RAFIK DAMMAK: Hello, it's Rafik speaking. I think it's time now to start the call, so please start the recording.

JULIE HAMMER: The recording has been started, Rafik.

RAFIK DAMMAK: Okay, thank you. And thanks to everyone who attends today's call for the Diversity Subgroup. Our agenda as usual is to go through the comments. So on the last call we could finish the rest of the recommendations, so we covered the 8 recommendations and the comments related to them. We made small changes, so what remains for us to work on is the comments related to the Diversity office, and also to small items, number 10 and 11 I think in the document.

So we may focus today mostly on the office, Diversity Office options, so Fiona and myself created a document to kind of summarize our understanding of the comments and also to see the level of support for the options. Okay, so you can see the document in Adobe Connect.

So in the first part as you can see, we did a summary of the response from the public comments, so we got a total of 15 comments related to our questions or the notes regarding the diversity office. So first we had six had no comments on the office of Diversity. There are three comments that support an Office of Diversity or this idea of panel, three supporters in the Office of Diversity, and we have three rejecting the notion of the Office of Diversity.

So this is the comments in general. If we do a kind of breakdown here to see from whom the comments are coming, like the SO/AC and the board, and this is important to highlight and those who are going to approve our recommendation and the Work Stream 2 final report at the end.

So among the seven comments coming from SO/AC and the board, four had no comments, while three rejected the notion of an Office of Diversity. We got two comments from two governments; one had no comment on the Office of Diversity, while another supported an Office of Diversity. And then the rest of the comments are coming from videos, one had no comment on the Office of Diversity, three supported an Office of Diversity or a panel, and two supported an Office of Diversity.

So what we can summarize here regarding the position, please go to the -- go up, yeah; what we can summarize here, coming from the comment 1 is to establish an Office of Diversity or a Panel, similar to what is proposed in the Ombudsman recommendation, and I think maybe you can learn from this.

Another is an establishment of an Office of Diversity, and the third, and it's something I think it's important to hear is that the rejection of an Office of Diversity in favor of the staff performing this work.

So I think the matter for us here is to determine kind of the level of support of the value of the Office of Diversity, since that's what we asked in our public comments, and we tried to seek an input from the community on this regard.

So what we see here, that we got opposition, that's fair, we need to have in mind. We also received another option that's not necessarily responding to our question directly, because like proposing he didn't discuss before and so we have no, kind of, I think no time or benefit really to act more on this.

So I wanted to hear -- so after this presentation and quick, if you have this document, she's put up for discussion, and tried to help us to discuss this matter. I'm going to open the floor here and to get comments from those on the call. [AUDIO BREAK]

Okay, I see Julie; yes Julie, please go ahead.

JULIE HAMMER: Thank you Rafik, Julie Hammer speaking. I think you will not be surprised to hear, but I think the logical conclusion given the input from the SO and AC and the board is that the Office of Diversity should not be a recommendation that we go ahead with.

And we did not have a conclusive decision prior to the public consultation. I think feedback we had from the organizations that need to approve our recommendation is that they would not be comfortable with the recommendation, so I think we should not include it. Thank you.

RAFIK DAMMAK: Thanks Julie for the comment, and also I see that, I can assume, that Cheryl will support your comment? Yeah, twice, so yeah I think this is kind of -- if we are trying to weigh here the comments, I think it's

important to see how those from the charting organization are reacting to that question and to see if they are supporting or not. And I see that Sebastian is in the queue. Sebastian, please go ahead.

SEBASTIEN BACHOLLET: Yes, thank you very much. Sebastien Bachollet speaking. You will not be surprised that I support the idea of an Office of Diversity, but I think that the discussion here is quite amazing. The comments; it's not a vote, either if a lot of people support, or very few people giving support or the reverse. The comments, it's a comments period -- it's not -- if we want to vote then it will happen when the SO and AC will have to make a decision on the report. Or, if we want to have a vote, we need to ask for a vote before.

I didn't struggle about the fact that at what point in the discussion it was said that there is no -- there is a majority. No consensus, but the majority against, and I don't think it was true but I didn't struggle at that time, maybe I must have.

But my other trouble is that we are trying to discuss something about the implementation on how we will do that. The idea, it's not so much to decide how we will do that, but there are some elements that must be taken into account first. It's a body, not just to call it an Office, or a Panel or whatever; a body that is independent form each SO/AC, from the board and from the staff.

If we look to the result of the first study made by Afnic on that about the leadership, now it's a long time ago, it was quite interesting to see the result. And yes, I know the staff tried to do something, set up a

survey on that, but we need is something who will take that into account in the long range, and make proposals on changes, and that can't be the staff who make proposals of changes, it must be something else, what I call the body; it's an independent body.

Now we have to decide if we want this idea, and when I say this idea, it's nothing more than the idea. And then, during the implementation phase, yes we will have to discuss if it's an office, if it is a link or not with the duty of the ICANN Ombuds Office, if it's a link with the Complaint Officer, if it's something linked with an eventual panel that will help the ICANN Ombuds Office to work, but that's not the decision and discussion we need to have today.

I really think that it's important that we set up the idea of, we need more diversity in this organization, and one way is that it can't be done by one or the other; it must be something independent of all. And when I say "all," I include of course staff, what they call them ICANN organization today, the board, and all the SO and ACs and all the groups. Thank you very much, sorry to be a little bit too long.

RAFIK DAMMAK: Okay, thanks Sebastien. You tried to kind of comment what you said, yeah it was a little bit long, so you said that we are not voting. I don't think anybody talked about vote here. What we are trying is we asked the community for guidance. We put a note asking this question, we explained what people thought about the idea of an Office of Diversity.

I think we clearly put that Office of Diversity in, so we asked people to react to that, to give us some guidance, to help us in what to do here.

And what we get is kind of mixed results; it's not giving us clear guidance, and we have to be mindful with regard to the timing, I mean the time constraints, since we have I think they're done in the 2nd of March, that's in two weeks, so we've got this situation to deal with.

And I'm kind of confused when you talk that it's not an Office, it's not a Panel, but something that is independent, but I think what we spent time before regarding the recommendations was really to not focus on the implementation. I think that we reiterated that several times, but to focus more on the functions, or what can be achieved, which means the requirement and we tried to think in several recommendations, in particular recommendation number 8, to describe what can be done as a function.

So it can be maybe handled at the time of implementation, and to see how those kinds of functions can be taken, by whom, I mean we are not kind of respective here. So, I think in the end, if you are saying it's not a question of implementation, that we were not discussing that. So we are I think already at issue with that with the recommendation we have.

So also you are talking about independence, I'm not sure how this can be achieved. I mean, I may try to understand what you mean, "Independent," so some kind of outside organization that's telling the community how to be diverse? So I'm kind of really struggling here; I may understand that you don't want anybody has kind of undue influence or control of this, but how we can achieve this?

So maybe at the end it's a question of implementation, but we as this sub-group, we are trying to work more on the recommendation; what

we want to achieve at the end, what kind of goals we are trying to reach, so this is my understanding from the beginning. So if in terms of input, we didn't I think get clear guidance, if other members of the sub-group they have a different opinion or interpretation, I will come to hear from them.

Because what we try to summarize here, it's not -- I mean we didn't get kind of a final, a clear, straight path to follow, so we are not getting that. So yes, I see that Cheryl is in the queue, yes Cheryl, please go ahead?

CHERYL LANGDON-ORR: Thank you Rafik, Cheryl for the record. I believe, and I would be surprised if anyone can prove my belief as in error, that the inclusion of the Office of Diversity as an Office, a profit option in our public comments was to see whether there was any significant, if not overwhelming support from the wider ICANN community for this as a proposal.

I am not seeing this from the analysis that you and Fiona have put together. I'm not seeing overwhelming support from the ICANN community. Because, and I have said this in just about every work group I've ever been in, I believe, and I think most people do tend to believe similarly, that there is a valid reason to weight AC's and SO's more highly than individuals.

This is not that the individual voice is not considered and looked at in a public comment process, but that a consensus view, or a view that has gone through particular development and scrutiny in response to a public comment coming from a recognized group or sub-section of

ICANN has, certainly in my view, and always has been in my view, more weight to it than an individual.

So I don't see this as a voting exercise; I don't think that what you and Fiona have done is trying to make this a voting exercise. We have evidence in front of us, and now we need to decide what we do with that evidence. We can of course ask our communities more on this, but if we want to leave it to the vote, if we put this forward as an add-on, a bolt-on, a 'do you really have a look at this question' in the final report, then we will get a response formally I assume from the Chartering Organization.

And to that end, I've certainly been watching what the ALAC, current ALAC's response to the sharing that Alan did to the ALAC, on our ALAC list, it's ALAC and regional leads. And I'm not seeing in that either, tempered particularly with the current financial concerns from and ICANN perspective that this would get overwhelming support from the ALAC.

So we can leave it to the vote if we want to, or not the vote, sorry, we can leave it to final opinion from the Chartering Organization if need be, but right now I'm just not seeing it get the traction it needs to be involved. Thank you.

RAFIK DAMMAK: Thanks, Cheryl, for the comment. Okay, I'm trying to see if there is anyone in the queue who wants to comment, or maybe is asking a question.

Okay, so yeah, I think in terms of procedure here, we went through the public comments, and we were thinking for input to see how the community is reacting to our recommendation, to see if we were on the right path or not, so we find out that for most of our comments, most of them we were fine, we only had to make small editorial changes, but when it comes to this question, kind of we -- as I said, it's kind of mixed results.

We didn't get that clear, overwhelming support that would make it clear for us that yes, we should cover this idea of an Office of Diversity, and again, yeah we didn't -- I'm not talking about votes here, we are trying to kind of interpret how the community in particular goes from the SO and AC's are responding to our comments.

Okay, so I don't see anybody in the queue, but I see also maybe some comments in the chat. I see that [inaudible] are saying that the comments [inaudible] changing the recommendation, and from Taylor just to comment, "Something will need to be included, position of the language is critical given that we cannot treat down the path of implementation."

So okay, I was not on the jurisdiction call, I have no idea what happened there, but I think it's likely there's always a kind of tension between what we recommend and how it's implemented, and I think we had this discussion several times in the sub-group, it's really to focus on the requirement, in terms of our recommendation to think what we want to achieve, so we are not kind of asking for a particular way to do things, but we are thinking that we have some goals and some expectations that we want to reach. So we leave the implementation

for later on, that phase, that's why we have implementation and that's where the details and specifics will be worked out.

Okay, so I'm really asking here for any comments, or if you want to intervene so we can hear from everyone, because at the end of the day we have to kind of see if we have consensus or not, and I don't see we have that on this matter. Okay, I see Fiona wants to chime in here, yes Fiona, please go ahead.

FIONA ASONGA: Thanks Rafik. I think from where I'm sitting, what I'm observing is that we have reached a point in the discussion on the Office of Diversity where we are no longer able to continue that discussion. We have put it into our report, we looked at the public comments, we do not have strong support for the Office of Diversity to enable or add that into our final report.

So I think at this point in time, it would be good for us to draw the conclusion that we will not be putting any proposal on the Office of Diversity in any of the formats that you have proposed in the comments until we move ahead with our recommendation that we are, it doesn't change the recommendation, and doesn't come as an additional recommendation either. Thank you.

RAFIK DAMMAK: Okay, thanks Fiona, and I think -- so let's see if there is any objection to our proposal, what you are suggesting here?

Okay, I don't see any objection, so I think we can conclude that we cannot add this proposal to our report. We gave here a chance for people to intervene and to share their thoughts, so I think with our analysis and the discussion we've had, we can conclude that we don't have consensus around this.

So I think -- well okay, I think we can move on, but let's see what Julie wanted to comment here. Yes Julie, please go ahead.

JULIE HAMMER: Thanks Rafik. My suggestion was going to be that we have a look through the report to see the wording where the Office of Diversity is, I think it's on about page 10 of the document that went out for public consultation, and we'll see whether we need to update the words of that to reflect that public consultation was conducted on this issue, that feedback had been received, summarized the feedback, and conclude that there was no overwhelming support, and simply update the report to reflect that and I think that that would be the appropriate action to take at this point, thanks.

RAFIK DAMMAK: Julie, that's a good point. I'm not sure, I don't have access to the report, but thanks for the number, so it's page 12. I mean, Bernard, I don't want to put you on the spot, but is it possible to put that text on Adobe Connect so if we need to make -- okay, description of issue, so we need to make changes there likely so we can put that as a task maybe for the staff to make changes to that part.

So this is an action item, and so after they will do that, they make proposal through working on that part that can be shared in the mailing list so we can confirm, so that we are fine with that update. So are we okay with this approach?

Okay, I see no objection. I'm not sure Fiona what supporting from before is supporting now, but I will take that as support. Okay, so we got that done, so we'll update that part in the report with what we concluded, so that's an action item for the staff, and hopefully we get that in as soon as possible so we can finalize.

As we said, we have two kind of, I'm not sure how to call them, items; number 10 and 11, they are not covering a specific recommendation, but I think we have to cover them. So is it possible to share the comment summary again in Adobe Connect?

Okay, so it's number 10 and 11. Is it possible to scroll down?

Okay, so yes, scroll up, so here one comment is coming from the ICANN board with regard imposing change on SO and AC, so that seems to be kind of capped at the end, so I think this is the question again, yep, thanks, so I think it's again the comment regarding the resources, and here is 'the implementation will require response and support from [inaudible] ICANN community, as really ICANN SO and AC must participate in this effort in order to achieve full implementation, whether ICANN organization can produce reports and make items available in the website.'

Okay, so I think the question here is that the SO and AC, they have to kind of update or modify their working practice and so on to meet the

recommendation that we are proposing, and so I think it's probably here that the board wants to make clear that the organization cannot impose those kinds of changes. So I can interpret this as that we are asking that it should be coming from the SO and AC's to do that work.

Okay, so I think this is a matter of implementation if I'm not mistaken, and can be a thing decided at that time, so I don't see that we need to make any response in our report here, and probably when we are sharing the comments, so that can be covered at that time.

So I got also the part there, I'm hearing that yeah, the plenary decides the prioritization and implementation will be decided by ICANN and the community here. Okay, thanks Bernard for this, so any comment or questions, or any suggestion on this part?

Okay, I don't see any so we don't need to make any changes or respond to this one. So the last one is the need to have a language and can inform the ALAC. Okay, can you please center the comment? Okay, so this is about language, so because it's not possible to capture the diversity of language, that is why in order to improve the quality of ICANN documents, a presentation order to enable informant inclusive and meaningful participation are important, also from a diversity point of view.

Okay, so here it's necessary to explore other ways and means to breach culture and language by in addition to translation, info graphics, animation video that are language natural and can be localized. So I see there is mention of captioning, so I think here it's really again, since the

comment is going into specifics regarding the language and what can be used beyond just translation and interpretation.

I think this is again an implementation matter, and our recommendation already included an element of language [inaudible] diversity. And so this is more definitely I think a question for implementation, so this is something to be shared on the implementation phase so they can go into the details of what can be done I think within the available resources. Okay, any comment or question on this one?

Okay, I see none, and I don't see anything also on Adobe Connect yet. Right, so okay, just now to confirm that the two comments can be covered during the implementation, something to be noted for that. Also for the Office of Diversity we will make changes in the text to adjust it to what we agreed at the end.

So I think here we covered all the comments and we got all our recommendation tweaked and approved. Wondering here, we are done somehow, and we just need to make the last changes in our draft to be shared for the plenary if I'm not mistaken here. Okay, Fiona, do you want to add anything here?

FIONA ASONGA: Fiona here; thanks Rafik. I think we have covered everything and what is left is for us as a rapporteur to update the report and connect with sub-group members and after that share it with [inaudible] so that it can be included in the final report. Maybe Bernard can advise if that's not [inaudible], thank you.

RAFIK DAMMAK: Okay, I think that's it. I'm kind of puzzled that we are already ahead of time, but thanks everyone for the work done in the last month. I don't think it was easy, but I think we reached the point that we wanted, so I know that it's not everyone is happy with what we get, if it's enough or not, but I think we did a good job here. I want to really thank everyone that spent time to join the calls and to participate in the different drafting, and yeah, I think that's it for today. And I guess we don't need any call from now on, so thanks.

FIONA ASONGA: Thank you, Rafik.

JULIE HAMMER: Thank you, Fiona.

RAFIK DAMMAK: Thank you for joining the call.

[END OF TRANSCRIPTION]