**ICG Guidelines for the Decision Making (Draft) 6 Sep.**

1. **Purpose**

The objective of this document is to assist the ICG (IANA Stewardship Transition Coordination Group) to optimize productivity and effectiveness in the process of making decisions.

ICANN Board Liaison and ICANN Staff Liaison Expert are not taking part in the decision making.

1. 1. **Individual/Group Behavior and Norms**

The ICG should operate under the principles of transparency and openness, which means, *inter alia*, that mailing lists are publicly archived, meetings are normally recorded and/or transcribed, and SOIs (Statement of Interest) are required from ICG members and shall be publicly available.

ICG members should make every effort to respect the principles outlined in the ICANN Accountability and Transparency Framework, see <http://www.icann.org/transparency/acct-trans-frameworks-principles-10jan08.pdf>for further details [[1]](#footnote-1), taking into account that this accountability is under full review by ICANN within the global multistakeholder community.

If an ICG member feels that these standards are being abused, she/he should appeal to the chair or one of the vice-chairs. It is important to emphasize that expressed disagreement is not, by itself, grounds for abusive behavior .If such abuse is demonstrated the chair of the ICG in full consultation and collaboration with the two vice chairs needs to consider the matter and takes necessary action, as appropriate to properly handle the case.

ICG Members should participate faithfully in the ICG’s process (e.g., attending meetings, providing timely input or monitoring discussions and fully collaborate with each other to achieve the established objectives).

Public comments received as a result of a public comment forum held in relation to the activities of the ICG should be duly considered and carefully analyzed. In addition, the ICG should provide its rationale for including or not the different comments received and, if appropriate, how these will be addressed in the report of the ICG.

1. **ICG Decision-Making Venues**

The ICG should make decisions on its public mailing list or during meetings. Meetings are to be conducted face-to-face or through conference call.

Unless it is specified before a meeting that ICG is required to finalize a decision before the meeting, the decisions taken at a meeting in which one or more members are absent should provide [7] calendar days for these members to review the decision and provide any input related to it with a view to be considered at the subsequent meeting (physical, by correspondence, conference call) and taken into account, if so agreed.

For cases for which it has been previously agreed that a decision to be made at a given meeting and one or more members may not be in a position to attend that meeting, these members a) may provide their views to the chair and/or vice chairs in advance in order that those views to be considered at the meeting as scheduled for decision making b) should the decision made still does not meet their requirements they are encouraged to join the recommendation reached by other members who were present at the meeting otherwise they should provide the chair and vice chairs with a written statement of their opposite views on the issue being decided for inclusion in the report /conclusions of the ICG

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* 1. **Methodology for Making Decisions**

1. **Administrative Decisions**

The ICG may encounter instances where it needs to select person(s)/officer(s) as applicable for particular tasks. For example, the ICG may need to select secretarial support, speakers for particular events, liaisons to particular groups or the media, or chairs or vice chairs. In some cases, it may become obvious through discussion that all interested ICG members (those who have expressed an opinion) agree on a particular selection. In those cases, a chair, vice chair, or designee may approve a particular selection on the basis of the obvious agreement of all of those who expressed an opinion.

In other cases where multiple different opinions have been expressed, a chair, vice chair, or designee may choose to run a vote to make the selection. The selection is done by a majority vote.

**b. All Other Decisions**

This is the case when ICG encounters instances in which it needs to make decisions unrelated to administrative decisions mentioned in paragraph a) above; the most obvious example is the decision to send the final transition proposal to NTIA as well as other intermediate decisions.

The mechanism that allows the ICG to come to a final decision regarding a certain topic is based on the following principles:

* Consensus here refers to decisions related to the handling and assembling of submitted proposals not decisions related to approval/disapproval of content of the proposals (which if needed may then be referred back to the relevant communities
* The aim of the discussion should be to reach a conclusion that no ICG member opposes.
* Reasons for opposition should be stated, along with specific alternatives which would overcome the opposition; allowing the communities and the ICG, wherever possible, to understand concerns, assess their extent, and identify compromise solutions.
* The chair will provide a time frame (to be fixed according to the prevailing circumstances) for a given case under consideration, for discussion and consultation needed to address the specific issue.
* When such time, or extension of such time, for the ICG to consider and attempt to accommodate objections has expired, the chair and vice chairs, in consultation with the members should make their utmost effort if any other mechanisms of consensus can be found which are relevant and appropriate to the issue under discussion. .

It is obvious that no single member or a minority should be allowed to block the decision making process. In other words a situation should be avoided where one person or a minority could block the whole process. See relevant paragraphs below

**c.**  **Designation of recommendation**

Following these basic principles, the chair will be responsible for designating each ICG position as having one of the following designations:

* + - **Recommendation by consensus** - when no one in the group speaks against the recommendation in its last readings.
    - **Recommendation** - a position where consensus could not be reached after the matter is sufficiently debated and the chair and two vice chairs despite their utmost effort with to find a satisfactory solution of the matter in order to achieve consensus and have exhausted, all other possible alternatives and options should be explored, as appropriate, with a view to satisfactorily resolve the problem
    - One possible example, inter alia, could be that a Recommendation could be considered as adopted if at most a minority disagree by documenting their objection(s) but others agree and no ICG community as a whole is firmly and formally opposed
    - Chair and vice chairs are advised to consider other possible consensus frameworks in addressing the issues as appropriate to the nature of the case"?

Notice that a document is presented as a stable draft for approval, preferably not less than a calendar week should be given.

An effort should be made to document the variance in viewpoint. Strong minority views deviating from the recommendation can be separately expressed and documented in the report.

**The agreed and fundamental objective of the ICG is to reach at least the Recommendation designation in favor of forwarding the Proposal for the IANA Stewardship Transition to the NTIA.**

In order to examine and evaluate the degree of acceptability of a Recommendation the following method is proposed for consideration, where necessary:

1. The chair and/or vice chairs should establish a time frame for discussion about a particular issue. If that time frame expires and new issues are still being raised, the chair and/or vice chairs may extend the time frame for discussion, as the case may be. The above-mentioned time frame(s) should be clearly included in the summary of the discussions
2. After the group has discussed an issue exhaustively for all issues to have been raised, understood and discussed, the chair and/or vice chairs make an evaluation of the designation and publish it for the group with a clear timescale to review. In establishing timescale, account should be taken of the related community discussion needed
3. If any serious objection is raised concerning the designation, the chair and/or co-chairs should reevaluate and possibly publish an updated evaluation.
4. In rare and/ or exceptional cases, the chair and/or vice-chairs may choose to conduct a poll in order to evaluate a designation. Polls should include qualitative questions to the extent possible; that is, they should require participants to explain their reasoning and should not only be used to obtain a quantitative assessment of opinions. Some of the reasons for using a poll might be:

* A decision needs to be reached within a time frame that does not allow for the natural process of further iteration and settling on a designation to occur.
* It becomes obvious after sufficient discussion time that it is impossible to arrive at a recommendation designation.

Recommendation calls should always be available to the entire ICG and, for this reason, should be published on the designated mailing list to ensure that all ICG members have the opportunity to fully participate in the process. It is the role of the chair, in full consultation and collaboration with vice chairs, to designate that a recommendation has been achieved and to announce this designation to the ICG. Members of the ICG should be given the opportunity to raise objections to the designation done by the chair as part of the discussion, per the methodology outlined above.

Any ICG member who believes that his/her contributions are being systematically ignored or discounted should discuss the circumstances with the ICG chair/vice chairs. The chair, in full consultation with vice chairs, needs to carefully examine the case with the view to find a satisfactory solution for the matter through all appropriate means. The conclusions of this discussion should be documented.

1. Other best practices that can be considered include the ‘Statement on Respectful Online Communication’, see [http://www.odr.info/comments.php?id=A1767\_0\_1\_0\_C.](http://www.odr.info/comments.php?id=A1767_0_1_0_C) [↑](#footnote-ref-1)