and knowledge to the activities of the Working Group;
- Appoint an alternate to attend if the Working Group Member is unavailable, to assure continuity of activity;
- Develop and review Working Group outputs consistent with the Work Plan and as directed by the Working Group/Chair(s) ; and
- Actively and constructively participate in the consensus decision making process.

4.4 Liaison (Task5)

A member of the Working Group may be appointed to serve as a Liaison of the Working Groups to other working group, SO/AC, etc. Liaison roles and responsibilities include but not limited to:

- Fulfill the liaison role in neutral manner, monitor discussion and assist and inform the Chair and the Working Group as required.
- Provide the view point, comments or perspectives to other Working Group, SO/AC, etc, as directed by leadership or by consensus of the Working Group.
- Report back to the Working Group on a regular basis on the progress, question(s), queries, or procedure(s) of other Working Group, SO/AC, etc.

No previous language

4.5 Support Staff (Support Staff)

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Original Language for GAC Support Staff:

- Support the Chair or Co-Chair in the creation of the Terms of Reference and Work Plan documents.
- Take and maintain the minutes of GAC Working Groups (if directed by the Working Group Chair or Co-Chair).
- Prepare and circulate meeting notifications, agendas, minutes and any other meeting documents.
- Provide assistance to the Co-Chairs in the preparation of written briefings for GAC for each GAC face to face meeting.
- Prepare and/or circulate other relevant documents. Provide support and assistance to the Working Group if requested and with the GAC Chair's agreement.
- Create a mailing list for the Working Group
- Create an online space for the Working Group (as directed by the Chair or Co-Chair)
- Organize online meeting sessions and forums for meetings (as directed by the Chair or Co-Chair)
- Organize meeting rooms and facilities management for face to face meetings (as directed by the Chair or Co-Chair)
- Communicate the creation of a GAC Working Group to other constituencies (as directed by the GAC Leadership)
- Take and maintain the minutes of GAC Working Groups (if directed by the Working Group Chair or Co-Chair)
- Ensure the Working Group Chair/s is aware of ICANN activities relevant to the activities of the Working Group

5. Operation of a Working Group

No previous language - See Conduct of GAC Working Groups Below

- 5.1 Workplan (Task 5)
- 5.2 Meeting (Task 6)
- 5.3 Decision-Making (Task 6)
- 5.4 Reporting to GAC (Task 7)
- 5.5 Use of Sub-teams (Task 7)
- 5.6 Final Report (Task 8)
- 5.7 Closure of a Working Group (Task 8)

5.8 Logistics (Support Staff)

5.8.1 Session Planning- General Meeting Logistics

5.8.2 Communication/Collaboration Tools

5.8.3 Translation

6. Norms

No previous language - See Conduct of GAC Working Groups Below

6.1 Participation (Task 9)

6.2 Standards of Behavior (Task 10)

Original Language: Conduct of GAC Working Groups

GAC Working Groups are tasked with a range of important projects and activities, no two of which are the same. It is therefore not feasible to describe each task and how it should be approached in detail. That is the purpose of each Working Group's Work Plan.

However GAC Working Groups should conduct their business according to the below procedures as much as possible:

1. GAC Working Groups should ***meet as much as possible inter-sessionally*** at regular intervals, using electronic/teleconferencing mechanisms. ICANN GAC Support can schedule inter-sessional meetings at the Working Group Chairs request.
2. To the extent possible, GAC Working Groups should use their assigned online space to facilitate the exchange of information and views.
3. GAC Working Groups should generally meet ***prior to*** formal GAC meetings. This will ensure that the Working Group Chairs are subsequently able to present their group's output to the GAC Plenary during the formal meetings. Ideally this will be in the form of recommendations for a GAC collective decision.
4. In-person GAC Working Group meetings should ***not*** be scheduled at a time that conflicts with a formal GAC session during a face to face ICANN meeting.
5. If a GAC Working Group wishes to meet in-person during a face-to-face ICANN meeting, the Working Group Chair needs to advise ICANN GAC Support a minimum of ***8 weeks*** in advance. This meets the room and facilities booking deadlines imposed by ICANN. Requirements such as number of participants, meeting room size, recording (or not), translation (or not), projection (or not), transcription (or not) need to be articulated at this early stage.
6. GAC Working Group outputs are ***not*** to be considered a GAC consensus document or advice until such time as they have been formally endorsed by the whole GAC and this fact has been recorded by the GAC and by the GAC Working Group Chair.
7. **For each GAC face-to-face meeting, prepare written briefings for GAC about the Working Group's progress, including next steps and timelines.** These are to be provided

in a Word format that permits them to be distributed by the ICANN GAC Support Teams as part of the overall briefing pack. Briefings must be finalised at least three weeks prior to the meeting date.

8. From time to time GAC Working Groups may wish to discuss an issue with all of the GAC during a formal GAC meeting.
 - a. If the purpose of the involvement is only to update GAC members on the progress of the Working Group, then the briefing paper described in point 7 above should suffice;
 - b. If the purpose of the involvement is to invite GAC input to a particular issue, question or recommendation by the Working Group, or to seek to make a Working Group output a consensus GAC document, then an appropriate timeslot should be added to the agenda to enable this dialogue. This should be determined at least 8 weeks in advance of the GAC Meeting.

Annex A: GAC Working Group Term of Reference Template (Task 11)

Appendix 1: Template - Terms of Reference: Title of WG

To follow are the Terms of Reference for an internal working group of ICANN's Governmental Advisory Committee (GAC).

The focus of the working group will be [provide overview of key focus areas]

Objectives

[provide objectives of WG]

Working Group Members

The GAC's [name of WG] will be chaired/co-chaired by:

- [list name and country].

All GAC representatives and observers are welcome to join the [name of WG]. Working group participants are expected to be able to:

- Demonstrate knowledge or expertise about aspects of the objectives of the working group; and
- Commit to actively participate in the activities of the working group on an ongoing basis.

All participants will be listed in the working group's online workspace, and on the GAC website.

The working group will be assisted and supported by the ICANN GAC Support team.

Deliverables and Timeframes

As a first step the working group should establish and adopt an initial work plan and an associated schedule (timeline). Relevant activities may include:

- [list likely relevant activities of the WG]

The work plan should include the timing and methods for informing the GAC of progress made by the working group. As a minimum, the Chair/Co-Chairs of the working group shall update the GAC about the activities of the working group, and its progress towards meeting its objectives, at each face-to-face GAC meeting. The initial work plan and schedule should be published on the web page of the working group. The Chair/Co-Chairs will be responsible for maintaining and updating the work plan and schedule, and for informing the working group and the GAC Leadership Team of the changes made to the work plan and schedule.

At the discretion of the **Chair/Co-Chairs** an email list may be established to aid the work of the group. Details of how to subscribe to the email list will be published on the web page of the working group.

Process for the development of a Position Paper or Statement

The working group, at its own discretion, may publish an Interim (or draft) Paper, which will contain a review and analysis of the topics it considers relevant, or a draft Statement. The schedule for drafting and decision-making relating to a Position Paper or Statement should be included in the work plan. In developing a working group Position Paper or Statement the working group shall seek to act by consensus. The consensus view of the members of the working group shall be articulated in the paper. If full consensus cannot be reached, the co-chairs will seek to express the range of views of the WG's members.

Such a paper may be circulated to the GAC for comment, or may be published with a view to seeking input from the wider ICANN community and/or relevant stakeholders outside the community.

Any such Interim Paper or Statement must clearly state that it is produced by an internal GAC Working Group and does not represent a consensus GAC view.

After revising an interim Position Paper or Statement, the working group may seek formal GAC endorsement or support for the document. In the event that the GAC does not support or endorse a Position Paper or Statement, the working group may, at its discretion, reconsider and/or revise the Position Paper or Statement.

Annex B: GAC Working Group Workplan Template (Task 12)**GAC WORKPLAN TEMPLATE <Insert Name of GAC Working Group>**

What (Task Name and Description)	Who	By When	Stakeholders	Output (ie a Decision or Document of some type)
<i>Examples:</i>				
1. Develop Terms of Reference for WG	Fred Jones	Xx/xx/xxxx	GAC CVC, GAC Members, Secretariats of all other SOs and ACs	Document endorsed by GAC
2. Review existing situation (regarding the matter under scrutiny, eg public safety or IGO engagement)	Mary Smith Pedro Rocca Sam Snarly	Xx/xx/xxxx	Relevant stakeholders (regarding the matter under scrutiny, eg Red Cross, Islamic Council, FBI, GNSO, Registries)	Document describing current state of affairs and nature of any problem with that state
3. Research and Develop draft advice for the GAC on the matter under scrutiny	Fred Jones Sam Snarly	Xx/xx/xxxx	GAC members	Draft advice to circulate for GAC discussion
4. Draft final advice from the GAC on the matter under scrutiny and circulate to achieve consensus	Fred Jones	Xx/xx/xxxx	GAC members, GAC Chair and Vice Chairs,	A documented position of endorsement by the GAC at meeting X
5. Provide advice (on the matter under scrutiny) to the recipient (may be the Board, may be other SO or AC)	GAC Chair via Fred Jones	Xx/xx/xxxx	GAC Chair, ICANN Board, ICANN GAC Support Staff, other relevant SOs and ACs	Formal Advice provided to recipient (eg GNSO or ICANN Board)
6.				
7.				
8.				
9.				
10.				