

Framework of GAC Working Group Guidelines

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1. Background

The Governmental Advisory Committee (GAC) was created under Section 12.2 XI of the ICANN Bylaws which provides that:

“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 ICANN’s 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

2. Purpose of Work

These guidelines are intended to provide guidance for the establishment, organization, operation and closure of GAC Working Groups. These guidelines do not intend to dictate how Working Groups conduct their businesses. It should be noted however, that GAC Working Groups should follow the procedures set forth in these guidelines where possible.

3. Establishment of a Working Group

3.1 Initiation

A Working Group is established to address a particular issue or topic of concern to the GAC. Members or Observers of the GAC may propose, in writing to the GAC mailing list or at a GAC meeting, a need to create a Working Group in order to address a particular issue or topic. Based on consensus and support from GAC Members, the GAC Chair may decide to initiate a new Working Group.

As part of the initiation process of a Working Group, the GAC Chair should:

¹ ICANN Bylaws

² GAC Operating Principles – principle 27

- A. Define the purpose of the Working Group;
- B. Ensure no overlapping with existing Working Groups; and
- C. Appoint a (interim) chair of the Working Group.

The GAC Chair instructs the secretariat to launch a call for volunteers to the GAC members email list to ask volunteers to join the new Working Group.

3.2 Membership Applications

GAC members who are interested in joining the WG should express their interest by responding to the call for volunteers email mentioned above. After the closing date of the call for volunteers, the secretariat will submit a (initial) list of volunteer names received till the specified date to the (interim) chair and the GAC chair.

3.3 Election of the Working Group leaders

Upon the creation of a Working Group, the GAC Chair will initiate a call for volunteers from GAC Members to serve as chair/co-chairs of said Working Group. After an informal consultation with volunteers and with GAC Leadership, the GAC Chair will appoint a Working Group chair/co-chairs.

3.4 Adoption of Initiation Documents

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

- A. A Terms of Reference; and
- B. A Work Plan.

The templates for these documents can be found as Annexes to these Guidelines.

Working Groups may also produce a range of other documents, but these will vary depending on the nature of the task that the Working Group is undertaking. Upon request, the ICANN GAC Support Team may be able to provide templates or other documentation to support other work of the Working Group.

4. Roles and Responsibilities

4.1. Chair or Co-Chairs

The role of a Chair/Co-Chairs is to convene Working Group meetings (both face-to-face and via teleconference), preside over Working Group deliberations, facilitate the process so that all member participants have the opportunity to contribute, and report the results of the working group to the GAC.

The Chair/Co-Chairs should underscore the importance of following an overall Working Group Work Plan and follow the approved Working Group Terms of Reference.

The Chair/Co-Chairs should make it clear that participation in the Working Group and/or sub-teams is open to all GAC Members/Observers. The Chair/Co-Chairs should always encourage and, where necessary, enforce the [ICANN Standards of Behavior](#).

To kick off the work of the Working Group, the Chair or Co-Chairs will:

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

4.2. Members

Working Group members as a whole are expected to participate, contribute and drive the work of the Working 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 are not limited to:

- A. Contributing constructive input with ideas and knowledge to the activities of the Working Group; and
- B. Developing and reviewing Working Group outputs consistent with the Work Plan actively and constructively participate in the consensus decision making process.

4.3. Liaison

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

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

4.4. GAC Support Staff

ICANN GAC Support Staff will provide support to the Working Group and Working Group Chair/Co-Chairs, and:

- A. Support the Chair or Co-Chair in the creation of the Terms of Reference and Work Plan documents.
- B. Take and maintain the minutes of GAC Working Groups (if directed by the Working Group Chair or Co-Chair).
- C. Prepare and circulate meeting notifications, agendas, minutes and any other meeting documents.
- D. Assist the Co-Chairs in the preparation of written briefings for GAC for each GAC face-to-face meeting.

- E. Prepare and/or circulate other relevant documents.
- F. Provide support and assistance to the Working Group if requested and with the GAC Chair's agreement.
- G. Create a mailing list for the Working Group.
- H. Create an online space for the Working Group (as directed by the Chair or Co-Chair)
- I. Organize online meeting sessions and forums for meetings (as directed by the Chair or Co-Chair).
- J. Organize meeting rooms and facilities management for face-to-face meetings (as directed by the Chair or Co-Chair)
- K. Communicate the creation of a GAC Working Group to other constituencies (as directed by the GAC Leadership)
- L. Take and maintain the minutes of GAC Working Groups (if directed by the Working Group Chair or Co-Chair)
- M. 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

5.1 Workplan

Each GAC Working Group should develop a workplan for at least a year as per Annex B of these guidelines. For further information, please refer to Annex B of these guidelines.

5.2 Meetings

GAC Working Groups should meet as much as possible inter-sessionally at regular intervals, using electronic/teleconferencing mechanisms. GAC Support schedules inter-sessional meetings at the Working Group Chair's request.

GAC Working Groups should generally meet prior to formal GAC meetings in order that the Working Group Chairs are able to present the group's output to the GAC Plenary meetings.

In-person GAC Working Group meetings should not be scheduled at a time that conflicts with a formal GAC session during ICANN meetings.

If a GAC Working Group wishes to meet in-person during ICANN meetings, the Working Group Chair needs to advise GAC Support a minimum of 8 weeks in advance.

5.3 Working Group Outputs

Group members will work together in a spirit of transparency, collaboration, and cooperation to earnestly strive towards reaching consensus outputs. Working Group Chair/s will work towards facilitating constructive exchange among Working Group members to reconcile possible different approaches, and to reach outputs that reflect the consensus views of the Group to the most extent possible, taking into account agreed Work Plan and relevant timelines. When varying views prove difficult to reconcile, Group Chair/s will strive to fairly and accurately reflect all views, and where appropriate identify areas where agreement could possibly be reached.

GAC Working Group outputs are not to be considered GAC output until such time as it has been formally endorsed by the GAC.

5.4 Reporting to the GAC

For each GAC face-to-face meeting, the Working Group Chair is encouraged to prepare written briefings for GAC about the Working Group's progress, including next steps and timelines.

These are to be provided in a format that permits them to be readily processed and distributed by the ICANN GAC Support Team as part of the overall briefing pack.

From time to time GAC Working Groups may wish to discuss an issue with all of the GAC during a 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 4.4.1 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 time slot should be added to the agenda to enable this dialogue. This should be determined at least 8 weeks in advance of the GAC Meeting.

5.5 Use of Sub-teams

Where deemed needed, a Working Group Chair, in consultation with the Working Group, may decide to form sub-teams mandated with specific tasks and agreed timeframe, consistent with the Working Group's agreed Work Plan. The Working Group's Chair(s) will seek volunteers and will coordinate with Working Group members to assign lead(s) who will coordinate the work of a formed sub-team.

5.6 Final Report

Before the WG produces a final report, the Working Group may wish to produce an Interim or draft paper. 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 the Working Group output 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 GAC view.

After revising an interim Position Paper or Statement, the working group may seek 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.

5.7 Logistics

The Chair of the WG (with the support of staff) will:

- A. Implement the agreed work plan via the online workspace, teleconference and/or face-to-face meetings and direct the discussion of the Working Group;
- B. 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;

- C. Prepare a draft agenda for each teleconference or face-to-face meeting. Circulate to working group for comment and/or endorsement;
- D. Chair the meetings of the Working Group;
- E. Take and maintain records of the meetings of the Working Group (or direct others to do so);
- F. Place all records on the online space for the Working Group (or direct others to do so).
- G. Use the agreed work plan to manage the activity of the Working Group. Take action to encourage progress if work stalls or slows;
- H. Share information, draft outputs, draft interim briefings, and other relevant material within the Working Group, maintaining a positive environment of transparency and collaboration, and encouraging feedback and input from Working Group members as appropriate;
- I. As required, appoint liaisons for the Working Group to other Working Groups within GAC, and/or within ICANN;
- J. Review documents and outputs of the Working Group;
- K. Review and amend the work plan as required, in consultation with the Working Group; and
- L. If assistance is required from the ICANN GAC Support team, liaise with GAC Support Staff and the GAC Chair to determine resourcing priorities.

Each Working Group will have a dedicated mailing list. In addition, WGs will make use of Working Group pages on the GAC Website. WGs are free to make use of different document formats, but it might be helpful to come to an agreement, in advance, to ensure that all members are able to work with them.

To the extent possible, GAC Working Groups should use their assigned online space to facilitate the exchange of information and views.

5.8 Closure of a Working Group

GAC Working Groups will be initiated for terms agreed to by Plenary depending on the issue and the anticipated time necessary to effectively address it. The term of the Working Group, once agreed by Plenary, will dictate in part the terms of reference and timeline by which the Group will complete its activities. The Working Group may request an extension of its term, to be proposed to and agreed to by Plenary.

If the WG has been inactive for a prolonged period, the GAC Chair or a person designated by the GAC Chair will contact the Chair of the WG, to assess whether the WG should continue its work

or needs to be closed.

In the event the Chair of the WG or the person designated by the GAC Chair is of the view the WG needs to be closed, the GAC Leadership Team will be advised to close the WG.

At the initiative of the GAC Chair, regular and periodic review of Working Groups shall be carried out to identify any Working Groups which should be completed/closed/adjourned.

6. Norms

6.1 Participation

WG members are expected to actively participate in the WG's process (e.g. attending meetings, providing input) and should formally withdraw if they find that they can no longer meet this expectation; this is an assessment that each WG member should make individually.

6.2 Standards of Behavior

GAC Working Groups are expected to follow applicable [ICANN Expected Standards of Behavior](#).

Norms, standards of behavior, or similar guidelines that the GAC may adopt in regard to its work will be considered as immediately applicable to GAC Working Groups and sub-teams where applicable.

Annex A: GAC Working Group Term of Reference Template

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 Work Plan Template

GAC WORK PLAN TEMPLATE <Insert Name of GAC Working Group>

What (Task Name and Description)	Who	By When	Stakeholders	Output (i.e. Decision or Document of some type)
<i>Examples:</i>				
1. Develop Terms of Reference for WG	Fred Jones	XX/XX/XX	GAC CVC, GAC Members, Secretariats of all other SOs and ACs	Document endorsed by GAC
2. Review existing situation (regarding the matter under scrutiny, e.g. public safety or IGO engagement)	Mary Smith Pedro Rocca Sam Snarly	XX/XX/XX	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/XX	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/XX	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/XX	GAC Chair, ICANN Board, GAC Support, other relevant SOs and ACs	Formal Advice provided to recipient (eg GNSO or ICANN Board)