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SO/AC ACCOUNTABILITY SUBGROUP MEETING

Thursday, July 13, 2017- 19:00 to 20:00

>> CHERYL LANGDON-ORR: Thank you very much Brenda. My name is Cheryl Langdon-Orr and Steve DelBianco and I are two of the three co-repertoires for the SOAC accountability subgroup of work stream two running out meeting today. We have had a bit of a break and not being convening since we had our recommendations put out for public comment we are now convening again to review those public comments and the interaction that we've had with the work stream two plenary and others at the recent ICANN59 meeting our face-to-face meeting to discuss those public comments and look at any edits that we may or may not make to our recommendations based on that so that question bring that towards our follow reporting on our work. With that, hopefully that will do it as a bit of a welcome. I'd like to do a little bit of administrative. Is there anyone on the call who is only on audio. Only in by phone and not by the adobe connect. If so let yourself be known now.

Cheryl, again. Not hearing anybody. We assume we can take our role call from the C room. Bernie, do I see a hand up?

>> BERNARD TURCOTTE: Yes, just a note. Our captioner is having audio problems, is not hearing it, which is why the transcript is not showing up at the bottom of the screen. We're working on that right now. Thank you.

>> CHERYL LANGDON-ORR: Thank you, Bernie, and we do appreciate the captioning, so that would be great if it can be sorted out. None of my words of wisdom are particularly important at this stage. With that, I want to note apologies for [Indiscernible]. Today she's not able to join us. If there are any other apologies staff

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will note that for the record. With that administration over, it's now time to ask has anybody got an update to statement of interest they need to mention to us? In other words, has there been a change in your circumstances that in some way affects or affect the interest of work you're doing now. I have Greg. Yes, Greg go for it.

>> GREG SHATAN: I hit the lottery. I'm independently wealthy. That's not true. I've changed employers. I'm now working for a different law firm. It doesn't really change my work in any way. Thank you.

>> CHERYL LANGDON-ORR: Thank you Greg and congratulations on the change of how -- [Indiscernible] that would have been exciting to celebrate.

Thank you very much for that and not seeing anyone else. Although Greg's hand is still up. Hopefully he's not switched employers in the last couple seconds. Let's go on to the meeting in the mind. So I'd really like to welcome -- so I'm going to now have a sip of my coffee which at this hour of the day in my world is very much appreciated. And going to be handing over primarily to Steve this morning for this next section we'll just take a review on a face to face meeting. Now you've all had h distributed to the list the notes from that meeting and thanks for redistributing that earlier today. For the record let's bring everyone up to speed on the activity. Over to you Steve.

>> STEVE DelBIANCO: Thank you, Cheryl. Steve DelBianco here. As the notes reveal on Sunday we have a one-hour discussion on the public comments received on first draft report on discussion about what the plenary discussed. Since we summarized the notes and several on this call were part of that. We won't go through the notes rather follow the agenda in effort to determine consensus in this group on how we're going to modify the first draft report once we've done so we will present to the full -- it would also consider whether another public comment is necessary. I

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think that the function whether we make substantial revision to the recommendations we have. Can I ask you to bring up the first draft report? This is a report we completed in late March and circulated for public comment. The actual summary prepared by Bernie and staff. It will be difficult to read in chat. My recommendation to take the PDF or excel in another window. The first discussion is on track 1. I'm going to skip whether we call it best practices or good practices. To me that's a trivia matter of vocabulary. And if the plan rare with any example we'll burn 15 minutes of this call debating what to call the best track practices. My recommendation is take that up later. It's a purely trivial point. The most substitutive point is beginning our recommendation is that -- these best practices are to be considered not required someone who's not speaking could mute, there's background noise, thank you.

The conclusion we reached with respect to these best practices was right here on page two, of our document in the middle where we said that each ACSO group are applicable and improvement over present practices. We said these practices do not require any changes to the ICANN bylaws but recommended examine nations of these best practices. We went on to describe on Pages 7 and 8. So the executive summary mention and then explain in detail Pages 7 and 8. You're co-repertoires are under distinct impression the public comments distinctly object to the idea. Disagree with the idea that the ATRT could be expanded to also do accountability of each and SOAC the recommendation from board and few others and discussion of plenary is that we suggest a different review take that on. This is well within our charter and that's the organizational reviews. The ICANN bylaws for over ten years are organizational reviews for every five years. They are managed and run by the ICANN board. Where they have outside consulting board. The bylaws do not do with the gag. Other than the gag would be a more appropriate place to suggest that a review of the extend to the ACSO applicable best practices part of that

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organizational review. I think Cheryl and I would like to tee that up as recommended change to the first draft report and the change would show up on page two which is executive summary and further explain on Pages 7 and 8 where we earlier suggested ATRT could handle that. Cheryl with that explanation and proposal from you and I'm hoping to take a cue on discussing how this group -- we'll take a queue on that.

>> CHERYL LANGDON-ORR: Thanks Steve. Cheryl for the record. I'm not seeing anybody jump into that. yes. Sebastien.

>> SEBASTIEN: Thank you Cheryl. Thank you, Steve. I think I have no problem with your proposal. But I guess as you know I am still concerned by overall picture and that could be done ATFT not get into detail what's up in SOAC but much more when happening between SO and A C. I know it [Indiscernible] discussion about so called [Indiscernible] but I feel that we need to separate two level of a [Indiscernible] the one inside SOAC not to talk about silos and the one among the different SOAC. That's my suggestion. Thank you.

>> CHERYL LANGDON-ORR: Thanks. Steve did you want to write -- hear from Alan before you respond to that.

>> STEVE DelBIANCO: I'd give a very quick response to Sebastien. There are two level. One is notion that a review would look at whether ALAC or GSNO implemented applicable practices. There's a degree of interaction or cross accountability between GSNO and other groups. Sebastien are s speaks of the later position. Which is a mutual accountability discussion which is track two. I think Sebastien began comment by suggesting that the organization review would be at a better place than ATRT for purposes of examining implementation of best practices. If I have that right, that looks like concurrence with that part of recommendations. Thanks Cheryl.

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>> CHERYL LANGDON-ORR: That's how I heard it. Sebastien, we need to take your comments into account when we move to the track two discussion as well. Alan over to you.

>> ALAN GREENBERG: Thank you very much. I support the move factoring in the discussion that Steve asked us not to have right now on how we word whatever these best practices are. I have a real concern that some future review team will come in presume these are best practices that every ACSO is expected to implement and then move forward on that assumption which does not -- what we're saying. The wording will matter a lot and we're going to have to be very careful. But with that caveat, yes, I support the change.

>> CHERYL LANGDON-ORR: Excellent. Cheryl for the record. And again, that point was made. Steve, thank you.

>> STEVE DelBIANCO: Thank you. In the chat, I posted what the ICANN bylaws say today about these organizational reviews. In particular look at the last of it. So as written the bylaws could invite these consultants to look at whether GSNO is accountable to other stake holders. It's ambiguous on whether other stakeholders or other in broader ICANN community. If in fact we suggest a revision to the scope of these organizational reviews, they do live in the bylaws just like the ATRT. And there are two ways to do this. We could recommend that just the operational procedures that ICANN developing for review. Operational procedures reflect these good slash best practices and with all the appropriate caveats and language that Alan counsels us to have. The alternative is actually change the bylaws themselves and that's a higher risk and it would be my recommendation we draft the right words and see if we can slot into operational procedures for reviews that all of us have been hearing from staff but have not seen yet.

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Alan, your hand is up again.

>> ALAN GREENBERG: Yes, it is up again. A fair part of your answer sounded like it was another answer to Sebastien about whether we're accountable to other groups or to our own stakeholder. I just want to make clear I was not suggesting changes to the bylaws or anything account to believe other groups. I am talking about a review team coming in interpreting all of the words that are written no matter who writes them in their own way and going forward with that and having baring significant scares right now with the ongoing at large group. I have worry about reviews who decide what things mean and go ahead and interpret it. I was just adding the caveat when we only come to define what best practices are whatever we call them to make it really really clear that these are not necessarily uniform best practices that everyone should apply. That was my only concern of transferring them to what are essentially independent groups coming in and perhaps takes actions which are not what we meant.

>> STEVE DeBIANCO: Alan, it's Steve. I'll refer to phrase for recommendations with respect to practices which we suggest groups implement to the extent the practice as r applicable and improvement over present practices and I will concur with you we need to repeat that phrase every time we mention the word good practices and s they are not seen something as an end in itself but must be achieved.

>> ALAN GREENBERG: It's also an issue whose belief are they applicable. I don't want to belabor the wording right now. I'm reiterating I'm happy to move to organizational reviews knowing we have to word it carefully. That's all I said.

>> CHERYL LANGDON-ORR: Thanks, Cheryl, for the record. I think point well-made and we will make sure that perhaps this group could handle say a little side recommendation during the attention to this particular point in -- to the ICANN stuff

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organizational reviews because it would come very much in their own going creation to reference for each of the -- expression of interest. It would be something good to see institutionalize in their area. Sebastien.

>> SEBASTIEN: Thank you, Sebastien speaking. I'm not sure I get all your proposal Steve but I think we need to keep some interaction between AC and SO because for example we have [Indiscernible] from one group to another. And that's -- would be -- keep inside each of the SOAC fit the need of these specific. And I don't think that we need to change the bylaw and I will not talk now about whether you as you will talk during track two. Thank you.

>> CHERYL LANGDON-ORR: Steve, did you want to respond.

>> STEVE DeBIANCO: Yes, thank you. I pointed out to Sebastien that the organization reviews have been written for over a decade include the word at the end other stakeholders. And so it's within those terms of reference when ICANN does an organization review that they may or may not ask the consultant to look at this cross ACSO interaction or accountability and I do not think we should change those words but Sebastien, please be clear the majority CCWG and we locked this down at first report GSO accountable to the bylaw. SOAC at large community. Our sub team CCWG agrees -- we believe they are accountable of the groups they created to serve and not directly accountable to the other groups within the ICANN community. We're not going to peel that one back. We're simply moving where the best practice implementation assessment would live. It would live not in ATRT but in the five-year organization conducted by ICANN and I know Kavouss is in the queue. It would be nice to close -- [Indiscernible] move to the organizational reviews back to you, Cheryl.

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>> CHERYL LANGDON-ORR: Yes, before I go to Kavouss one thing I was going to do is not so much take a poll so to say trying to try very hard not to do that particularly with the relatively full number of number but take the temperature today's attendees on the changes you proposed and are articulated I think quite clearly in the chat. Two page two in the executive summary and to the associated sections as you describe in the beginning of the call. We drifted a little bit into another track but let's hear from Kavouss.

>> KAVOUSS ARSTEH: Yes, I wish to share with you some point of that -- [Indiscernible] -- my position is to make every effort not to do anything with -- [Indiscernible] in the bylaws. [Indiscernible] result in the bylaw. It's visible to say related to the public policy -- [Indiscernible] criteria. So I said this -- [Indiscernible] whatever you do first of all go to -- [Indiscernible] to put something within -- [Indiscernible] and widen and help and second what is -- [Indiscernible] make every possible effort not to result in the kind of the bylaw. One of the provision -- [Indiscernible] it's not -- [Indiscernible]

>> CHERYL LANGDON-ORR: Cheryl, for the record. Thank you. That we are not proposing any change to the bylaw. At this stage. That would be a conversation if we would to have it. And we have v no indication we're going to have it for in light of our process. With that made clear and reminding you of the terms Steve has outlined that exist in the current bylaws looking at the text but this thing proposed are there any objection to us making those editorial changes to our current report, noting of course that this change will go to the full list for further opinion to be sought and of course CCWG. If you have any objection to this text change, please make your self-known now by putting up a red X or interacting with us verbally if you're on the phone. Calling any objection for infection change proposal?

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Excellent. Seeing none. We'll make these changes to the draft and propagate it as described. We can move on to the next section. Back to you Steve.

>> STEVE DelBIANCO: Thank you. The next section tightly related. It was the notion the board itself and a few folks in our plenary discussion believe that broader accountability across ACS something that should be sought from the board comment. They said quote -- community decisional participate should be accountability to the community as a whole not just respectable -- [Indiscernible] is to provide suggestion on how to do that. We did indicate as written today the various empower community participants of the one determines the decisions made by empowered community decision participant. There's no mechanism and unless someone wants to propose one there's no mechanism by C -- they the GAC, ALAC, CCSO, any group part of the power community. I do not believe we have any recommendations of making a change to this broader community accountability. And I'm not recommending any report changes on that and this is also track one.

>> CHERYL LANGDON-ORR: Thank you. Cheryl for the record. So there anyone who has a different belief than Steve has outlined and it's certainly a -- exactly as my memory indicates the same feeling of the room in our last meeting. Is there anyone who wishes to raise a point in counter to that or if not, we will move on?

>> STEVE DelBIANCO: Thank you, Cheryl. Next topic. The next topic track two. Which is discussion of the accountability roundtable. Sometimes call the mutual accountability roundtable. If you recall our work group -- concluded not to recommend an accountability roundtable. That was the original draft. During a plenary call in February, March there was some is interest in the plenary level to do something and a suggestion which sounded like a compromise was to make it optional. Optional accountability roundtable. That's describe in screen in front of you page two. It was original describe in the concept where it would be an option

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where the Pages 9 and 10 of our document suggest that the chairs of the various AC and SO would be given the option to see at general annual meeting if have 90-minute roundtable meeting. That's what we put for public comment. I suggest public comment were not in support of that and that during the plenary discussion in Johannesburg the majority did not support the optional accountability roundtable. It's my belief the plenary would like us to return to our original position which is make no recommendation with regard to a Mutual Accountability Round Table. And instead to suggest that ICANN CEO regularly convene meetings, calls and or e-mail conversation with all the ACSO leaders and those opportunities to engage in discussion at any time as opposed to annual ritual which was deemed to be very little valuable to -- to the majority that spoke to that. With that Cheryl, I guess I make I make the recommendation that we drop on Pages 9 and 10 we drop the recommendation for the optional accountability round table and return to our organization recommendation that the Mutual Accountability Round Table not be implemented as a formal mechanism. Thank you.

>> CHERYL LANGDON-ORR: Cheryl for the record. Opening a t queue now for that conversation. Also notion that in this conversation I will be capping the time for no more than 7 to 8 minutes on this particular topic. So please keep your intervention short. This is to discuss the revision to have original recommendation not to relitigate all of our conversation we said in the past. Over to you Christopher. Followed by Sebastien.

>> CHRISTOPHER WILKINSON: [Indiscernible]

>> CHERYL LANGDON-ORR: Yes, we can, go ahead.

>> CHRISTOPHER WILKINSON: Not for the first time on this particular point I just [Indiscernible] Steve's recommendation as just expressed there's a degree of

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reclusiveness in this working group which I suppose for intermittent participant it's welcomed but we do spend time on repeating ourselves. So I shall say no more. I've already said in some detail of why it is that -- a formal mutual accountability format does not respond to the actual responsibilities of the supporting organizations and advisory committees. Thank you.

>> CHERYL LANGDON-ORR: Thank you very much. Thanks for helping us avoid that recursive loop. Sebastien.

>> SEBASTIEN: Thank you Cheryl. I'm sorry to be recursive. I just want to say that I prefer to have -- intermittent of SOAC private dinner appoint -- [Indiscernible] by the CEO that's for me a big difference from what's happening today and what we must do and what I was calling -- [Indiscernible] but if you want to call it Mutual trance -- [Indiscernible] I don't care about the name. I care about the upkeep. Thank you.

>> CHERYL LANGDON-ORR: Thank you very much. Cheryl for the record. Christopher I'm assuming your hand is down and it's not a new hand being raised. Is that correct? And Sebastien of course outline -- [Indiscernible] thank you. To propose that the ACSO leadership have this topic on their agenda and certainly not limited to the two or three times a year when they do gather over breaking bread sharing of salt which I don't think is a crime. At any time, they meet regularly. I don't think it presented that group in itself proposing that at any point should it be a need thing for a broader interaction with the community that that could not be proposed but merely we're not proposing it as a formalized and regularize event. So Steve, if I've got that correctly, hearing no particular objection to your proposed text change. I'm going to call for formally -- for anyone today's meeting who objects to us reverting to our original text on our recommendation, to let themselves be known now.

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Calling for objections.

>> And I've placed it in the chat.

>> CHERYL LANGDON-ORR: Thank you very much for that noting Sebastien suggestion. We have temperature where Sebastien -- I don't think we need to name people. Participating showing concern on the change. We'll note it with a little footnote that there was a -- a minor -- not a minor concern. A concern from a participant. I don't want to trivialize the concern. We'll make that change and take it out for propagation for live group and CCWG where it can be discussed and again. Back to you Steve now we move to the next item.

>> STEVE DeBIANCO: Thank you, Cheryl. The next item is what we call track 3. It's explained on page 11 of our first draft report. And this is with respect to the challenge of whether the IRP should be made available. For anyone to challenge SOAC. We concluded it should not be. And I believe only one member of the plenary felt it should be. So is that not in question. We want to be responsive to a notion of well what is the mechanism. By which somebody inside or outside the community could challenge the GSNO or business constituency or actually following charter, following published good practices and whether it's behaving appropriate towards a member or someone wanting to become a member. We suggested on page 11 there are easier alternative ways to -- [Indiscernible] such as ombudsman complaint. We did mention that. But it's -- it's my recommendation that we expand that into a recommendation that the Ombuds complaint with b the appropriate place for challenges AC or SO and that we would look to Sebastien as chair of that subgroup, we look to herb as actual Ombuds person today to help craft a few sentences for page 11 so it's not an afterthought but recommendation. This is early in the call-in hopes that Sebastien and herb can offer language here.

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>> CHERYL LANGDON-ORR: Cheryl, for the record, and hopefully with the heads up he's given them they may have at least some comments to contribute at this stage and certainly I'm sure that Sebastien's group will if need be contributing some formalize text. Sebastien with your position let's go to the Ombuds himself and see what herb's reactions are. Over to you Herb.

>> HERB WAYE: Thank you, Cheryl. Right off the top of my head here my initial response is that my bylaw already covers the situation so by formalizing it in a recommendation for future charter or bylaw inclusion is time including in your charter is great. Because it only emphasizes my bylaw section which already opens the community to review by my office. The only thing that concerns me by putting it in as a formal measure is that it removes the informality a little bit from the focus of the office so that by becoming a formal avenue of accountability I would have to see exactly what rules and relation and processes would go along with it to ensure that it's not either contradicting my bylaws or interfering with aspect of confidentiality or some of the other. It would have to be done very closely aligned with my bylaws. And I guess now I'll turn over to Sebastien because these are some of the things that the Ombuds sub group actually reviewing and he may have a little more to add. Thank you.

>> CHERYL LANGDON-ORR: Thanks, Herb, Sebastien.

>> SEBASTIEN: Thank you, Cheryl. Sebastien speaking. Yeah, I would try to get a little overview on that. I guess the answer given by Herb is the right one but if we take where we are in our subgroup, what I suggest to say is that we need to have that into account if it's not Ombuds the Ombuds subgroup will give proposal to honor that. That means it will not be nowhere it will need to be somewhere but how we will deal with that as we review of the current Ombuds office one of the proposal is to follow a certain -- to define and follow a certain past to be sure activities are or

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complaints are taken into account the right way by the Ombuds office and if it's not within the Ombuds office how it will be taken into account. But that specifically for your point, I don't see any real risk that it will -- we will not be able to include that in the right way within the new definition of the ICANN Ombuds office what we call it bylaws are the -- Documents we will not -- it's not a topic -- that's what I think -- I can say today. Knowing that our group the Ombuds will meet on Monday and we just received the report on the review before the meeting and we need to finalize that and then to answer in some more work for the subgroup. I hope it's not too unclear. I hope it's clear and if you have any questions I'm ready to try to answer. Thank you.

>> CHERYL LANGDON-ORR: Thank you, Sebastien. Yes that was perfectly clear. And just notion for the references this has -- Cheryl for the record. The interactions in chat between Herb and Steve what we can do in terms of our check is make clear this is already a matter that's for the current Ombuds office charter bylaws can cover and that we note independency between this topic and the work of the Ombuds office review and the work stream two groups managing that, that we can put some next our report so noting the independency and covering the topic. Steve how we craft those words is the next question. Back to you.

>> STEVE DeBIANCO: Thank you, Cheryl. It was helpful going back and forth with Herb and Sebastien. Since initially I wasn't sure if Herb was speaking to the bylaws changes. Our recommendation is not a bylaw change at Herb understands that. And then Herb was thinking maybe we were suggesting that the charters of the ACs and SOs would somehow have to be changed to reflect the reflection Ombuds has jurisdiction over the complaints. Herb indicates that is already the case and no need for the charters to reflect that. There's the ICANN already give the Ombuds the role to investigating complaints. Actions or inactions. So we would make the recommendation stronger as opposed to saying such as only bullet wounds

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complaint. We would clarify it has an appropriate roll to look at action or inaction. I'll just put that into chat. That Ombuds already have roll to action or inaction. I think we should add that the process used by the Ombuds office may be enhanced and or clarified by the work stream two group recommendations recording the ombudsman. That's paraphrasing a little bit of what Sebastien said. We could not know at this point but we're indicating that role for the Ombuds may be enhanced or clarified by other work stream two process. How does that sound?

>> CHERYL LANGDON-ORR: Cheryl for the record. Thanks Steve. I think that sounds like we had some roughly painful draft that's we can propose. And propagate and unless anyone objects to text which will roughly approximate what Steve put to record and Herb might I note in chat has been supportive of that sounds good to me. If he thinks that sounds good -- we will put that into our text and that will allow us to move on to our next topic. Which I believe has wrapped up our three tracks Steve. And allows us to look at next step.

>> STEVE BDeIBIANCO: The only other substitutive item we might discuss in the 15 minutes remaining is whether a consensus of our group to change best practices to some other term such as good practices. If we use all the available time left on that topic we -- discuss our next steps because we do have to not only change the draft of our report but decide whether we will prepare a point by point response to the public comments that were received. I don't believe that we have to do so but we should decide what is we want to do. Back to you.

>> CHERYL LANGDON-ORR: Cheryl for the record and how about we do this agenda in the following way. We will insure that we have a -- at least a five plus minute block to discuss the terminology question but that we will right now just make a couple proposals on our next steps. And also a little bit of the meeting schedule. Try to leave as much time as possible to have that conversation that you just proposed.

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We have in fact got if I could make you jump to our meeting schedule item five, along with any other business and I'm assuming we don't have anybody with any other business, it's pop it into the chat so we can know aid and abet. We've already got two meetings scheduled. One on the 20th and one on 27th. So these are already in the master plan. This should be calendarized already in your own personal schedule. We have the time to look at these changes and text and also look at how we will proceed in terms of more detailed activity and notes comparing groups discussion with the public comments. You're right Steve it's not a requirement such for us to do so but I think it's a strongly encouraged -- one that I've seen in the other work teams as well. For us to do. So I'd like to suggest that at least one of those meetings and possibly half of the other is devoted to looking at what we say for the record about each of the public comment. In any case, it may be the group discussed and reference the page here's our report. Won't be -- [Indiscernible] but it's a half worth doing in my opinion. If we cut today's agenda. I think that frees up enough time. We'll also of course need to make sure we schedule a time which works for the August plenary meeting for any of our updated reports to go to the plenary and I think -- and Bernie correct me if I'm wrong, second or third Wednesday of the month being the plenary we should be okay with our schedule to do that if we run out of our document we continuous change on it. Unless he tells me otherwise I think we're going to be okay for doing that. So if we can then take those bits away from our next step and come back to your proposed conversation, I've left a whole nine out of ten minutes for us to talk about the terminology of best practices noting that the feeling in the room when we had our conversation in Johannesburg was I think pending towards the fact we should consider as a sub team some change in the -- with that I do see Bernie waiving my hand. You first so you can correct all my errors at least the one you know about. Bernie.

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>> BERNARD TURCOTTE: I'm not going to touch that. Just a few notes. One, to meet the public comment administration requirement we have provided a short summary of the responses so they can put that up and that we don't have that vacant slot there for staff responses. But I would like to support Cheryl's point of view that if we want to add in responses from the group to the comments that's highly recommended would be greatly appreciated. Next, Cheryl is quite correct we're going to monthly plenary calls. So the next plenary is August 30th, so if you wish to have a document considered at the August 30th meeting, it needs to be delivered by the 27th of August. So that we get our 7 days. Thank you.

>> CHERYL LANGDON-ORR: Thanks. I like it when you agree with. Over to you Alan.

>> ALAN GREENBERG: Thank you very much. Alan speaking. On the issue of do we comment object comments. I'm one of those people who has been over the years been very vocal about groups that don't do that and sort of gloss over them and I think we should address each of the comments. It does not need to be very long but I -- you know in many cases we are saying yes, the group agreed and we have implemented this or no we discussed it and their consensus was not to. I really think it's important that being said I will not be at either of the next two meetings but I will be happy to review whatever comes out of that process. Thank you.

>> CHERYL LANGDON-ORR: Thanks. With that let's open up this conversation. Cheryl speaking by the way. Let's open up this conversation on the best practices. Steve I'm going to top back to you and open the queue.

>> STEVE DeBIANCO: From my standpoint I believe best practices is understood in the western business community to be aspirational and not required. But if there are other folks with linguistic and cultural sensitivity to best feels the -- it implies a degree of adherence and a different term like good suggest less of an adherence

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then I'm open to go with a different term. I do note that Alan indicated earlier in the call that we will have to add surrounding language to indicate that applicable and whether it's an improvement and both applicable and improvement needs to be in the eyes ACSO and not in the eyes of the reviews. This is caveat language Alan spoke of. Those caveat are necessary whether we go with best practices or some other phrase. I'm in different. I understand the need for caveat. I'm happy to go with the will of the group.

>> CHERYL LANGDON-ORR: Back to you Alan.

>> ALAN GREENBERG: I'm not a fan of using a common word -- common English word since this is an English document and redefining it to mean something else. The term best practices is often used and certainly in the ICANN context is used when we talk about best practices for registers for instance. There's almost a certain amount of shame associated with someone who choses not to follow the best practices. And at least that's the way it's being viewed when we try to use that term before in regard to contracted parties. So I worry about using the term even if it is understood as some connection the wider world and I have a problem saying calling the best practices but then having weasel word but this isn't the best practice. This is something which something might consider is applicable. But may be complete I inapplicable in any given case.

I would prefer to come up with some less onerous description but Steve is correct regardless what we call it we do need the words around it which make it really clear that this is not something which in all cases is advisable. It may be inadvisable in some case. I'm not going to try to come up with an example. So I prefer not to call it best practices but regardless we're going to have words to say what we mean even if we pick a poor title. I prefer to pick a good title. Thank you.

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>> CHERYL LANGDON-ORR: Cheryl for the record. Just noting Bernie's mentioning chat of the dictionary definition of best practice. Should draw our attention that. And going to you Greg. Over to you Greg.

>> GREG SHATAN: Thanks. Greg Shatan for the record. I agree with Alan. I think best practices is really a term of art. It's definitely about setting standard and wide spread and generally accepted as superior produced result to superior means. Technique reliably lead to desirable result, et cetera, et cetera. Just reading the Google search result hears for instance. Consistently showing result superior to other means. So I don't think -- these are not SOAC wide best practices. So we do need some other term and we shouldn't choose a term of art and use it for another meaning. There are some discussions of good practices. I haven't really digested that. It's certainly a looser term. Some what archly I suggest pretty good practices as another possible term. Thank you.

[Laughing]

>> CHERYL LANGDON-ORR: Thank you very much Greg.

>> How about occasionally adequately practices.

>> CHERYL LANGDON-ORR: Two minutes to go we take this as a conversation we will pick up again at our next meeting. In the interim we will nut perhaps the term good practice in square bracket in our document for our consideration in our next draft. Christopher and then Sebastien.

>> CHRISTOPHER WILKINSON: Christopher for the record. I often forget to say that. Comfortable for losing the term best practices. May I say when we use that in the ICANN context it must be associated with a work action in an appropriate format and context to decide best practice. I accept the criticism that best practice is to open

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and too vague unless there is a reasonable process and ICANN is quite capable of doing this with stakeholder support and interest to define what is accepted from time to time as best practice in any particular area. So it should not be just hanging there. It should be associated with the process to define it. Thank you.

>> CHERYL LANGDON-ORR: Sebastien?

>> SEBASTIEN: Thank you, Cheryl. I would like to explain what is my best practice. It's not to use best practice to explain what I'm doing and saying that -- when you explain best practice to -- when you say to somebody that's a best practice, that means that you have a need to follow them and they maybe not the same way, same organization, same thing, it's important information for them as practice and they have to decide how they will implement it and maybe it will not be the same way to me. That's not too bad because it's diversity.

>> CHERYL LANGDON-ORR: Thank you very much Sebastien. Cheryl for the record. Noting a couple useful contribution in our chat in terms of definition of what a good practice could be we may indeed footnote those and ask for any other contributions on identifiable characteristics of what a good practice may be and I think what we'll do is pop in a square bracket suggest the term good practice the text that we will be propagating and with that I would like to -- and -- thank you very much Bernie. Making me smile trying to compete with Greg. Just a side in the chat. To do with the terminology. With that at about a minute past the hour. I would like to thank all of you what I think is a very productive meeting today. And action item from today's call make these changes and propagate back out to our list to further is discussion and have that document reviewed again as part of our next meeting our next meet we will obviously take this conversation about -- on practices a little bit further and look into our next steps in greater detail. So with that, I'd like to thank our captioner. Greatly appreciated. The work is extremely important to our record and I'd like to

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thank Steve. For the work they've done on this document to date and particularly thank each and every one of you to the contribution today and in the preparation of this document so far. With that thank you staff. Thank you very much and I'll stop using those terms to call this meeting at an end at 3 minutes past the hour. Bye for now.