ICANN

Moderator: Brenda Brewer
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9:30 am CT

León Sanchez: Thank you very much. I'm sorry for the delay but as you might have noticed, I've been experiencing some technical difficulties with my phone carrier. So the host for me doesn't seem to connect, so I will ask staff to dial me to another number.

But in the meanwhile, I think we can go ahead and start the discussion. So within having a lot of activity in this cross-community working group and we are almost reaching the deadline for delivering our comment assessment to the larger group in anticipation for our meeting in Dublin. So we received yesterday, and in the course of today too, all the draft sides the different volunteers on diversity, staff accountability and SO/AC accountability.

So I think it would be useful of course to go through each of the different documents. And I'm not sure if staff does have those documents handy, and I would like display the one on diversity first so we can walk through it. And I think that (Carlos) and Greg were in charge on diversity. Is that correct, Greg? I don't think (Carlos) is on the call but I see you, Greg.

Greg Shatan: No I was only chairing. I did not pick an assignment. That was just (Carlos).

León Sanchez: Oh but so you just got the (unintelligible) yesterday and that was it.

Greg Shatan: Yes I supervised. That means I didn't do any work.

León Sanchez: No thank you very much. It was very helpful for you to jump in and add a little insight of the chairing of the call. So.

Okay so in diversity we received 23 comments, including four governments. Nineteen comments were supportive of the need for effective mechanisms for promoting diversity, and ten of these comments reflected some issues. So if we could enable scrolling in our screens that would be excellent. Thank you very much.

So here in a consensus, according to this first approach, this first draft, are the diversity principle and core values should include not only geographic and development dimensions but also gender, cultural, and (unintelligible) diversity. There is also consensus that we should maintain location of meetings in all ICANN regions. So that is where we seem to have consensus in the comments.

Now to the results refinement. Some commenters are saying a clear message of some commitment to diversity is to gain political legitimacy on top of two unprovoked well established confidence by the technical community. That issue 17 and 20. Then also refinement that it needs for consistency diversity - for consistent diversity of the board, NomCom, and at the SO/AC level. So I think that this might be reflecting there might be the perception that in some of these bodies there is not sufficient diversity.

Then we also need to refine that diversity should not prevail over skills and experience requirements. So this is something that we have been discussing in the group and I think that's a point that needs further discussion. Obviously it has been pointed in the refinement. Because this in some way opposes to the fact that we should prevent in some regional, cultural and western diversity. So this is a point that I think will be worth of course discussing.

And then we have concerns that opponents of affirmation of commitments review teams represented at the stakeholder level as opposed to constituency level may undermine the full diversity of community participation in these critical processes and marginalize these stakeholders, particularly from non-contracted parties. This is labeled as discipline three.

Then on our result divergence, we have that diversity should not be a requirement in order to implement the IANA transition and that in the context of diversity a contributor for the discipline and would establish a threshold regarding composition of each body. And this will depend on the body and the overall composition to avoid possible blocking on certain votes, as it is recommended establishing diversity composition at thresholds that are prescriptive and not aspirational as part of work stream one.

I think this is also something that's been widely discussed within our group, and we haven't come to closure on that. So another area of divergence is the (unintelligible). Other recommendations include diversity in the ATRT mandate, two in favor, two against, and (unintelligible) within the concern that the ATRT would be overburdened and/or not the best group to perform such reviews.

And I see that this is a common comment, not only for diversity but also for the case SO and AC accountability. I'm not quite sure that would also be the

case for staff accountability but I guess that it might - it mostly would be the same case. So this is something that we should definitely take into account with whether we extend the mandate of the ATRT or whether we think of any other mechanism or way to try to address these reviews in order to not overburden these ATRT teams.

Then we have a comment that was also made that diversity principle would not meet the establishment of any specific body for it to be enforced across existing or newly formed bodies.

And last but not least, divergence on review and improved processes for selecting members of the ICANN board of directors was believed to be in the interest of individual ICANN directors reflective of the diversity of the total multi-stakeholder community full requesting, investigate and pushback when necessary or appropriate against policies advanced by some interested ICANN stakeholders are to the detriment of the global public interest or the global multi-stakeholder community.

Then we have of course the section on the options for the CCWG for consideration, and these would be the diversity of registries and registrars. Of the 1,010 ICANN accredited registrars, 634 are from the U.S. and seven from Africa. So this is something that has been raised and we might have a look at this. I'm not sure that we can do a lot to increase diversity, in this field at least. I think we can do some things to increase diversity in many aspects within ICANN but I'm not sure with regards to registrars and registries. Well it is for us to discuss and find of course.

We also should consider what some reference to the NETmundial principles and also that more diversity runs the risk of more conflicts of interest, that is a question of course, and the foundation of the principle of non-cumulative

holding of offices successively or simultaneously is an absolute necessity to mitigate the risk of capture of the (unintelligible) framework of ICANN by individuals. This sounds to me some kind of revolving door principle within ICANN. So I think that would be also that meets its point from our group.

Then finally the establishment of an independent commission in charge of controlling the public interest statements issued by the board members. And what we have next is of course the summary of and all counts that was needed, just as an attachment is an annex to this document that was set up by (Carlos).

And at this point I would like to open the floor for comments or different views in regard to diversity. And I see Mathieu you have your hand up.

Mathieu Weill: Thank you, León. This is Mathieu Weill speaking. Can you hear me? Yes? Okay.

I think those things were great, and thanks to (Carlos) for putting this together so swiftly. My question is on the last part of the section regarding the options for CCWG consideration. I wonder if the two bullet points on conflicts of interest would not be more appropriate in the paper on SO/AC accountability, because I see these items of non-communities holding of office and independent commission or conflicts of interest are maybe as relevant, or maybe even more relevant, to SO/AC accountability than diversity.

But maybe it could be both or - I don't know if this has been discussed already. But I find them interesting to assess in the further deliberations. Thank you.

León Sanchez: Thank you very much, Mathieu. And I do agree with you that this might not be the best use of our document or the best to assess but rather the SO/AC accountability. So I think that I have a call. So let me just join the phone bridge. Give me a second.

Hello can you hear me now? I think you can. Okay so yes, Mathieu, so I was saying that I do agree with you that this might not be best group to address this issue. We might consider moving it to AC/SO accountability to discuss these things.

To me, that would be a group that identifies more with these two last bullets. So let's have that as an action item please to consider whether these two last bullets on options for CCWG consideration should be put in the document that address the SO and AC accountability.

Are there any other comments on diversity so far? I see Greg Shatan's hand up. Greg?

Greg Shatan: Thanks. Just on the same section we've just been discussing, I don't see the logical link between the topic - I'm glad we're moving them because I don't see the logical link between an increase in diversity and the two bullet points that are listed here. So. Unfortunately, you know, I didn't go back to the underlying comments to see how this was logically expressed but it just - it seems like a non sequitur.

Indeed, one would hope that diversity leads to fewer conflicts of interest and, you know, more people and less holding of offices. But anyway, it just - I just wanted to kind of add befuddlement to the other reasons for moving this out of there. Thanks.

León Sanchez: Thank you very much, Greg. And of course the action item of moving the bullet points on conflicts of interest is for myself. I will be at this - the SO and AC accountability document. And I would like to see if anyone wants to add anything to the diversity discussion at this stage. Okay, Jan?

Jan Scholte: Yes hi, León. Hi, everybody. No, just a caution maybe on the point regarding the inclusion of diversity into the ATRT process. It's listed there that two spoke in favor and two wrote against. I was assuming where silence in most cases probably meant assent or at least, you know, no major objection. So that having it up two against two and as a split vote might not be quite the way the overall comments of opinion was flowing.

León Sanchez: Thank you very much, Jan. This is a good catch here. And as I said, I see and will also in the reveal of the following document that these comments was repeatedly made by many commenters. But I do agree with you that it doesn't seem to me that this comment would be a majority of opposing comments on - putting these reviews into the ATRT.

                 But however, I think it's good for us that we consider whether these would carry some overburden to the ATRT teams or not. We might as well ask those who have been part of the ATRT if this kind of review would actually overburden their work. And I don't know who on this call has worked for the ATRT but I might think that Cheryl could have been in the ATRT, or maybe Avri. I don't know, Cheryl, if you...

Cheryl Langdon-Orr: Both of us were. I did one and Avri did two.

León Sanchez: Oh wow. So I was right. So what would be your take on actually expanding the ATRT members to include these reviews? Would it really overburden the ATRT team?

Cheryl Langdon-Orr: My - it's Cheryl for the record. And Avri and I may differ on this. But my view is it depends on the work that is in front of an ATRT at any particular time. In recent experiences with ATRT1 and 2, an extraordinarily short amount of time for a significant amount of work to be done to get through the relative narrow focus topics that they've had to do.

The ATRT2 had the additional burden of having to look at the aspects of other review teams, which was not one of the onerous tasks that ATRT1 had to do. So part of me would suggest that yes it could very well be a burden but not always a burden. And I would, however, suggest that an ATRT should be in a position to ensure that this sort of audit, if I can put in inverted commas for the record, is done either by itself or by another ad hoc or specifically purchased review team from time to time as is required.

But as the work and the nature of the work of regular ATRTs quite necessarily changes, this would maybe be up for review. That's a very long non-answer, and I do apologize for just clouding the issue, if that's what happened.

León Sanchez: Thank you very much, Cheryl. And that is a very useful non-answer because, at least to me, that brings some light to what the ATRT actually carries out in their work and of course useful for this conversation.

So are there any other comments with regards to diversity? Okay. We can go forward.

And now I'd like to display the staff accountability paper, please. Okay so here we have the accountability of the staff paper. And we of course have the recommendations pasted into the introduction of the document. Then the areas of consensus state a total of nine comments relating to staff accountability

were received by the CCWG but directly addressed the CCWG recommendations of staff accountability.

All of the commenters agreed with the notion that ICANN continue to do on existing accountability of all stakeholders, including clear identification of the roles and responsibilities of the board, staff, and the community and their interaction. Full support for the concept that the method to ensure such accountability of the staff be through the CEO. So this is something that we have been discussed and I think it's good that we have found out that we have consensus that staff accountability should be made through the CEO and not through the SOs and ACs themselves.

And it's also good that we find that there's consensus on the notion that ICANN should continue to build accountability not only within staff or the board, but all stakeholders. So I think this is key for our current discussion on the different models.

I think that one of the arguments, or at least one of the reasons for the board to not completely agree with either membership or the designator model as they expressed, is that with increased powers to ACs and SOs and of course in this transition scenario then we would need to increase these or have these levels of accountability for it to be a level ground, I think. But we'll go deeper into that when we go through the AC/SO paper.

So the areas of refinement with regards to staff accountability are that several of the commenters, including (unintelligible) and the ICANN board, caution against direct accountability of the ICANN staff to the community. So this is a little bit contrary to the consensus that we have found in areas of consensus, because while we are saying that there is strong support for the concept of methods to ensure accountability of staff, including the CEO, then we have

these areas of refinement which I'm not sure whether this would actually be suited to be in here in designator requirements. But this is a topic that we will have to of course review with those in charge of staff continuity paper.

Then we have, in addition, the same commenters caution against bypassing existing and normal change of command, leaving the community any operational role in staff management or interfering with internal practices clauses concerning the employment relationship.

Then we have an area proposed by (William Ferry) that offers support for both recommendations being handled as part of work stream two. And I think it's more than an area of refinement to be some area of support that while it doesn't - it's going to be labeled as an area of consensus so I think it could be just passed into the introduction in which we state that some commenters are supporting the many concepts that we put in our draft document. I think this should also be moved somewhere up in the document.

Then (Sensor) and (NorID), welcome the inclusion of a code of conduct, (unintelligible), training and key performance indicators to be followed by staff and recommends that any new processes to be kept simple and easily accessible by both staff and community representatives. And I should think that these might not be an area of refinement but rather some options for the CCWG to consider. So I would move these down in the document to this option for consideration by the CCWG.

Then the (CDT) believes, as part of their review, recommendations should consider whether it would be appropriate for the interactions between ICANN staff and management and the board on one hand, and governments on the other hand to be more transparent. So I think also could feed into the options for CCWG consideration.

Then the Internet Association supports the proposal but cautions against adding more accountability review, because it is worried that the ICANN community (unintelligible) that make it difficult for the (unintelligible) complete substantive work in the face of recurring considerable work. And these links to the comments in regards to the ATRT being overburdened, so as I said this is a common comments but it's also not - I didn't read too many comments in dissent.

So I think that the Internet Association did do this comment in all three areas, but there were not many commenters that actually echoed these ideas. So I think that it doesn't have a lot traction.

So then the areas of divergence are that the ICANN board noted that staff accountability should not be treated as part of the conditions of the IANA stewardship transition, maybe implying that the word should not be even listed as a work stream two item.

Okay so there's a clear area of divergence. I am not sure if this is completely linked to the IANA stewardship transition but I do think this is something that in any case should be worth during our work stream two items. And of course I will open the floor shortly for your comments on this.

So then we have the options for consideration. And I said I would be - I would suggest moving a couple of the bullets that are labeled as areas of refinement down to this other section of the document, but let's review the ones that were originally labeled as such.

So the CCWG may consider clarifying the measuring and ensuring staff accountability not intended to interfere with or be (unintelligible) for the

normal input and relationship. I think that has been discussed, not so deeply so that I prefer to say that we should consider and needs more discussion within the group.

Then the CCWG may wish to clarify that any issues with staff accountability should be addressed to the ICANN board to take action through ICANN's CEO. Failure of the CEO to remedy any staff accountability, things could then be raised through one of the formal community measures, as in the proposal being discussed. And I thought that we had submitted that but maybe we didn't reflect it on our document.

So then the CWG may want to clarify that this is not intended to create causes of action between community and individual staff members. And I also thought this was very clear but it seems that it isn't. So we should definitely make some change to our next steps and to clarify this situation.

Then although already listed as work to be done in work stream two, to address the ICANN board, the CCWG could clarify that this work will not hold up the IANA stewardship position.

Okay so let's see if there are any comments to this document. And I see Mathieu Weill. Mathieu?

Mathieu Weill: Yes thank you, León. I was wondering the area of divergence where it's related to the ICANN board noted that staff accountability would not be part of the conditions of stewardship condition, it might be worth looking more in details exactly where - how the board trended -- I don't have this with me -- and whether it's a request to put it out of work stream two or a request not to have it as work stream one. It's not very clear to me.

León Sanchez: Thank you very much, Mathieu. And I don't have it clear either, so we'll - we should definitely have a second look at our draft document in regard to this comment to see if our interpretation is in one way or another.

                  So next in the queue I have Jan Scholte. Jan?

Jan Scholte: The comment from CDC about having more transparency in the relation between ICANN management and board one hand, and government on other, my recollection is that this point came up in the discussion somewhere and that the ICANN management -- I think it was Fadi himself even -- had quite a precise record of these meetings being cataloged and published somewhere. I don't know if staff can dig out that bit because if that bit of evidence can be brought back forth and if it's satisfactory, then maybe that particular objections fall. I don't know.

León Sanchez: Thank you very much, staff - Jan, I'm sorry. Thank you very much, Jan, and I would ask staff to kindly dig into the issue so we can have a pointer to what Jan just preferred.

                  Then I have Greg Shatan in the queue. Greg?

Greg Shatan: Thanks. Greg Shatan for the record. A general question about the options for CCW's consideration section in this analysis. Are these drawn directly from comments or are these suggestions made by the drafter of this document based on the comments? That's my first question.

                  But if these are drawn directly from the comments, I think it'll be very helpful to indicate which comments they came from, as was done under the bullet points, for instance, in the other sections. And if there are analysis that, based

on the comments, it would be good to tie them back to the comment they were based on.

And, you know, we probably should discuss whether we, you know, would revise any of these comments or whether we, you know, would advise the CCWG on how they, you know, might react to them. But I guess the first question is are these just options put up directly by commenters or by the drafter of this analysis?

León Sanchez: Thank you very much, Greg. And I don't have a clear response for you since I didn't draft this document, but I would say that we have a mix both situations. In my mind, I would say that this might be something that comes directly from the comments but it might also be the interpretation of the pen holder on the different comments received.

So in any case, I think we should ask each of the pen holders whether these options for CCWG consideration are directly drawn from the actual comments received or whether they are they're personal take on what the leads of the comments are also trying to tell us. I see your hand still up, Greg. Do you want to continue?

Greg Shatan: Yes, we don't have the drafter of this staff accountability paper on the call?

Leon Sanchez: No. No we don't...

Greg Shatan: Okay.

Leon Sanchez: Yes.

Greg Shatan: Okay, interesting. Okay.

Leon Sanchez: And he said that he wasn't going to make it to the call. And he did stand by his word.

Greg Shatan: Okay, makes it a little hard to update the document be that as it may. Okay thank you.

Leon Sanchez: Thanks Greg. Are there any other comments in regard to accountability paper?

Okay I see no other comments on staff accountability. And I would kindly ask staff to display the SO and AC accountability paper.

Okay so in this draft we also have the introduction. There is a copy and paste from what we included in our draft - a second draft proposal.

Then if you scroll down you'll see the areas of consensus. And from the comment receipt there seems to be consensus on that if SOs and ACs are to be in powered it is necessary to enhance their accountability. This could be the first area of consensus.

Then there's also consensus or there seems to be consensus that there should be more work done to identify further issues related to this topic.

Then we also seem to have consensus on that it is important to avoid watering down the commitments made for Workstream 2.

And as it has been said in previous comments Workstream 2 is a very important part of course on addressing these emerging issues as we called them originally which are diversity staff and SO AC accountability.

And while we have had some comments that refer to actually not taking care of the issues on Workstream 2 there is clear a signal by some of our advisors and some of the general public commenters that we should definitely take care of a deeper and harder working as part of our Workstream 2 plan.

Then the areas manual refinement are the accountability to whom. And I think this is something that has been discussed in groups but we haven't come to closer on that.

And in this sense some commentary raised the concern that while ACs and SOs have existing accountability mechanisms that make them accountable to their constituents in some cases it will be necessary to expand of this accountability to the wider non-ICANN community.

So there are many comments signaling to this. And this of course a discussion that needs to take place in the larger group.

And I think that it's - I mean it could trigger the discussion here but it certainly needs to be something discussed by the large group.

Then on theoretical reviews one commenter suggests that well critical community reviews are useful the CCWG should be mindful not to overburden the community with additional reviews.

And this is the comment made in the other two areas, diversity and staff accountability by the Internet Association which refers to this comment.

Then the third area for refinement would be that who watches the watcher. And there is the comment that is very distinct that seems that while it has been a continued discussion this commenter suggests that so far as SOs and ACs

appears to (unintelligible) of openness and transparency as defined in the bottom of the multi-stakeholder process it will be a self-holding issue.

And I think it's a discussion that has been taken a lot of air from us. And as I said we haven't come to closure to this.

But in a way I think that we should definitely go back to the discussion and try to come to closure because I do think that this comment from I don't remember who did this comment but I will certainly ask reference of the document on the final version of document.

It makes a lot of sense to me. I mean so far as the SOs and ACs I believe to discover so it seems to me that it would be a (unintelligible) issue.

And on the areas of diversion we have and I see (Mathieu)'s hand is up. (Mathieu)?

Mathieu Weill: Sorry Leon. I didn't want to interrupt. I would note that maybe in the areas of divergent or needing refinement I don't see a mention on the very interesting comments by our - by (Art Sonsher) who was suggesting that the SOs and ACs be subject to decisions except to IRPs if I'm not mistaken.

And I'm not seeing this reflected in this document. And I think it should belong to this part of the - of our work if I'm not mistaken.

But it was meant to be a comment by the end of your presentations.

Leon Sanchez: No problem, no problem. That's always good to have interaction as we go.

So yes I was the pen holder for this document so I clearly didn't take this comment into account. But I will add it to the next version of the document.

Then on the areas of divergence the ICANN Community of Stakeholders, this is a comment from a person who expressly does not support our current proposal.

And he is saying that the ICANN Community of Stakeholders collectively and the ICANN organization as a whole once the power and money, but none of the responsibility and accountability that one would expect from a global monopoly responsible for coordinating the global Internet DNS in the global public interest.

So I wouldn't know how to really answer to that thing there of divergence. But, however I think it's useful that we capture it (unintelligible).

Then on the option for CCWG consideration I think that we should definitely add the comment on Jan as (Mathieu) suggested.

And I have already added the accountability to whom discussion and who watches the watchers discussion. I think those two items should definitely need to be further discussed by the larger group.

And to clarify this might take on what I believe that the comments are telling us. This of course drawn from the different comments that we received. But it's my personal take on what I think that the CCWG should need to further consider.

And I see Rinalia's hand is up. Rinalia?

Rinalia Abdul Rahim: Hi Leon. Can you hear me?

Leon Sanchez: We can hear you.

Rinalia Abdul Rahim: You can hear me Leon? Okay thank you.

Just in the input into the options for CCWG consideration I think these two questions are really excellent and should be discussed by the big group.

In terms of accountability to whom definitely should be addressed. And in terms of who watches the watchers if the enhancements of SO AC accountability is to be implemented through the organizational or structural reviews the way it's done is that it's a two-part process.

One is that a stakeholder group itself addresses the question. And then there would also be an independent examiner who would review that and give an independent opinion.

That has been the way that organizational reviews have been done. And I think that is also a good way moving forward in this direction. Thank you.

Leon Sanchez: Thank you very much Rinalia out. I think that this last suggestion of yours is very useful because it kind of goes to the point that we have discussed repeatedly with Jan on - and I think really clearly also has proposed some kind of mutual accountability mechanism.

And I think that this set process could actually build into that proposal.

And next in the queue I have Mathieu.

Mathieu Weill: Thanks Leon. I really support what Rinalia has said. And this would be a lot
                   of value if that - this level of detail could be added to the current
                   recommendation on structural reviews so it's all clear.

                   My comment was regarding the question of accountability to whom.

                   I believe in the second report the CCWG this question has an answer. I think it
                   is clearly stated that the accountability is not only to the participants of a
                   specific SO AC but also to the communities they are designed to serve.

                   So I would tend to think that the question about this was answered already by
                   our group.

                   And unless we find comments that would lead to another definition that we
                   consider that we need to reinforce this aspect in the presentation and in the
                   messaging but not necessarily reopen the question or because it's - to me I've
                   read comments that it must be to the global community that's fine because
                   that's what our intent from the past so probably fine-tuning the messaging that
                   we need to do on this question number one.

                   And for question number two I think then our suggestion was a good way
                   forward that the CCWG would benefit if our option for consideration was a
                   little bit more concrete in saying we suggest that the IRP also wishes to watch
                   it. Thank you.

Leon Sanchez: Thank you very much (Mathieu). And next on the queue I have Jan.

Jan Scholte: Yes actually reinforcing actually with (Mathieu) said about trying to mean the
                   message about the - I think there's a problem in the document is that

sometimes the community is - uses the term meaning more the SOs and ACs and their direct constituents.

And sometimes that their community is used in a wider sense to suggest the overall Internet community or all users adopt and that ambiguity creates confusion and generates maybe the kind of comments that (unintelligible).

I agree with (Mathieu) if that message is fine-tuned then the ambiguity is removed and then probably the objection is removed as well.

The one comment about who watches the watches so far as the SO, ACs adhere to standards of openness and transparency it will be solved I'm not - I'm not so sure there.

I mean you could have the SOs and ACs be very open and transparent, perhaps they don't consult anyone but they disregarded vice that they - and then they are not reviewed and they are not held in any way to answer to those things.

So transparency by itself is not accountability. So I'm a little bit worried if it's one exception to that particular remark.

Leon Sanchez: Thank you very much Jan. And I think that once we clarify or we fine-tune the message on the - that the IRP could watch the watchers this problem could also be solved and this question answered.

I don't know if there any other comments in regards to SO AC accountability. I see Greg's hand is up. Greg?

Greg Shatan: A couple of things, on the very last thing you said it still seems to be very much an open question whether the IRP can be used for SO AC accountability or to challenge a decision that's made by an SO, AC such as a policy development recommendation.

That's so, I'm not sure that that's any kind of silver bullet for SO AC accountability. It raises a bunch of questions.

As far as the options for CCWG consideration seems that for this situation which is so kind of front burner for the current work that we're doing that these - so our only options essentially be a couple of questions which aren't by themselves options at all is perhaps a little bit underpowered for what's coming out of here.

And also, you know, to the extent that there were this also seems to reflect -- and I'm not sure because I haven't unfortunately reviewed the underlying comments -- if these are the only - if the only options coming out of this are open questions does that mean that in fact there were no options that were suggested in any of the comments?

Because if there were options, concrete options that were suggested it seems to me that those should be listed in the options.

But I think that - and you know better than me as a co-chair but, you know, we're going to spend time probably very specifically looking at the options section. And to the extent that the sections contain options as opposed to open-ended discussion questions or in addition to open-ended discussion questions the better off we'll be.

And this is a situation which I think almost more than anything else at least to the extent that it's not a red herring requires us to kind of to at least address the issue in a way that makes it less likely that a parade of horribles can be imagined about how SO and ACs actually work. Thanks.

Leon Sanchez: Thank you very much Greg. And there were so far I can tell from (David)'s document there were actually in the SO and AC accountability issue there were really no new ideas or suggestions. So I would say that there are no other options for consideration sorry, about the CCWG.

Greg Shatan: We may want to say that so that the - it's clear that in fact we didn't get any concrete options. Oh I see under who watches the watchers is under areas needing refinement at least a suggestion that SO ACs adhere to standards of openness and transparency recognizing that that's not - that's necessary but not sufficient to get on the road to accountability.

I agree with Jan that transparency isn't accountability. It's just the chance to see at best whether or not accountability there is any accountability.

Leon Sanchez: Thank you very much. That sounds like a great addition to the document. I will definitely add that comment into the document.

Next on the queue I have Jan.

Jan Scholte: Yes thanks Leon.

Two things, a clarification, Greg the suggestion about referring SO AC traditions to the IRP my proposal was quite more specific than that.

It was about how the SOs and ACs acts within the community empowerment mechanism. So not that SO and AC internal debates the policy decisions and, et cetera, that those would go to the IRP, no.

Just as the SOs and ACs act in the community empowerment mechanism that their decisions in that specific context should be preferable to the independent review - to that panel.

To give an example if the board had a complaint that a decision coming out of the community empowerment mechanism was overstepping the mandate, was overstepping the jurisdiction and was overstepping the boundaries of what the community empowerment mechanism should do the IRP could be a referee in the disagreement of that kind.

Because otherwise you get the community empowerment mechanisms people saying we have the right to take this position and the board saying no you don't have the right to take that position.

Well what do you do in a situation like that? If you could refer to the IRP then you have an arbiter.

Or likewise if in the community empowerment mechanism the existing SOs and ACs refuse inclusions to a new SO and AC that then at the moment there would be no way to hold the SOs and ACs to account in the community empowerment mechanism to account for taking that decision.

Again the board wouldn't be able in a position to challenge the community empowerment mechanism. But the refused new SO or AC could go to the IRP and say, you know, we think that the community empowerment mechanism hasn't given us just hearing or just cause to exclude them.

So just to say again the suggestion of referral to the RFP for of SO and ACs it was not SOs and ACs in general. But it was SOs and ACs as they enact their new powers in the community empowerment mechanism. That's what the specific thing that was being suggested there.

And just to note there I do think that is a specific proposal which is new which is coming out of the comments so it might be, you know, an option for consideration. I think this is a concrete option that has come out of the comments. Thank you.

Leon Sanchez: Thank you very much Jan. And I think that this is something that we definitely need to check with (Becky)'s team how could they see actually some where there is SOs and ACs acting in community empowerment mechanism could be referred to the IRP as a consequence of action.

And I think that we all right, and we need to check this with (Becky) of course. But we are also with the challenge that if we haven't come to closure on which kind of community or mechanism we will be having. But then I think that we are making that part of the (caution) too.

And next in the queue I have (Mathieu).

Mathieu Weill: Yes thank you Leon. And I support your approach on Jan. And thanks Jan for providing the clarification on your input.

I'd like to remind us as well that earlier in this call we agreed that a couple of points that were in the diversity paper would be pasted in this SO AC accountability paper.

And there were also kind of concrete proposals related to conflict of interest management, so with the revolving door kind of policy and inspector office.

So in terms of options for consideration we should certainly not forget them as well if we are listing the concrete proposal that we received in the public comment. Thank you.

Leon Sanchez: Thank you very much (Mathieu). So this should be included as option for CCWG consideration right?

Okay. I see a green tick in agreement. So I will paste those bullets from the diversity paper into this section of the SO AC accountability paper.

Next in the queue I have Greg Shatan.

Greg Shatan: Greg again. Just to respond briefly to Jan's point I can see a number of, you know, design issues that would come up with both of those proposals.

I think that if - to answer the first question if an IRP were commenced by the community mechanism or by community members and the board asserted that it was a - not within the power or the jurisdiction of the IRP to bring that that would be a valid defense or a counter argument within the IRP. I don't think there's any new action that we would need to take in order to enact that.

And as to the second issue, a variety of issues and I don't - I don't think this is the time or place to raise them. But this was as with any new suggestion coming on at this point we have to consider whether we can get it fully baked enough especially considering that our existing proposal we've been working on, you know, one way or another has for months has been decided to be, you know, half-baked door or at least under communicated. Thanks.

Leon Sanchez: Thank you very much Greg. So that are there any other comments in regards to SO and AC accountability?

                  I see Jan do you want to - I believe answer to Greg. So go ahead please Jan.

Jan Scholte: No. Well just briefly and Greg I think I didn't express myself clearly the - certainly on the first put (unintelligible). Greg understood it in a way that I didn't intend.

                  But I don't think we should distract this meeting around that. I think Greg's point is right and take it outside and work it through and develop it.

                  But I do think the general point that we're getting strongly from the board and others is that if some fairly concrete measures about how the new powers for the community in the community empowerment mechanism if we don't offer some specifics indications of how those powers will be held to account the proposal might encounter difficulties.

                  So to that extent I think it probably is worth time spending time on things that may be new or somewhat half-baked still. But they could probably will help the proposal actually to get through once other start scrutinizing it.

                  One other small point that I recall from the Los Angeles meeting is that Steve DelBianco's stress test at one point included some elements which address issues about SO AC accountability. And we said that the - those bits of the stress test should be integrated with the discussion of SO, AC accountability. I realize it's not actually part of the public comment.

But I'm just thinking that this is also an important point for the next draft of this part of the proposal that the bits of the stress tests which relate to this be incorporated into the discussion of SO, AC accountability.

Leon Sanchez: Thank you very much Jan. And we have a comment that we should take this off-line. And we will certainly reach out so that we see how we could actually speak (in terms) of this issue.

And I see a comment from Greg that we should also consider was it something other (then) or before an adversarial arbitration should be put in place when an SO AC (unintelligible) issue?

I like this rather than just jumping into an IRP. And that is also a matter of escalation or escalating in this path to the IRP.

So are there any other comments in regards to SO AC accountability?

Okay so I think that the next steps which is our next item. And I'm skipping agenda item Number 3 which are comments on the (server) by the group because I think we've already done so.

And if there is anyone that feels that I'm skipping this point and would like to voice any other comments please do so at this point.

Okay no other comments. So action item Number 4 will be next steps. I would suggest that each of the pen holders goes back and includes the different suggestions and comments that we heard from our working party to date. I will of course take care of the SO and AC accountability.

And I would kindly ask staff to forward the notes and the comments made on diversity and on the staff accountability to the corresponding volunteers that are holding the pen on these two topics so that they can of course adjust the documents accordingly.

And I think that we're reaching a good document and all these pre-emerging issues. And of course we will be having - it would be useful to at least check when we have the latest versions or the suggested last version and pen holder whether we agree on them or not.

So I would say that if we need to deliver it on October the 12th to the CCWG at large we should say that the deadline for completing this document with this comments that we heard today could be Saturday, October 10 so we can have them circulated to the list or I'd say tomorrow. I'd say tomorrow.

I'd say tomorrow because if we send the documents on Friday the 9th then we would have Saturday the 10th to discuss and we would be achieving our goal of the deadline on October 12.

So let's say 24 hours from now we have a pen holders 24 hours to finalize the document, circulate it to the working party list and of course make final comments to the mailing list and have the pen holders or the volunteers on each topic to incorporate last comments and deliver to the CCWG by Monday the 12th.

Are there any objections to this way forward? I see green ticks, excellent.

So staff could you please help me on assembling this note to the Working Party of course and specifically to each of the pen holders with the note from -

on the call so they can add all that's been said to the corresponding documents?

And now they will take us to any other business. Are there any other business to take care of on this call or would you like 24 minutes of your life back for free?

Okay so I see no one raising any other business. At this point I think we just adjourn this call. And I thank you everyone for your attendance. Let's continue the work off-line and talk to you soon again. Thank you very much.

Woman: Thanks everyone. Thanks Leon. Bye for now.

Leon Sanchez: Bye-bye.

END