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SÉBASTIEN BACHOLLET: Thank you very much. Sébastien Bachollet speaking. This is the call of the ICANN Ombudsman's Office design team of the work stream two on ICANN accountability. I want to apologize that I was unable to do some work to prepare this meeting. We don't have any set agenda, and I don't know if there was some mail the last two days about topics, but I don't know.

And I decide not to cancel this call, to have a report of where we are with the review, and I think that it's, if Lars can give us this report, that would be great. And I will give you a short update on where we are with the relationship with this diversity team, and with transparency team.

And if you have any other topics, it will be, that would be welcome. I imagine that this call could be short, but it will all depend on you. Lars, can you give us an update on where we are with the review, the external review? Please.

LARS HOFFMANN: Absolutely. Good evening, good afternoon, good morning, everyone. Thank you Sébastien. We had seven responses. The review closed, you may recall, on the 31st of January. We have seven responses that [inaudible], which is actually a very good number for what we usually get from these kind of RFPs.

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There were very diverse. I think [inaudible] last time, we had, they came from four different continents. So they are from all of the places [inaudible] which is going to be very good. They seem... So, just to let you know where we are on the process, we're currently with the MSI team.

We have the score cards that we used, standard score cards for any RFP that ICANN does. And that's an adjust to the RFP. We're going to do a preliminary scoring between us, and then we're going to bring you, the sub-team, on the next call on the 13th. To kind of explain what we've done and where we are in that progress.

I had a quick read through myself, through the proposals. I've not spoken to my colleagues, so these are my note exceptions. I haven't consulted with my colleagues on this. And so, I think they are all very good proposals. They maybe all understand the scope, they present feasible project lines, and they have expert teams of at least two examiners, or [inaudible] rather, for all of these seven bits.

So, yeah, I think it looks hopeful. We'll be able to speak to the schedule as ambitious as it is, and we'll hopefully give you a more concrete update with more information next call, which I think is next Monday. Sébastien, correct me if I'm wrong. And we'll have sort of a coordination call amongst staff before then.

SÉBASTIEN BACHOLLET:

Yes, it's next week, essentially. And thank you Lars, for your update. Any questions regarding where we are with this RFP?

For the new people just joining, we are having a report from Lars about RFP, and we will do a short review where we are with diversity and transparency team. And any other business. And once again, I apologize not to have prepared more this meeting.

Any questions about where we are with the RFP?

Okay. Lars, thank you very much for your update. And we are... We will be very interested to have your feedback next week, and how will you schedule our involvement? You will give us a report? You will ask us to read something? Or just, or some proposal? Or we just propose some summary of what others RFP and ask for our feedback?

What is the plan for that?

LARS HOFFMAN:

Thanks Sébastien. That's a good question. I would have to say, I would have to confer with my colleagues. This is... My understanding is personally, that we share with you the scorecards that we produced. We have to keep the actual companies that bid anonymous at the least, and then if you have questions of how we can escort and why we came up with these numbers, then we'll be able to answer these questions in the call.

But I will do, Sébastien, we're going to have a coordination call with our side, and in the middle of this coming week, at least on Wednesday. And I will draft a summary email of what I expect in the next call, and also potentially already with some documentation, hopefully by Friday, close of business, you have that in your inboxes before the next call.

SÉBASTIEN BACHOLLET: Okay. That sounds great. And thank you for this hard work, and yeah, give us some information after your coordination call. Great. Thank you very much. Okay, I will give you a short update where we have the diversity team. During the last call, I was request to write a more detailed document about that.

And as I told you, I was stuck in other stuff since one weekend, for one more weekend. I was not able to do it. I may be able to do something tomorrow for that, but very interested with our proposal, at the same time, I think they need to have different possibility, and as I am a member of the diversity team, I will write, I will try to write a more comprehensive document.

Any questions, feedback about the diversity topic?

Okay, if not, thank you. [Inaudible] team, we had some exchange with the rapporteur of the, okay, sorry. Asha, you want to talk, go ahead please.

ASHA HEMRAJANI: Yes. I have a very sore throat, maybe I'll take it. Just look at the chat room, thanks.

SÉBASTIEN BACHOLLET: Okay. Sébastien Bachollet speaking. About the transparency, we had some exchange with the rapporteur, and they write something, they change a little bit of the report. It was discussed again through the

transparency team. I don't think we have too much to add, as an ombudsman group.

But it will come to the plenary, and we will see where it will be going. Had Herb a lot in this discussion to all the question we had about how the transparency team need to involve with the, with the ombudsman regarding the IDP, the question about the document for ICANN.

Then if... Once again, on this document, I don't think we have something to [work?] now. We will do a follow-up, and we will discuss that at the plenary, next plenary. Okay. And Herb, please go ahead.

HERB WAYE:

Merci, Sébastien. Yeah, I think the only thing actually recorded here is that I'd raise some concerns regarding the independence of the office, and possible conflict. As you know, this confidentiality, and that any of the subgroups moving forward, that feel that they were about to involve the office of the ombudsman in the processes, must be very conscious of the values of the office, and not none of the actions that they're asking the office to take, or the ombudsman to take, interfere with the values of confidentiality and independence.

So, really, moving forward, I'm hoping that the groups will take those issues into consideration so that potential involvement in decision making process, or some sort of a... For instance, with the DIDP, ensuring that the decision that the ombudsman takes, those would eventually have to come back, may not come back to the office to be investigated by the ombudsman in that process of fairness.

So, that's an issue that the complainant may have. So, they're going to have to be fair moving forward. Thank you.

SÉBASTIEN BACHOLLET: Okay, thank you. May I suggest that you take some of your exchange as a basis, and you write up, or I will say, not topically document about this question, the confidentiality, and we discuss if you are able to produce that at the next call, and if we agree, as a group, we will, I suggest to send that to the plenary as an input for all of the other subgroup.

You may not be obliged to go to each and every... And like that...

HERB WAYE: Yeah, I think I can put together. I would want to keep it very general, but I think just a general warning that the, can't simply ask the office of the ombudsman to do something that may interfere with the investigative side of the office, and complaint intake when you cross it.

SÉBASTIEN BACHOLLET: Okay.

HERB WAYE: So yeah. I can, yeah.

SÉBASTIEN BACHOLLET: Okay, we can turn on that, and discuss that next week. I hope that it will be possible. Thank you, Herb. Any other discussion about transparency?

If not, I will come back to diversity. Asha was asking in the chat, just wanted to get a feel. Does everyone agree to have diversity dispute of monetary, etc. under the ombudsman's function?

And from what we send on the diversity group, I would suggest that the idea of an office of diversity set-up by the diversity group, could be the best place for this office, would be under the ombudsman. But once again, I need to write a more comprehensive document. I will try do that, probably, tomorrow.

And it will be discussed more thoroughly here, and in the diversity group. But for the moment, it was our proposal to have the diversity office within the ombudsman's office.

I hope that it's answering your question, Asha. I will wait for your typing, as you are in a noisy place.

You just landed in Singapore. Okay. Waiting for your typing, I will come before to the, with all of your questions. The report structure didn't change since October last year. We didn't make any work on that specifically, no inputs.

And no change. And I'm not sure that I understand your second question. Then the first question was, as a reporting structure for the ombudsman's change, you were maybe not talking about the document, but I don't think that there is any change of where we,

where the current office of ombudsman, and the future one is as an office of diversity reporting to the Board.

And the real boss of the ombudsman is the chair, and it's about governance committee and the Board, the one who decide about the payment, I guess. Composition committee, thank you. And the other point is that, the one we were reporting to the legal team, it's a complaints officer.

And that's still going on into the decision of the CEO. And it's, I didn't see any [evidence?] specifically on the who will take that role, but I may be not aware of it. But thank you for the question. It's always good to reassert something and to be sure about those types of things. And thank you Avri.

Okay. Asha, I understand that you want to have the feel of people in the subgroup, but I can ask Avri and Herb, I know we had already these discussions, and I hope that next call, we'll have more people and with the document, will be able to discuss in more detail about the diversity functions that the ombudsman's office can do.

Okay. Thank you very much. And have you any other questions? And yes, I see that Avri has a question about the possible role of the ombudsman regarding staff, and I think it's a topic we will need to take into account and discuss.

I hope that Avri, you can help us to frame this issue. It's already in our current document somewhere, but it would be good to have a specific discussion, and not this week, but next week, I may try to join your staff

accountability group, and I will have a discussion with you. Thank you for raising this issue, Avri.

Herb, do you want to have a discussion on that? Go ahead.

HERB WAYE: Sébastien, if I may?

SÉBASTIEN BACHOLLET: Yes, go ahead.

HERB WAYE: Yes, thank you. My connectivity is really low, so I hope I don't get cut off. Avri, just to, unfortunately, I missed your meeting. My clock was off and I was in LA, and I signed on after your meeting ended the other day. But it can take issues from the staff, as long as they're not HR related.

So, staff is protected by California law against harassment and things like that. But if the staff brings an issue to me that pertains to something that this going on in the community, then I can take complaints from staff.

So, there isn't, I try to be as open as possible with the complaint intake, and if staff comes to me and there is something going on in the community, that I need to be made aware of, then I'm more than open to looking into it. Thank you.

SÉBASTIEN BACHOLETT: Okay, thank you Herb. As you see, very, he's asking in the community, or in the organization. That means the staff side, something is happening. And I guess it's also a link with the question of whistleblower within the organization, and I really suggest that specific time for that, because a lot of you are describing what you are doing today, and we may want, or we may stick with that, or we may want to have something extended to staff as staff accountability subgroup is working on that.

But I suggest that we add to one of our next call at, and issue in coordination with the staff accountability drafting team that Avri is the rapporteur on.

Okay. Thank you very much. Have you any other business?

Okay, I think during our next call, we will get a report of where we are with the external review. And with that, we will try to work on our schedule to see where we think that we can end up to produce the document.

I have no idea for the moment, and I shall have the last say at the beginning of the call, for the moment, the target dates for the external review, stick with where it was discussed previously, and next week, we will have a report, and maybe we will give some inputs on the choice of the selection of the [inaudible], and we will be able to stick with our schedule.

Okay, I am seeing Asha typing, and I will wait for that. And if there is no other business...

For the moment, Lars, Asha is asking if there is any possibility for delay for the review. For the moment, no, but there are two different issues. One we will discuss, is a choice of the vendor. And then we will then pick up a vendor, I guess that some discussion will be open between ICANN staff and the vendor to ascertain with delay.

And we will discuss the rest of our work to see where it can fit and how we can do it. And I have no, for the moment, information about any delay regarding the review. Okay, thank you very much everybody. Thank you for joining. I am sorry that we have no more people coming.

But it's is for now a group. Thank you for your participation. And sorry to have a short call, but I think we get some interesting exchange, and I would like to ask for close of this meeting, and talk to you next week. Bye-bye and thank you very much.

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