

**PROPOSED CLARIFICATION OF GNSO WORKING GROUP CONSENSUS LEVELS IN THE GNSO
WORKING GROUP GUIDELINES
FINAL SCI PROPOSAL FOR PUBLIC COMMENT**

The SCI makes this recommendation in response to the request of the GNSO Council for the SCI to consider whether or not the current Consensus Levels applicable to Working Groups under the GNSO Working Group Guidelines needed to be amended.

THE SCI PROPOSES THAT, RATHER THAN AMENDING THE MAIN TEXT OF SECTION 3.6 OF THE GNSO WORKING GROUP GUIDELINES CONCERNING CONSENSUS LEVELS (E.G. BY ADDING AN ADDITIONAL LEVEL OF CONSENSUS), A FOOTNOTE BE ADDED TO SECTION 3.6 (SEE HIGHLIGHTED TEXT BELOW) TO CLARIFY THAT “CONSENSUS” CAN MEAN BOTH “CONSENSUS FOR” AS WELL AS “CONSENSUS AGAINST” A PARTICULAR WORKING GROUP RECOMMENDATION.

THE SCI ADDITIONALLY RECOMMENDS THAT THE GNSO COUNCIL CONSIDER REVIEWING ALL THE CURRENT CONSENSUS LEVELS AS PART OF A COMPREHENSIVE REVIEW OF THE GNSO WORKING GROUP GUIDELINES DURING THE ONGOING GNSO STRUCTURAL REVIEW EXERCISE.

3.6 Standard Methodology for Making Decisions

The Chair will be responsible for designating each position as having one of the following designations:¹

Full consensus - when no one in the group speaks against the recommendation in its last readings. This is also sometimes referred to as **Unanimous Consensus**.

Consensus - a position where only a small minority disagrees, but most agree.²

Strong support but significant opposition - a position where, while most of the group supports a recommendation, there are a significant number of those who do not support it.

¹ The designations “Full consensus,” “Consensus,” and “Strong support but significant opposition” may also be used to signify levels of “consensus against” a particular recommendation if the consensus position of the Working Group warrants it. If this is the case, any “Minority View” will be in favor of the particular recommendation. It is expected that designations of “consensus against” will be rare and Working Groups are encouraged to draft (and revise) recommendations so that a level of consensus can be expressed “for” rather than “against” a recommendation. However, it is recognized that there can be times when a “consensus against” designation is both appropriate and unavoidable as a practical matter. A “consensus against” position should be distinguished from a position of “Divergence” (or “No Consensus”), which is applied where no consensus has emerged either for or against a recommendation (i.e., the consensus level of the Working Group cannot be described as “Full consensus,” “Consensus” or “Strong support but significant opposition” either for or against a recommendation).

² For those that are unfamiliar with ICANN usage, you may associate the definition of “Consensus” with other definitions and terms of art such as rough consensus or near consensus. It should be noted, however, that in the case of a GNSO PDP originated Working Group, all reports, especially Final Reports, must restrict themselves to the term “Consensus” as this may have legal implications.

Divergence (also referred to as **No Consensus**) - 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.

Minority View - refers to a proposal where a small number of people support the recommendation. This can happen in response to a **Consensus**, **Strong support but significant opposition**, and **No Consensus**; or, it can happen in cases where there is neither support nor opposition to a suggestion made by a small number of individuals.

In cases of **Consensus**, **Strong support but significant opposition**, and **No Consensus**, an effort should be made to document that variance in viewpoint and to present any **Minority View** recommendations that may have been made. Documentation of **Minority View** recommendations normally depends on text offered by the proponent(s). In all cases of **Divergence**, the WG Chair should encourage the submission of minority viewpoint(s).