
DIVERSITY SUBGROUP MEETING
Friday, August 18, 2017 - 13:00 to 14:00

>> Hi everyone. I think it's time to start the call and start the recording, please. Thanks. Thanks everyone for attending today's call. So basically, we have the usual work on the draft report. Last week's call we went through new version of the recommendation and we made some edits and sent a new version of the draft report I think Tuesday, including the agreed recommendation. So, the goal or the intent here is to get the first draft that we can send to the plenary and for that we have to still meet our report by the deadline which is one week prior to the plenary and I think that that would be the 24th of August. So, the call today is just to check or to get any comments or feedback on the draft report we have and to try to resolve any concern and to move forward. Okay. Going back to the agenda for the action items. I think that we're already done with the submission of the new version of the report and we'll share it via Google doc and also in PDF version for those who cannot access to Google doc for different reasons.

So, we got let me share the link. We got a few comments for the report and I'm sure if everyone had the chance to go through the report. We didn't change a lot for other areas in the recommendation. It's mostly what we had in the prior versions of the draft report. And so [Indiscernible] myself are not known English native speaker so we may have some mistake or

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maybe confusing wording. Okay. So, we'll see if you have any comments or thoughts about the report or any concern you want to discuss. Dalila is in the cue. Please go ahead.

>> Hello everyone. Thank you very much for this presentation. First of all, I wanted to apologize for the last call. I was on vacation so I am only not coming back to working on the work group, what I noticed is that there were some modifications, important changes that occurred while I was gone. Several very positive things were added, notably the details as far as how to measure diversity and I think that it is clear and more operational. However, ever since the beginning in a paper that had informed this report on diversity there was a recommendation to create the diversity office, the task force on diversity. At the beginning, it was supported by many countries but I think we had Argentina, we had Brazil, different countries that supported it. Several members of the group supported it. Up until now we were able to discuss that recommendation, that recommendation was always part of the report but now I came back and I was quite surprised to see it was removed. And I don't think there is consensus to remove the recommendation because it had been there ever since the beginning. The reality, is that when you remove it at the last minute during the last 3 weeks, unfortunately I wasn't able to participate in the call, it is quite unfortunate and I was quite surprised to see that. This is the interpreter. I believe Dalilia is done.

>> Okay. Thanks for this. Before maybe I comment here it's [Indiscernible]

>> Yes, thanks. I guess I have a slightly different perspective. The Office of diversity was never a specific recommendation. The concept was mentioned in one of the recommendations as a possible option and that was there from when we actually had draft recommendations. But it was meant in the context of it being really more the way in which diversity might be supported

by the staff would be for the CEO. And one of the options, it wasn't an option but my perception was that it had wide spread agreement and [Indiscernible] well aware of that. But certain people do agree with it. And I don't think that it wasn't a recommendation in the specific way that Dalilia might be saying. So, I don't think it's correct to say that it's been removed at the last minute. I think the recommendations as they stand are really very workable and very functional and I think unless we move forward quite rapidly we won't have a report to present. And I really think what we've got is a really good first step that I think has a good chance of gaining support in the community and we should see it as a first step upon which we can build in the future gradually. Thank you.

>> Thank you Judy. So, trying here to respond to Dalilia's comment. I would say it's a way for us to start to [Indiscernible] work and start a discussion. And the recommendation at the end, based on the comments we get that maybe there are not enough clear and to be more implementable. I think what many people stressed a lot is that we need to work on the requirement. And, in particular for the case in relation to the diversity office, the concern was we are kind of being too specific. We are asking specific implementation on the requirement. And that's what we are trying if you read the recommendation trying to describe the different action that is possible [Indiscernible] whatever can satisfy those requirements. And that's the focus. And Julie also for example mentioned there was some people discussed maybe the CEO and the staff should work on that and so on. So, we try to reward the recommendation in the way that we focus on the different requirement, the task, the responsibilities, roles that can be [Indiscernible] or whatever, that they can be satisfied. The subgroup needed to focus on the requirement and I think we had that discussion several times. So, the purpose here is to get some recommendations that they can get consensus. Not just subgroup but the wider

community when it goes to the plenary. Okay. I see Sebastien is in the cue. Probably he wants to comment on this matter. Yes, go ahead.

>> Yes, thank you very much. I feel quite [Indiscernible] the question and comments. I am really sorry but you can't say we just want to do something that we want to be sure that the public will accept. Before we ask the public we don't know what they will accept. Therefore, it's not a good way to push the arguments or to be against the proposal or the question raised by Dalilia. Second point, since work stream 1 the written form was part of a document that you take as a basis to write the first [Indiscernible] about diversity. It was a subgroup 3 or something like that. And some other inputs. One important point that's not in the document is what the proposal was to have something from staff and all what is written here is to ask staff to do the work and to be in fact [Indiscernible] of the staff. I was surprised the staff decided to send the survey about diversity without asking this group to participate in this survey. We just get information then we get the results and I don't think it's the right way we need today. Of course, we can say we all agree [Indiscernible] last week I raised an issue and Rafik you can't say you have a consensus. You have a rough consensus if you want. If I was the only one it doesn't matter but still you don't have a full consensus on what you are proposing. And I think we need really to be careful on what we want if it's just something in French I would say.

[speaking French]

Okay, go with [Indiscernible] it's not [Indiscernible] that will be okay but I don't think it's what we need for ICANN today and what this group meant to do as a dutiful work stream. We need a stronger proposal and stronger ideas about diversity. Thank you very much.

>> Thanks. That means Luke warm here. First, I never said we have full consensus. I'm pretty sure I didn't choose that word. So maybe [Indiscernible] what we said. Maybe I implied rough consensus here and I notice you kind of objected in the last call. That's fair. Also, regarding the gender diversity survey. It was shared with the subgroup before as a draft and we were asked to give comment and feedback and I think we participated. So, if you think it should be something we should [Indiscernible] or not I'm not sure it's really the subgroup here to provide a recommendation. So, we from our side we should of course get input. If we should have asked to do a survey maybe. But I'm not sure [Indiscernible]. Anyway, so, regarding this idea of diversity office. It was discussed several times and there was objection and people raised a lot of concern in the way that it looked like we're focusing on a specific solution. So, the question I'm asking here, what we are trying to achieve? Is it to improve diversity or to get diversity office? That's the question here. Seems the answer is to improve diversity and to improve diversity we need to look for a different solution. So, I understand that you and other people think that diversity office is the only way, other. Don't agree. So, we need to find a solution that can satisfy both and that's why we focus on the requirement. Because, you can focus on what you need to get. The help you get is something else. That's an implementation. And we had the discussion several times. I mean at some level we need to say that, okay, that's what we did for now. How much you are talking about, you said Luke warm. I think this is the question how much you want the recommendation. We can do so. But then most of them will be rejected and we are not going to achieve anything. We are in consensus in the basic environment. Which means we have to work on recommendations that can get as much buy in as possible. So, I understand the frustration that maybe it's not that revolutionary as we want. But, we need to be the foundation for the next steps, we need to get something down.

We need to work step by step. So, I know that it's not enough satisfactory for everyone. Maybe including myself. But, I'm thinking ahead here and to be more strategic as to how we can move forward. So that's kind of the vision I think we should have within the subgroup. I should not do more talking here because there are others in the cue. We'll start with Dalila. Please go ahead.

>> Yes, thank you very much Julie, Sabesien. We do have the same perception, the diversity office is an option, is a possibility. That's how I feel. It was integrated in the recommendation number 5 to measure and promote diversity. But if you take it out now I don't see how the community is going to know about it and how the community is going to be able to say anything about it. This is censorship. Secondly, Rafik is right as well. How can we improve diversity? We know and we see that after certain experiments and public and private spheres to improve diversity there was an independent element and this office could be called an independent task force, whatever the term, the name of that office. We need something independent of the organization to analyze and collect data and to see how we can move forward. Diversity office is not structured in itself. This is a tool, a means to improve diversity. This is according to me a recommendation and it's not the structure I'm trying to put together here. You say that it doesn't satisfy everybody. But I do think a majority of the people were for it so we have to look at how we evaluate consensus and what consensus means in this group. We have to be very careful about we have another subgroup for legal issues and several options were taken out and this is an issue of trust in those subgroups. I come back from vacation and I realize we talked about it and it was taken out in the last two or three weeks. I don't think it's very transparent.

>> Okay. Thanks. Just one comment. I think it's important to be cautious and careful about some wording and I'm hearing about no transparency. I'm sorry. I understand you were on vacation and not checking the progress. I myself am on vacation and I am sharing this call today. It's fine. But let's be cautious because I'm sensing here an implicit acquisition and I'm kind of concerned with it here. Yes, your proposal was in Helsinki like several others and this is why even after we start [Indiscernible] we are shaping a discussion. We are trying to get an input. It doesn't mean what we get in the beginning it will be what we have in the end because if it's a case it means we're not a subgroup to deliver anything. We accept what we have, input from the beginning. Since by discussion, by getting feedback, by asking people, trying to find a consensus, a common ground about the different recommendations we are trying to deliver. So, I understand the frustration that maybe what you saw as your idea is the best solution. But it didn't seem to get enough attraction in the subgroup. So, what you should do is really try to maybe explain better why you think it's important. So, we have that discussion several times and people were concerned that we are too much focusing on what is seen as an implementation. We try to work more in the more requirement. Okay. So, I'm not going to speak more here. I see Fiona is in the cue. Please go ahead.

>> Hello everyone. Sorry I couldn't join you last week but if we can go back to all the [Indiscernible] and the progress we have made moving forward. I think a challenge right now in my honest personal view is that a number of us came to the group knowing the goal is to [Indiscernible]. And right from the onset the solution considered. I kept on saying let us go back. There's a process. There is a process, yes, there's a group [Indiscernible] but a process we have to go through that's required engagement with the organization and the community. And that is the process we've gone through. Staff has been very helpful because even when

staff agreed gender diversity [Indiscernible] collection, they came to us and presented what we are planning to do. He sent out the questionnaire for us to look at and give input and help develop and we were involved. If anyone says we were not involved then they themselves were not involved. Everything is on the mailing list. So, we did participate. We have come a long way in trying to get recommendations that have practical but are not too over bearing on the role of ICANN's path. Because we are the community. But, we have staff and organizations we have employed to get something done. So, we need to allow this task to do what we need to do the task. There are tools available to us to use. If it comes to having independent reviews that's required to be done because every group, every group has got an independent review. What is there to stop [Indiscernible] being one of the areas that you considered. We need to have another separate [Indiscernible] I think that is going to be having too many review processes, already we have challenges with the review mechanisms we have in place. So how can we be pragmatic and practical on how we move forward? And this is the conversation we have had over and over. If we have more practical recommendations that don't seem to look like we are micromanaging the ICANN task, then we are likely to have better results in terms of what you want to achieve. And I support Rafik in his question. Do we want to improve diversity within the formal organization? If the goal is to improve diversity for the entire organization then [Indiscernible] the board on behalf of staff. Why is that an issue? Why is this an issue? If the issue is having [Indiscernible] please tell the board go ahead and get an ICANN diversity office that should do everything that requires diversity. Why are we going through this process is to have mechanisms and those mechanisms can be top level that allow for even the implementation of the office. And I see that as a possibility. We can have a diversity office. We are basically giving the board and staff the option of creating that diversity office or using

existing offices [Off mic] other office to ensure diversity issues are addressed. We are telling them what we expect. We have broken down our recommendations very clearly. In terms of recommendations [Indiscernible] diversity recommendations that measure and promote diversity and it's good to pay attention to each of those recommendations that supports diversity. And when you look at those different categories of recommendations within that, staff needs to undertake keeping track, keeping records because somebody needs to do that on a continuous basis. Yes [Indiscernible] is supposed to do that but who does it for them... So, staff will have to get that done. Staff will have to do [Indiscernible] different groups within ICANN to make sure that elements of diversity have been identified by our process are considered. So, we can't say we can leave that to staff. If we feel we need to add recommendations that addresses issues of a continuous review, is this going to be a separate diversity review or this review happens as part of the SE/SO continuous reviews that we have? I think if we put it in as part of a continuous review for the different [Indiscernible] it's met with much more money. A journey of a thousand steps begins. It's very difficult for me to become [Indiscernible] if I've never [Indiscernible]. So where do we start? What we are putting down is the foundation, the ground work. On that we have expectations. And our expectations are in the recommendations. Because in the recommendation we are giving we can have more explanations on the recommendations to allow ICANN in terms of board and staff to create the Office of diversity. But if our explanation [Indiscernible] then we should be able to get it. I do not think it is necessary to put in [Indiscernible] diversity because that [Indiscernible] have a budget. We are beginning to do what is not really our work. That is not our mandate to micromanage the organization and to not [Indiscernible] is not what we are supposed to achieve out of our recommendation. But the recommendation can be able to get deafblind

should be able to get those that we have given the task of running the organization to look in and see that, yes, there is guts in the way the structure is, there is guts in the way areas are covered and this area of diversity may require much more specific attention if the recommendations that have been put forward has to be achieved. I don't know whether that makes sense. But, I think that is the best way to go about it. We lay the foundation and we ask at the end of the day we ask for a review of another Phase III [Indiscernible] review. Review reports on how diversity has improved. If we put that recommendation then we have to figure out how do they ensure that something has happened that is tangible that can [Indiscernible] as a community. And I think to be able to achieve more with [Indiscernible] recommendations then we begin to narrow down to specific tasks and function that is are important. Because, the only way that we could be able to achieve that independence review or report on diversity is [Indiscernible] or one of the other mechanisms which should be able to achieve that for us. So, let's see how we can tie that together. Because having a review in one area may be a difficult task to then tell the organization and different S's and SO's involved. How do we ensure that we have a mechanism of reviewing the measuring, the supporting and everything on diversity? Thank you.

>> Thanks for the clarification and explanation. I see Dalila is in the cue. Please go ahead.

>> Yes, thank you. We are in agreement. I agree that we need to work on a step by step basis but as I mentioned earlier it would be interesting to put forward a proposal to see what the community thinks. If the proposal is not included in the report I don't see how people could possibly one day give their opinion on it. So, yes, we discussed it on several occasions, the issue of diversity. I think in the beginning we were saying [Indiscernible] and now we are talking about micromanaging. So, I don't really understand how that recommendation should

be formulated asking repeating over and over the past month, discussing the recommendation for months. So yes, I apologize. All of a sudden it disappears. Yes, I do have vacation Rafik. I have been on holidays and all I can see is it has been removed and similarly to Sabsatien, I see there is no discussion on the concerns.

>> Thanks Dalia. With regard to the consensus, yeah, there was no consensus about diversity office and that's why we worked on that requirement. So, I'm thinking here what if you think that you want to share your opinion with the whole community I think in terms of procedure one way is that you can submit minority view that can be attached to the report. So, it can show your matters. And it's a way to ask the community for comment somehow, I think. But what is for the subgroup is where we have a rough convenient accept sustained housing at least. And the diversity office didn't really reach that level and people expressed a lot of concern that it's a specific implementation and only one solution. So, this is one way we can do so. And so, when you attach a minority view report, I think, I mean with the report that will be published and so on. So, you have the opportunity to share that de facto with the community and probably get in comment. By the way we are going to the plenary. That means [Indiscernible] to give input then we are going in the public. So, there is always the possibility to get input. But for a subgroup of our level we need to submit what we see as having a referendum consensus. Okay. I'm not sure I see Fiona your hand but anyway, please go ahead.

>> That was old. Let me put it down.

>> Yes, Julie, please go ahead.

>> I wonder if you can suggest an alternative approach. Dalila and potentially others have dissenting views to some of the rest of us. We don't have any consenting views on this but

rather dealing with this by submitting dissenting reports. What I saw happen in the SOS accountability group report was that they had and I can't remember what the issue was but they did have an issue where they were unable to reach consensus. And people held strong and divergent views on the particular issue. What they did was in the text of the report, they mentioned that the group had divergent views on the issue. They described the issues, they described the divergent views and stated no consensus was able to be reached. And perhaps that's an alternative. I think it might have been the accountability roundtable. So, I think that's not an approach that might a way to record the fact that we've been able to reach consensus. To mention the idea in the text of the report. To not necessarily make it a recommendation but to say the Office of diversity is a concept that was recommended by a number of subgroup members was not supported by a number of others and therefore has not appeared in the recommendations but was offered as one of the options for the way forward. I wonder if that might be a better way than having one or more dissenting opinions attached to the end of the report. And I would be interested in Dalila and Sabastian's ideas on if that would be an acceptable way forward. Thanks.

>> Thanks Julie for the proposal. It seems like kind of similar to the practice in GMSO working group with expressing the different level of consensus. I'm not sure if that group uses the same [Indiscernible] but I think it would be an acceptable solution that we highlight where we are consensus and where we didn't have consensus. So, we leave that for the community maybe to comment. I think it was in the same way having a minority report is to allow everyone to express. I think their proposal should have been included and so on. So probably this is much more their way and I guess it can be more acceptable. Let's see. And now to the cue. Please go ahead.

>> Thank you very much Rafik and Julie for a very good way forward. I love to be the minority but I want to be sure that I am the minority. And I am not sure here that I am the minority. But I don't know either. I want to raise two issues in the meeting and discussion. I have no [Indiscernible] lose their job. But the point is where and how bigger view, bigger picture of the organization will be taken. Just to take an example, if we want to increase diversity and we just [Indiscernible] so on who decide on some of the groups of the organization like meeting with old chair, we can [Indiscernible] old chair met and it's not what we would like. Therefore, we need to find a way to have real diversity at each stage and I am not saying we need to have that by tomorrow. Yes, it will be long work but it's an important element to take into account. The second, is that we talk about independence and independence must be from staff and from board and that's why the idea of Office of diversity independent from [Indiscernible] part of the organization be taking place in the discussion. It's nothing at all to micromanage or having a solution completely separate. We are not proposing how the Office of diversity will be populated, what will be the budget. That will be micromanaging. But we are not yet there. And I really think that if you want to have real argument in this discussion, please, don't take this proposal is micromanaging the organization. The reverse solution to allow this independent and this overview of the whole organization that we don't have and that I am not sure that we are taking into account the recommendation. And once again I guess that the way forward suggested by Julie is a very good one and I will be happy if we can go in that direction. Thank you.

>> I see you are agreeing with Julie. So, for that also we need to maybe get a better idea how the SO/SE subgroup does that because I'm trying to see what if we can call that a consensus and how they assess. [Indiscernible] we are trying to submit by the 23rd of August so I think

it's doable. [Indiscernible] we may need to think how we can do that and share it quickly with the subgroup [Indiscernible] that we capture correctly the level. Everyone fine with this approach? I mean to indicate the level of consensus for each recommendation and include diversity office with level of consensus that we issue consensus and maybe, to add that? Yes, go ahead.

>> Can you hear me?

>> Yes, we can hear you.

>> Excellent. I just wanted to talk about the SOAC approach and describe what happened. There was a very clear and short statement that was published at all levels so the public consultation. And that was approved by the plenary to be in the public consultation. And basically, so in the announcement of the public consultation this non consensus item around the accountability roundtable was highlighted and there was a small segment in the report that highlighted this part too. Once the public consultation was completed the group gathered comments and specifically looked at people who commented on that area as it was brought up. So that was the process that was used in the SOAC accountability for the mutual accountability roundtable. Thank you.

>> Thanks for the explanation. So, what you mean here is not the SOSE accountability group themselves but kind of left that to the plenary kind of to make decisions to include or to highlight minority view for public consultation to get input then base it on that input from the public comment. They could re work on the recommendation. [Indiscernible]

>> The SOAC group requested that the plenary consider including that and the plenary after discussions and presentations of the arguments pro and con agreed to it. So, I guess in this case, we could do exactly the same thing and they'll probably just save time at the plenary whereby if the group agrees that in the report that we would put out for public consultation there would be this clarity around the diversity office. Then because the plenary has always the last word on what goes out for public consultation. If that's approved by the public consultation then staff builds the announcement and includes if you want to see it please go back into the history of the public consultation. You'll see it's very clearly labeled in the announcement and public consultation document. Thank you.

>> Okay. Thanks Bernie. So, we can at our level try to say that we have rough consensus for consensus one but just focusing on this idea, diversity office and leave to the wider [Indiscernible] to decide during the plenary. So, I think it will give time for those in favor or not from this idea to discuss and please enter arguments to the full [Indiscernible]. And so, then they decided it can go to the public comment. I see that can be really kind of fair and straight forward way to do so. Then I would ask here if Dalila and [Indiscernible] are okay with this or not. Does it satisfy their concerns?

>> Yes, please go ahead.

>> Yes, thank you very much. I think this option is very interesting and it will enable us to propose or let people know about that option and that would enable us to move forward on our reports to have consensus at a group level. I think it's a good solution, a good compromise. Thank you.

>> Thanks Dalia and I also see Sebastien agreed. So, I guess we can move with this approach. So, I guess maybe we'll clarify with Bennie about how we should do that and we should probably include the co chairs here maybe to kind of speed up the process. But before that I see Fiona wants to comment. Please go ahead.

>> That's what I was just going to say. You and I will have to sit and write it out and tad into our report and circulate it before we send it out to the [Indiscernible] for the discussion. I can draft something from what we had and share with you and show the rest of the group and if [Indiscernible] comfortable with the way it's specified then let's see what the plenary [Indiscernible] thank you.

>> Thanks Fiona. So, I think this is an action item for us, maybe to [Indiscernible] text and at least how we share it then to the plenary. So, to include it in the report for that matter. So, we need to check about the process and try to also talk to the cochairs. To start the process. And then also continue the review process for the report and submit it by the 23rd of August. So, we should probably get draft text by next day so we can have a quick review. Everyone fine with this approach? I see Fiona has a hand up. Okay. That's an old hand. Okay. Okay. Seems we're finding common ground at the end. And I want to thank everyone for working towards that. It's not always easy to reach consensus but in the end, we can find a common ground and area where we can agree on. Okay! So, we have 5 minutes left in the call and I would like to ask everyone to review the report, if you have any comments or something you want maybe to clarify there or [Indiscernible] and so on please do so in the coming days. Any comments you want to add? Okay. So, going now to any other business. Any topic that you would like to share? By the way I sent I shared today the gender diversity draft report. So, if you want to you can review. It's not the final version but maybe it will give you an idea about the funding

on the survey. And before adjourning the call, so if I'm not mistaken I would like to congratulate Judy but I think she was elected the new Vice Chair and I think your term will start next year. So, congratulations Judy.

>> Thank you very much Rafik. Lots more to do in the future. Thank you!

>> Okay. Yeah, I think you will do well. We trust you will do well. Okay. Thanks everyone and see you soon and have a nice weekend. Bye-bye.

>> Thank you Rafik.

>> Bye all and congratulations to Julie Judith.

>> Thank you.

>> Good bye everyone.