

ITU-T Rapporteur and Editor Tutorial

(Geneva, 28 – 29 November 2011)

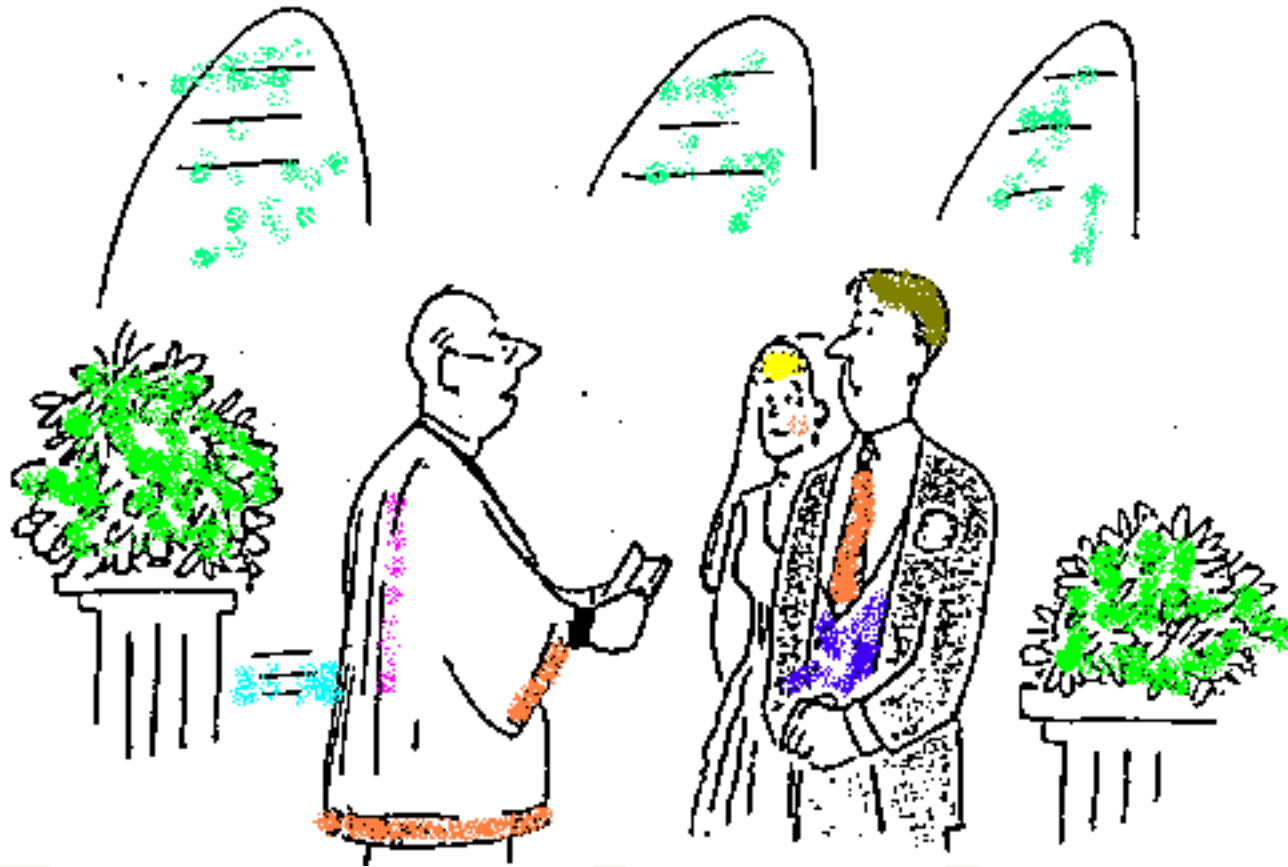
The Art of Reaching Consensus

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Rapporteur/Editor Tutorial:
The Art of Reaching Consensus

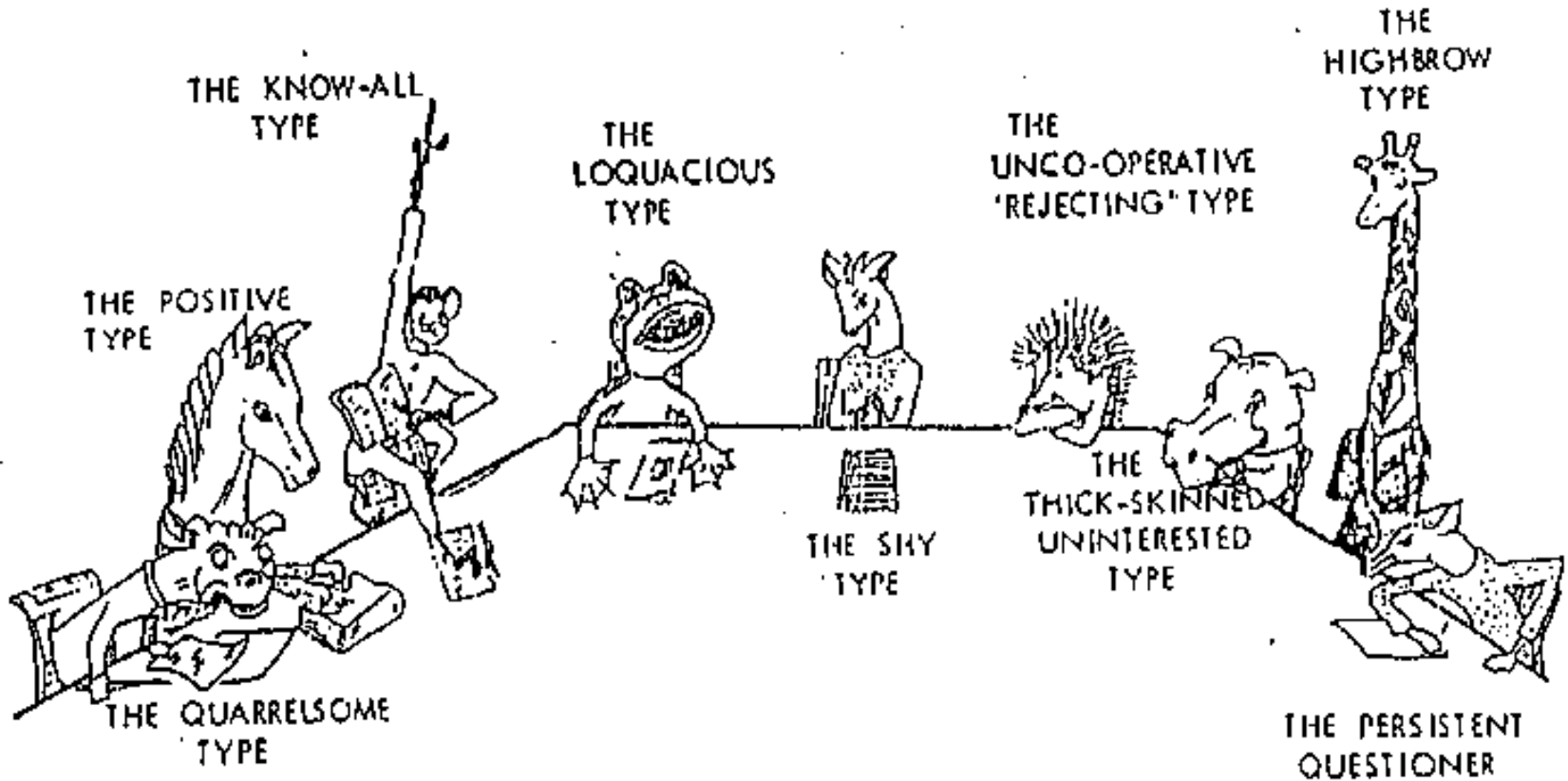


Getting them to say "Yes"



Do you both promise to love, honour and obey with a minimum of litigation?

Recognize anyone?



Chairman needs to take into account the views of all parties concerned

Outline

1. What is Consensus?
2. Understanding the Endgame
3. Techniques for Reaching Consensus
 1. Informal Ways
 2. Formal Ways
4. Your Role in Chairing a Meeting

1. What is Consensus?

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ITU reaches decisions by consensus

- However, there is no reference to consensus in the ITU Constitution, ITU Convention or the ITU General Rules
- Council Rules 12.5 have a reference to consensus, but this rule applies only to Council:
 - “The standing committee and working groups shall make every effort to achieve a consensus on the matters submitted to them for consideration; failing this, the chairman of the standing committee or working group shall include, in the report drawn up, the views expressed by the various participants.”
- ITU’s consensus principle is based on best practice/past practice/culture (no losers, only winners)

But what is Consensus?

- Google hits (Nov 2011):
 - Consensus: 87 mio
 - "How to reach consensus": 2.3 mio
 - "How to chair a meeting": 66,000
- Merriam-Webster: (1) general agreement; (2) group solidarity in sentiment and belief
- Wikipedia: "Consensus decision-making seeks the consent, not necessarily the agreement, of participants and the resolutions of objections."
- "There is consensus that there is no consensus on what consensus is."
(former ITU-T Study Group Chairman)

Consensus definitions

- **ISO/IEC Guide 2 definition (most often cited in ITU-T context):**
 - "General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.
Note : Consensus need not imply unanimity."

- **ANSI Essential Requirements definition:**
 - "Consensus means substantial agreement has been reached by directly and materially affected interests. This signifies the concurrence of more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that an effort be made toward their resolution."

Unanimity > unopposed agreement > consensus

- Definitions/explanations:
 - Unanimity: everyone is of the same opinion
 - Unopposed agreement: one single voice against a proposal stops it
 - Consensus: see previous slide
- Examples:
 - 1 in favor, 99 don't care:
 - Unanimity: no
 - Unopposed agreement: yes
 - Consensus: yes
 - 99 in favor, 1 against:
 - Unanimity: no
 - Unopposed agreement: no
 - Consensus: Chairman can declare consensus

Consensus is the chairman's judgement call

- Chairman needs to make every effort to reach consensus
- But at the end of the day it is the **chairman who decides whether consensus has been reached or not**
 - Use gavel to indicate that decision has been taken
- And if someone wants to reopen discussion after the chairman has taken the decision?
 - Think hard whether you really want to allow it

Seconding a proposal

- "No proposal or amendment may be discussed unless it is supported by at least one other delegation when it comes to be considered."
(General Rules 90)
- That means:
 - The proposal (or amendment) is rejected at once and without discussion unless supported by at least one other delegation
 - When a proposal or an amendment is introduced, the chairman's first question must therefore be: "*Is there any support for the proposal?*", and the second (assuming there is support): "*Are there any objections?*"
- Used more in Plenipots, Conferences, Assemblies and Council, less in study groups, working parties and rapporteur groups

Be aware: not all decisions in ITU require consensus

- Various stages in the decision making process require different kinds of approval:
 - Consensus
 - Unopposed agreement
 - Opposition of no more than one Member State
 - 70% majority
 - Majority
- Nevertheless, arguably the most important step in the approval process of a draft Recommendation is the “consent” (AAP) or “determination” (TAP) stage -> both reached by consensus

2. Understanding the Endgame

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Understand the decision making process for AAP and TAP Recs

- The vast majority of Recs will pass without problems
- It is because of the very few Recs that are “difficult” that you have to be prepared
- If you don’t understand the endgame, months or years can be wasted
- Again: various stages in the decision making process require different kinds of approval (see earlier slide)

Summary of AAP decision making process (Rec ITU-T A.8)

- When draft-Rec is sufficiently mature, the study group meeting “consents” the text
 - Study Group Chairman declares “consensus”
- Last Call period: if comments of substance, initiate comments resolution
- If necessary, Additional review period: if comments of substance, consider approval at next SG meeting
- At next SG meeting:
 - A Member State present can declare that a text has policy or regulatory implications or that there is a doubt
 - Approval then automatically moves back to the beginning of AAP or TAP
 - Otherwise Rec is approved if “no more than one Member State present in the meeting opposes the decision to approve the Rec” (A.8,§ 5.4)

Summary of TAP decision making process (Res 1)

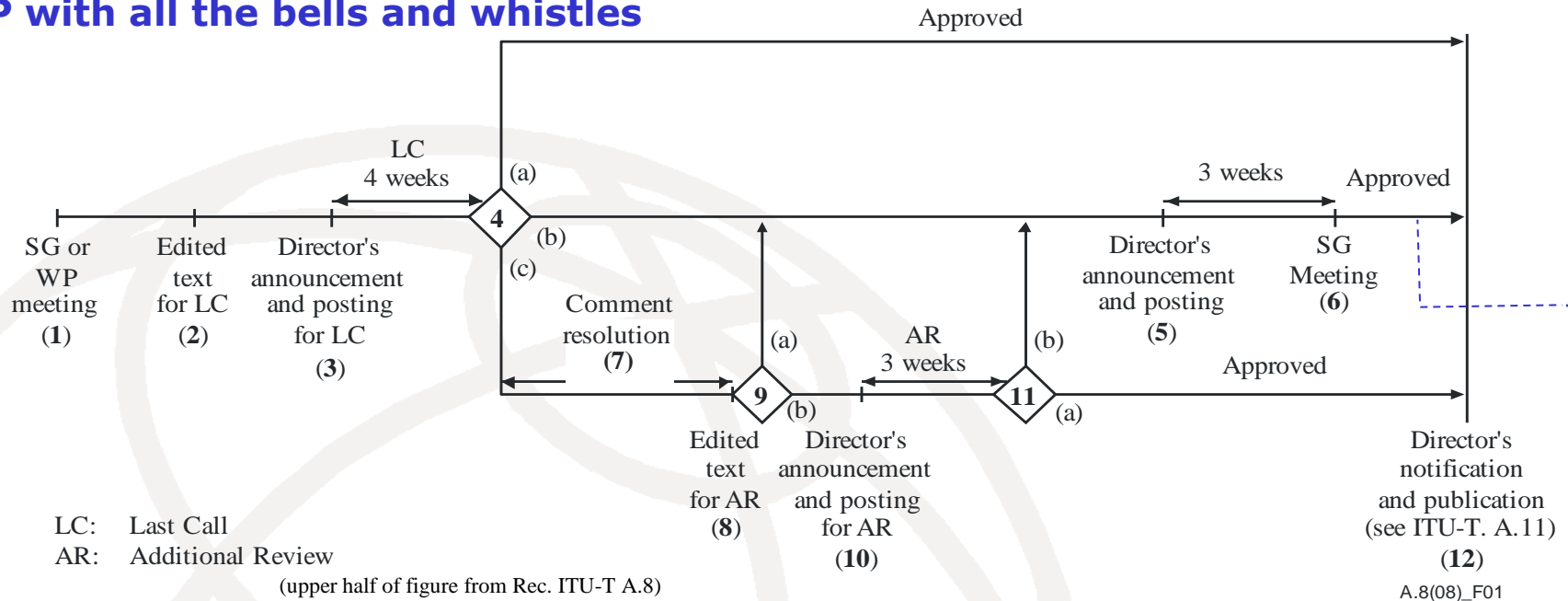
- When draft-Rec is sufficiently mature, the study group meeting “determines” the text
 - Study Group Chairman declares “**consensus**”
- Director issues a Circular informing the membership that Rec should be approved at the subsequent SG meeting
- **70%** or more of the **Member States responding** (!) need to **send a positive reply** to the Director that they support consideration for approval at the next SG meeting
 - Note: this can be a stumbling block towards approval
- At the subsequent SG meeting, the approval must be **unopposed**
 - i.e., one Member State can stop approval
 - Exception: at a WTSA, the Rec can be put to a vote. Then the Rec is approved if it obtains a **majority** of votes (>50%)

Can one party block approval of an AAP Recommendation?

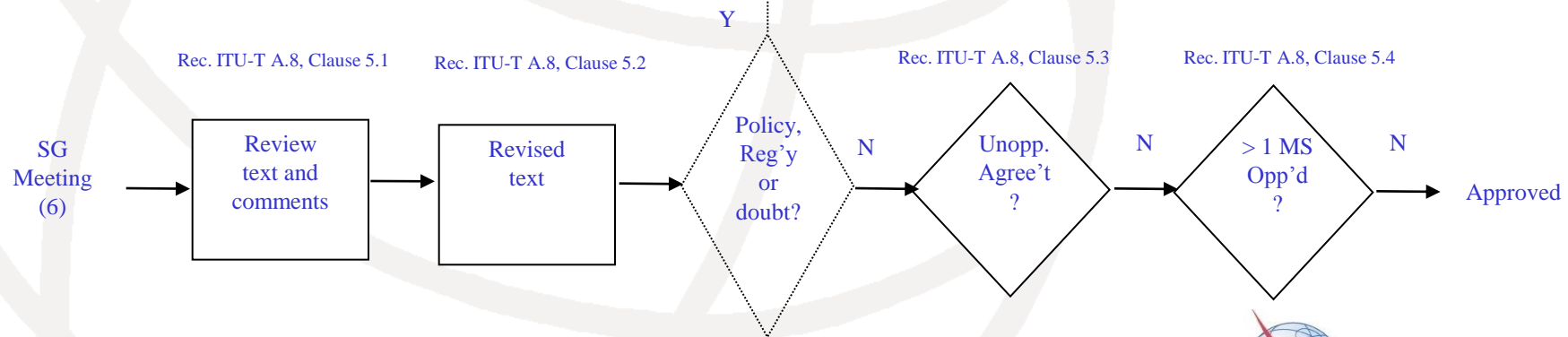
■ No:

- In the endgame of the AAP process (i.e., after “Consent”, Last Call, Additional Review), one single Member State cannot stop approval of a Rec at the subsequent study group meeting:
 - you’d need at least two Member States to oppose
 - Note that if, within a single Member State, some Sector Members are in favor and some are against a Rec, the Member State is unlikely to take any position, i.e., the Member State will not oppose
- However, at this subsequent SG meeting, a single Member State present can declare that the text has policy or regulatory implications or there is a doubt:
 - Approval then automatically moves back to the beginning of an AAP or TAP process

AAP with all the bells and whistles



Res. 1, Clause 9.3 (TAP) or
Rec. ITU-T A.8, Clause 5.8 (AAP)



3. Techniques for Reaching Consensus

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How do you ask the question?

- How you ask the question can produce very different results:

1. Is anyone objecting to this proposal?
2. Is there any objection to this proposal?
3. I see no-one objecting.
4. I see no objection.
5. Is anyone supporting this proposal?
6. Is there any support for this proposal?
7. I see no-one supporting
8. I see no support.

Note: some chairmen find it better to say "is there any objection" rather than "does anyone object" (and, in analogy, prefer 4 over 3, 6 over 5, 8 over 7): it makes it less a challenge for an individual to speak out. The latter could also be taken to indicate a personal opinion rather than a member's position

Summarize the issue at hand

- After discussion, summarize: “Let me summarize now:”
- Summarizing can be pretty tough sometimes because after a confusing discussion no one including yourself really understands what an appropriate summary would be
 - Don't move on; say instead “Let me try to summarize what I understood”
 - After further debate the issue may be clearer
 - A lot is already gained if different positions are clearly summarized. Then you can take the next step towards reaching a compromise

Ways of reaching consensus

■ Informal ways

- "Silent agreement" solution
- "Vocal agreement" solution
- "Coffee break" solution
- "Chairman's proposal" solution
- "Adhoc group" solution
- "Sleep on it" solution
- "Show of hands" solution
- "Consensus by exhaustion" solution
- "Indicative voting" solution

■ More formal ways

- Recording non-supportive voices in meeting report
- Recording non-supportive voice in Recommendations

The informal way: “Silent agreement” solution

- “I see no-one objecting.”
- “I see no objection.”
- “Does anyone object to this proposal?”
- “Is there any opposition to this proposal?”

- The above are useful for large meetings with long agendas
- Note: the above variations may produce a very different result

- Even if there have been lengthy objections by some parties, chairman could announce “ok, we have heard all the voices now, and I take it that it is agreed”
 - If no objection afterwards, consensus has been reached

The informal way: “Vocal agreement” solution

- “Does anyone support this proposal?”
 - “Is there (any) support for this proposal?”
 - “Could I hear from those in support of this proposal?”
 - “Does anyone have anything to say in support of this proposal?”
-
- Can be useful
 - To quickly eliminate a proposal that is supported by no-one else
 - if you have arranged with someone in the audience to say “yes” - but don’t get caught!

The informal way: “Coffee break” solution

- “Let’s have a coffee break now and see whether we can reach an agreement”
 - Useful when parties are not yet ready to reach a compromise but the Chairman feels that a solution could be reached in an offline discussion among the concerned parties

The informal way: “Chairman’s proposal” solution

- The Chairman may propose a solution
- The Chairman’s proposal could be
 - something brand new, or
 - close to one side of the issue, or
 - a compromise
 - Note that a compromise might not necessarily be the best solution. If one side wants “red telephones” and the other side “white telephones”, is “pink telephones” really the best solution?

The informal way: “Adhoc group” solution

- Form antagonists into an adhoc group
 - *they* have to find a solution
- Useful if you feel that there is still some time needed to resolve differing views

The informal way: “Sleep on it” solution

- It may be too early to resolve different views
- Encourage the different parties
 - to sleep on it and continue the discussion in the session the next day
 - to continue discussing the issue off-line, e.g. in the evening at a dinner in the restaurant

The informal way: “Show of hands” solution

- Rather tricky in the ITU environment
- Can be simple and effective but has many pitfalls for the unprepared chairman
 - Not every participant carries the same weight
 - What is the conclusion when the show of hands is, say, 70/30? Or 80/20?
- Asking “Who is in favor” vs “Who is against” will produce very different results
- A show of hands is useful if
 - Member States will allow it
 - the Chairman is trying to isolate one or two “troublemakers” and make it visible to all that it’s just 1 or 2 people against 150 people
- Chairman needs to know when to ask. Timing is everything

The informal way: “Consensus by exhaustion” solution

- People get tired towards the end of the day / the end of a meeting
 - Sometimes it may be easier to reach a compromise solution when everyone gets tired
- Ask the meeting’s permission to go overtime in a session, or
- Schedule additional sessions, e.g. night sessions

The informal way: “Indicative voting” solution

- For the historical record, the following was used once many years ago in a study group meeting
- Procedure:
 - Recess meeting for a few minutes
 - Allow each organization present to decide on its position, write it on a piece of paper, and give the paper to the chairman
 - One vote per organization
 - Identity of organization need not be indicated
 - ▶ (there have been cases where a vendor and its customer have different views. In the public meeting, the vendor supports the customer’s position, but in indicative voting as described, the vendor may indicate a different position)
 - Reconvene meeting, count votes, announce result
- If minority is small, this may induce minority to give in

The more formal way: recording non-supportive voices in the meeting report

- “<company/country> requested that the following statement be recorded in this meeting report: <statement>”
- This way, <company/country> has a written record that it does not support the proposal but that it does not stand in the way of reaching consensus either

The more formal way: recording non-supportive voices in the Recommendation

- Include a statement in the text of the Recommendation that some companies/countries (list explicitly) have expressed a degree of reservation
- Examples: G.8110.1/Y.1370.1; D.156
- This is an extreme solution – ITU is famous for reaching consensus, so the Study Group Chairman needs to explore all other avenues first

How hard should a Rapporteur try to reach agreement?

- Rapporteur could say: I can't reach agreement in my Question, so I will forward the issue to the Working Party or to the Study Group plenary for decision
- But: why should reaching agreement be any easier in a much larger WP or SG plenary?
- In general, a good Study Group Chairman would say: don't bring any unresolved issues to my Study Group closing plenary
- However, some participants may not want to compromise at the Question level because they may want to use their position as "negotiating mass" for other issues
- Nevertheless: try as hard as you can to reach agreement in your Question

Reaching a decision when there is no consensus

- Voting in study group meetings is possible in principle, e.g. to decide
 - Consent of an AAP-Rec or Determination of a TAP-Rec
- ... but not at the approval stage
- Voting procedure is complicated – see General Rules
- Only Member States have a vote
- Try as hard as you can to avoid voting (and for all practical purposes you'll succeed), ...
- ... but know that the threat of a vote can drive parties to consensus
- In the 0.00...1% of the cases where a vote might come up, ask the ITU Secretariat for assistance
- For the first time in history, a vote was conducted during an ITU-T Study Group meeting: ITU-T SG 15, Feb 2011

4. Your Role in Chairing a Meeting

- (the term “Chairman” in this section refers to anyone chairing a meeting, whether a Study Group, a Question, an ad hoc group, unless noted otherwise)

The integrity of the Chairman

- A Chairman must be fair & impartial
- A Chairman must be seen fair & impartial
- A Chairman needs to earn trust - this a longer process
- Wear only one hat – that of the Chairman
 - If your company or government wants to take a position, they should send s.o. else to present it
 - Make sure within your company/government before you take up the Chairmanship that you need to be impartial as Chairman
 - View yourself as working for ITU, not for your company/government
 - View the delegates as customers

Communicating means listening

- Communication is indispensable for the Chairman:
 - Listen to the delegates on both sides of an issue
 - Consult with your TSB Counsellor
 - Listen to the Study Group Chairman, the Working Party Chairman, the Study Group management team, and get their advise
- Be visible
 - Attend the relevant meetings including ad hoc meetings

Communicating means getting involved

- As chairman you need to be **actively** involved **before and during** the meeting period:
 - Consult with relevant parties
 - Discuss issues with delegates to gain a good understanding of the issues, the various perspectives, the strength of differing views, who holds them etc.
 - Identify potential opposition ahead of time, spend effort to understand their position, develop good relationship with them
 - Ensure all parties understand clearly the proposal to be decided on
 - You will be less successful if you are not visible and spend much time isolated in an office or behind your computer

Communicating means involving

- Give everyone a chance to talk
- Involve new delegates in the process
 - Make an effort to get to know new participants in your group
 - Consider having “newbie” sessions at e.g. the study group level, perhaps even at the Question level

Communicating means responding

- If a delegate asks you a question (e.g. via email), do respond
- If you need time to find an answer, or if you don't have time for an immediate comprehensive answer, do send a short acknowledgment that you received the question and that you will get back later

Communicating means understanding languages

- Many delegates don't have English as a native language
- Talk slowly, and have other people talk slowly
- Make sure everyone understands the issue at hand and where you are going
 - Repeat, or rephrase, issues at hand
- Ensure that written proposals by non-native English speakers are not shot down through eloquent verbal interventions from fluent English speakers – only because they are much more at ease with English

Communicating means understanding cultures

- In some cultures you can be rather direct of saying that you don't agree with something
- In other cultures you don't voice different opinions openly easily
- "Loosing face" is probably not a nice thing to happen to anyone in any culture, but in some cultures it may be more serious than in others
- So: always be polite



Good luck

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Acknowledgments

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