
COPENHAGEN – GAC Participation in NomCom Working Group presentation to GAC Plenary

Tuesday, March 14, 2017 – 15:15 to 16:00 CET

ICANN58 | Copenhagen, Denmark

OLGA CAVALLI:

Thank you, ladies for uploading the website -- the PowerPoint.
Sorry. I'm starting to make the words.

Okay. We will start in, like, one minute. So if colleagues want to sit so we don't get delayed for the next session.

Okay. If those colleagues standing can sit down and join us, so we start.

I have changed slightly the original PowerPoint, trying to reflect what was discussed yesterday in the session of the working group that we organized in this same room, and also I included some slides which could be useful for colleagues that are joining us for the first or the second time, because we have been going through analyzing these ideas, like, for a while, and maybe they have forgotten what we are trying to debate and discuss in this space.

So this is the proposed agenda. A very, very brief background of what is the purpose of this working group, and then review of a document that I have shared with you that was prepared by the

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

working group. It's a draft -- it's a Word document that was shared in the GAC list. And also review a possible appointment or not of a GAC nonvoting representative in the NomCom. See what's the input from different delegations, whether they think it's convenient or not convenient and why. And talk about the next steps in the working group.

So thank you very much.

So what is the NomCom? Perhaps colleagues that are new to this process and new to ICANN are not so much aware of the role. It's a group of people that belongs to this community, appointed by different supporting organizations and advisory committees, and they have a very important role as they select several of the leadership positions within the ICANN leadership in general.

So what they do? They select half of the board members. From where? From spontaneous Expression of Interest done by people in the community.

So if you go to -- for example, to the website of ICANN and see who are the board members, you will see that some are appointed by the GNSO, some are appointed by the ccNSO, one is appointed by ALAC, and part of them, half of them, eight, are appointed by the NomCom. So it's a relevant role in selecting these members -- these members of the board.

And also they select from the community three members of the GNSO, three members of the ccNSO, and three members of ALAC. Of course this is renewed every year, so every year there are two or three members that are changed depending on the amount of time they have to remain in each supporting organization or advisory committee.

Can we go to the next one.

So how is the NomCom organized today? And we are not talking about possible changes in the NomCom that were around a while ago. For the moment, that is not under discussion as far as I know. But for the moment, today, the NomCom -- and I -- I know that they are meeting these days -- have 15 voting members, seven appointed by the GNSO, five appointed by the ALAC, one appointed by the ccNSO, one appointed by the ASO, and one appointed by the IAB or the IETF.

So those are the voting members.

There are three nonvoting members or seats for nonvoting members. One is for the GAC, a nonvoting seat that we for the moment are not fulfilling with any representative, one is a nonvoting member appointed by the Security and Stability Advisory Committee and the other one is another appointed -- nonvoting member appointed by the RSSAC.

Also they have the chair, an elect chair which is the one that will be chair in the next year, an associate chair that is usually one chair that was chair before, and they are nonvoting but they have the relevant role of chairing the group.

So this is the composition. You see the GAC has no say in the selection of half of the board, three members of the GNSO, three members of the ccNSO, and one member of the -- and the ALAC.

So this is what we want to analyze, is if we think this is okay. Some delegations think that this is not aligned with what we understand is a multistakeholder model where all the members of the communities, stakeholders should participate in an equal basis. And some delegations think that this is not a fair representation of governments in the structure of ICANN, especially in the selection of these relevant roles in the leadership positions. Some other delegations have their reservations and think that there are reasons for this. So this is why we have created this working group.

So we have produced several documents. The first one that I will show you a summary was already sent, as I said, in the GAC list. It's a very short Word document. We presented it in the working group session yesterday very early. Some of you were here. And this is a summary.

What we agreed in that meeting is that it needs -- it needs an enhancement of the text. The text is not clear in some parts, which is fine. So there is no sense in -- in analyzing the text in this plenary because it will take a lot of time and it won't be a fair use of our time here. But just be knowing that the working group will keep on enhancing the text and it will be shared with the GAC once the working group has reached an agreement, which we thought we had but your input is always valuable in enhancing what we have done.

What is the purpose of this document? This would be, if endorsed by the GAC, sent to the NomCom so the members of the NomCom, regardless of the GAC participates or not, can have these principles in mind when selecting members of the -- of the leadership positions in ICANN. For you to know, the ALAC has sent also this criteria to the NomCom, and the ccNSO has also sent their criteria to the NomCom. Also the board has sent criteria to the NomCom. So if you read the document, the Word document that I sent you, it has a reference to the board suggestion to the NomCom. And as you can see, there are relevant characteristics of these -- these leadership positions, but there is no reference to any experience related with public service or governmental experience. So we thought that perhaps having this document with some guidelines for the -- for the NomCom having this experience in mind could be useful.

So the document is -- is a draft version. You have it. The working group will keep on working in enhancing the text.

Basically what it does is it recognize the qualities and experience identified by the board in its new advice quite recently issued from March this year that you already have it in the document. We think that it could be convenient to have a record of achievement in the public sector, including with national or local government, public authorities, or intergovernmental bodies. An understanding and appreciation of advancing the public interest through building partnerships and consensus, and aspects of diversity.

As I said, the text will be re-revised by the working group so I won't go into these details now.

I would like to ask the colleagues here a sense of if there is a strong opposition of -- if someone has a strong opposition to -- for the GAC to send in these guidelines to the, NomCom, if it sounds a good idea, if it's okay for the working group to keep on working on these guidelines, regardless the fact appointing someone or not. That's another issue I want to talk about in a minute. But for the moment, are there strong oppositions towards working on this draft document, enhancing it, submitting this as a GAC input to the NomCom?

I will take silence as there is no strong opposition. Is that okay?

Okay. So the working group will keep working on this. And we will send you a new version enhanced when we have it perhaps in the next month.

So can we go to the next slide, please?

You may recall that we -- some countries, and I read it in the name of these countries that are listed on the screen, we presented a statement because we think that it could be important for the GAC to have an appointed representative in the nonvoting position that is already included in the structure of the NomCom. That position has been fulfilled in the past. I was yesterday in the gala, I was approached by a colleague of ours. He was that person in 2003 and before, and he -- he exchanged with me some experiences. And something happened that we have not been appointing that representative in the last years.

So why some -- some delegations think that it's important to fulfill this position, because -- and I include the -- what for my country is important is the governments and the Governmental Advisory Committee must play a relevant role in the selection of these important roles in the leadership of ICANN, and the GAC should appoint this representative because it's important for the multistakeholder model.

So this is the view of some delegations. Some others have a different view. So what we recollected in the working group session yesterday morning is that there are concerns raised by some delegations in relation with confidentiality issues. And so perhaps at the plenary level, we could benefit at the working group -- in the working group from other opinions, that this appointment could somehow being problematic or what prevent us for appointing a representative in the -- in this nonvoting position within the NomCom as it is established today.

And I would like to open a queue for that now.

United States.

UNITED STATES:

Thank you very much, Olga, and also for the interesting discussion we had yesterday morning on this subject.

So on the subject specifically of the GAC criteria for NomCom selections, the U.S. is very supportive of this effort, and we look forward to continuing the refinement of the draft.

In discussing whether or not the GAC should fulfill a nonvoting member role in the NomCom, a number of issues were raised yesterday regarding confidentiality requirements and the role performed by NomCom members. Olof explained that the

confidentiality requirements are in place to protect the identities and privacy of those individuals under consideration by the NomCom. This includes not disclosing outside of the NomCom any of the discussions, deliberations, communications, records, and notes about the candidates. The only information that can be shared is information that is already being made publicly available by the NomCom.

Olof also explained that NomCom members do not represent their specific communities, which in our case is the GAC, or their employers, in our case governments, but are participating in their personal capacities. So the question is why is it necessary to fill the seat? If it is to ensure that quality is important to governments such as the public policy and public interest are being represented in NomCom selections, we are already working to address this by providing selection criteria to the NomCom.

My second question is a practical question which I honestly don't know the answer to. That is, are my GAC colleagues, as government representatives, in a position to fulfill such a role in the NomCom where you would be acting in your individual capacity? And more importantly, where confidentiality requirements and a Code of Conduct are in place that prevent you from sharing information to the GAC and to your government employers back home?

My last question is perhaps to Olof or someone else knowledgeable of the NomCom. Specifically, are there legal liability concerns that also need to guide our decision here? For example, if a GAC member on the NomCom inadvertently shares confidential information, are there legal repercussions under such a scenario?

I ask these questions because, at least from the United States government perspective, public representation is taken very seriously. Using myself as an example, I do not represent my own views while attending ICANN meetings, and I am not permitted to act in my personal capacity; however, the NomCom role involves exactly that.

I'd be interested in hearing more from my colleagues regarding whether or not they are in a position to take such a role that requires acting in one's individual capacity and not being able to disclose information acquired in performing that role.

Thank you.

OLGA CAVALLI:

Thank you, United States.

Any other comments?

Iran.

IRAN:

Thank you, Olga.

We have listened to similar discussion yesterday, and we have mentioned we have to proceed in two steps. Step one, having or providing complementary or supplementary criteria for the nominations of the board by NomCom. I think in that, there is no difficulty at all except maybe some language refinement.

With respect to the second, that we -- perhaps we, in the language, try to soften that, not saying that GAC must, because we do not put obligation to ourself, but perhaps we could rephrase it that the role of the GAC, so on, so forth, was recognized, and so on, so forth. In all of this text we must remove the word "must" because, first of all, "must" is the most strongest obligatory or mandatory words, much above the "shall," and, therefore, we should avoid that. But that is something.

With respect to what our colleague from the U.S.A. mentioned, I think the same anxiety exists for others. What is the guarantee that any of those people do not reveal or disclose information to their constituencies?

Why we put our finger and suspicious, skepticism to governments only?

Others have the same. But this could be overcome by saying that if we decide to do that, there should be some mandatory application of certain principles, and so on, so forth.

However, I believe that that stage, step two, is a little bit premature to proceed. We could further discuss that, further develop that, refine that to see whether or not we could be in a position of a consensus building on that. But we maintain everything. Further discussion. Perhaps you proceed when you report in the plenary or (indiscernible) to a step-by-step approach and clear that. We need to a little bit work more on the second step. Some of the issue raised exist. So we have to find a solutions, practical application, so on, so forth.

We are not objecting to what U.S.A. say, but we are saying perhaps we could find some other language, some other way, or we may not find it at all. The government may be totally special. I don't know. I'm not saying that. But let us proceed with that.

Thank you.

OLGA CAVALLI:

Thank you very much, Iran.

Olof, you want to add something.

OLOF NORDLING: Thank you very much, Chair. And I just wanted to at least respond to the request for an answer regarding whether there would be a legal liability in the case a NomCom member inadvertently or otherwise disclosed personal information about the applicant. And, well, we're happy to check that out with our legal staff because it goes far beyond what my little Swedish engineer economist brain is capable of. So we'll check and get back to you.

Thank you.

OLGA CAVALLI: Thank you, Olof.

Any other comments?

I have Chile and Australia.

Chile, please, go ahead.

CHILE: Thank you, Olga. I'm going to speak in Spanish because I don't want a headache to our translators.

On this issue, I think the comments by our colleagues from the U.S. and Iran, they are really interesting.

I would like to highlight that in effect, I believe that GAC must play an important role in the NomCom because the representatives on this committee can add the perspective of governments to the work and the dynamics in the NomCom.

However, the perspective of governments is important because the rest of the communities can have a better understanding of the perspective of governments. Here we are talking about a multistakeholder organization, and governments are also stakeholders in this process. so we have to have another quite representation there.

Thank you.

OLGA CAVALLI:

Thank you.

AUSTRALIA:

Thank you, Chair, and thank you for your work on this issue. Firstly, I just wanted to state that Australia does support developing the criteria for principles for the NomCom to use in its consideration. So I look forward to working with you more as we develop those.

I have a question more than a comment. You just said before that you were speaking to somebody who used to be on the NomCom? Yeah.

My understanding, and this was long before my time so I may be wrong, was that the GAC itself decided not to proceed with having that person or having a representation on the NomCom. Is there anyone in the room who was around at that time and can speak to that or is there any record of why the GAC decided not to -- No?

Because I do share the concerns raised by the United States that us, as civil servants -- I'm not here to represent myself. I represent my government and it would be very difficult for me to be in -- to receive information that I couldn't share with my government. Thanks.

OLGA CAVALLI:

Thank you. One second, Iran.

I know that this -- this position was fulfilled in the past. I -- I started participating in ICANN in 2006, and at that time, I think it was not the case. But we can check out. Yeah, I think Jayantha Fernando was one of them, but this is -- I think he was representative of the United Kingdom? No? He was talking to me yesterday but it was so loud that I couldn't follow all the

conversation. My apologies. And I was extremely tired. But I can reach out to him again, because he wasn't in our session and he came and told me. And I think it is a valuable question.

I don't know when -- when it was not continued. I cannot. But we can -- I think that sometimes ICANN doesn't have much memory. I have felt that, that some stories are past and we lose them. So we can check out that, and maybe we find some light in the discussion.

Thank you for bringing that up.

Chair, and then Iran.

CHAIR SCHNEIDER:

Thank you. Iran was first. So, please, Kavouss, go first and then I will come back.

IRAN:

Thank you. No problem to see the history of that, but, but, however, nothing prevent us to revise that decisions. Circumstances prevailing at that time may not prevail today. We get experience and now we want to use experience. So I think two sides is also to be taken into account. And thank you very much, Thomas.

OLGA CAVALLI: Thank you, Iran.

Chair.

CHAIR SCHNEIDER: Thank you. And maybe -- actually, listening to this discussion, it occurs to me that some -- some of this is also relevant for the position that I'm having now because I'm not just the chair of the GAC. I'm also the so-called nonvoting liaison of the GAC to the ICANN Board. And of course I'm representing, to the extent there is something to represent, the GAC. So -- but still, I'm there, one person, and I had to sign a number of documents about conflict of interest and confidentiality and other things as well, and there are some discussions that I participate where they discuss IRPs and other cases that I cannot share neither with GAC members nor with people in my administration at home. So it's a similar, let's say, situation that I am in and I take that very seriously of course. And in case of that, for instance, I ask the board is this -- to what extent is this public? What aspect of it is confidential? So it's also a little bit of being cautious, and then communicate and learn that allows you to basically grow into a situation like this, and -- yeah.

So there is no fundamental -- or it's at least, I think, similar in many ways. And I do think the questions raised by the U.S. are pertinent. At the same time, I think they are actually answerable

in the sense that it's not necessarily a problem. Otherwise, I couldn't fulfill my role as a GAC liaison. And that doesn't just go for me. That goes for the liaison of the IETF and so on.

And sometimes we speak in our personal capacity or in our personal experience, rather. Because they want to know for governments -- they want to know how something is perceived by governments or what do you think, as a government representative, knowing they don't ask you to speak on behalf of the GAC. But it's just a question of bringing in experience into a discussion and something that I alluded to regularly in the last meetings with regard to translation issues from English to English or from French to French but from people that work in a business environment that are not necessarily familiar with how the people work in the government environment or how reflections are made in a government environment.

So a lot of the times when I take the floor, for instance, in the Board, it is to explain how governments work, what their environment looks like, and what the diversity maybe is, that it has got nothing to do with me as a person or with -- it's just sharing -- let's say, yeah, building bridges between different worlds. Let's put it that way. Normally there's nothing politically controversial in what I say. Because, as I say, it's useful for the Board because they don't always understand how governments tend to deal with public interest issues. And

maybe similar reflections may lead to why not doing the same in the NomCom? And the situation is the same.

Whenever it comes to a vote, I don't participate in the board. That is clear. And -- but it's also not our role, because we are -- I'm a liaison. I share the experience. And that works fairly well. And they listen to me. And I listen to them. And it helps a mutual understanding in a multistakeholder environment.

And I would see parallel benefits, let's say, from my experience in the board also in the NomCom. This is just as a contribution for somebody who is actually working in such a situation or in similar situations for some time now.

OLGA CAVALLI:

Thank you, Chair. That was very interesting input from your side.

I have France and Singapore and Belgium. France, please. Indonesia. Dalila, yeah.

FRANCE:

I will speak in French.

I would like to raise a point. It is important to say that somebody should perform this liaison role. How GAC can have that liaison. So I think that that would enable these committees to take into account the GAC's perspective. There is no legal rule

preventing us from doing that. So I think we should just ask how this representative could effectively represent the opinions of GAC. Thank you.

OLGA CAVALLI:

I agree with your remarks. And I have in the cue Singapore, Belgium, Indonesia. And, by the way, just -- the person by Australia. I can't remember your name. So sorry. But you were talking to me yesterday about your experience in being the GAC liaison. Perhaps you can share with us your views after we -- yeah? Is that okay?

I have Singapore next.

SINGAPORE:

Thank you, Olga.

And thank you as well to the chair for sharing with us your perspective.

I think, just for the record, in terms of the criteria, Singapore is supportive of the criteria. We think this value adds as a GAC contribution to the NomCom.

With regard to a GAC rep on the NomCom, I have to admit that it was not obvious to us how a GAC rep chosen by GAC and yet not accountable to GAC could value add to share a GAC perspective.

I do note that the non-voting nature of this GAC rep, if you like, does in some way address some of our concerns. And I think it does perhaps dovetail with what Thomas was sharing in terms of an advisory role. And, just to follow up on the point by Australia, I do think there is some value, if there are some learning points, to the GAC's past experience in the NomCom that we could draw lessons from. Thank you very much.

OLGA CAVALLI: Thank you. Sorry. Belgium and Indonesia. Belgium.

BELGIUM: Belgium, speaking. Thank you, Olga.

I believe that we cannot participate. This representative is a non-voting member. I don't see where the problem lies. There is only one representative with no voting power. So I believe that that leads to imbalance in the multistakeholder notion.

OLGA CAVALLI: The experience you were telling me yesterday night. If you can introduce yourself to the GAC.

CHRISTOPHER WILKINSON: Thank you, Madam Chair. Christopher Wilkinson speaking in a personal capacity and, frankly, without preparation. I came

here out of curiosity, but not more. When the Nominating Committee was created and the seat was created for the GAC delegate, the chairman, Sharil Tarmizi, nominated myself as the GAC delegate to the Nominating Committee.

I was then secretary of the GAC, head of the secretariat. I was not representing the European Union, as I have done in an earlier stage.

After I retired, I believe that Sharil Tarmizi appointed Stefano Trumpy, who was then the Italian delegate to the GAC. And he served as the delegate to the Nominating Committee.

You have all heard the basic outline of this position. Indeed, it is non-voting. But bear in mind that, if the Nominating Committee chair does a good job, there will hardly ever be any votes. The Nominating Committee used to, in my experience, used to -- the Chair used to proceed by straw polls in order to take the temperature of the meeting and progressively create a consensus around the whole panel of people who were -- men and women who were to be appointed.

Secondly -- and I think this is particularly important. It is appropriate that the Nominating Committee benefit from a certain balance from the point of view of the public interest.

It does not act -- it is not automatic of -- as created, the Nominating Committee is, in fact, substantially balanced in the direction of the GNSO and other technical and commercial participants. Ensuring that the Nominating Committee proceeds to nominate and to appoint board directors and the other roles in a neutral manner in support of the public interest and without reinforcing the already significant internal balances of interests in the ICANN context, that is quite important.

And I think the profile of your -- of future delegate, first of all, as in my experience as a member -- as the head of the secretariat, strictly speaking, it doesn't have to be one of the national delegates to the GAC. But, secondly, you do want somebody who understands where GAC is coming from. And you might find somebody among the retired or previous delegates to the GAC who would be appropriate.

And, thirdly, I've already said, it is important to have somebody around the table who is prepared to support the chair and to steer -- help to steer the Nominating Committee towards fulfilling the function which it was originally created for, which was to create -- which was to appoint a panel of board members to replace and -- historically speaking, to replace the Board members that have previously been elected directly by individual members and who have a strong interest in the public interest.

Ancillary to that, because I actually think that the whole of ICANN should be inspired by the principles of gender balance and diversity -- but ancillary to the overall objectives, the fact is that gender balance and geographical diversity is not always a priority among the supporting organizations. And the Nominating Committee has had to act sensibly and constructively but inspired by a moral and political obligation to fulfill the diversity requirements that were actually the original purpose of the ICANN board.

Thank you.

OLGA CAVALLI:

Thank you very much, Christopher. My apologies. I never forget a face. I always forget the names of everyone. We had a nice chat yesterday night. Thank you for being here and sharing your experience with us.

I have Iran and Denmark. Iran, go ahead, please.

IRAN:

Thank you, Olga. With the explanation provided by the GAC chair of usefulness of the representative of GAC in the NomCom as a non-voting providing information, background, clarification, which enabled the group to better understand the

situation and decide more appropriately. I don't think that there is too much doubt about that.

The only doubt raised by one colleague here is whether that person could maintain her or his absolute integrity, neutrality, and impartiality. Because, coming from a government -- and there may be some sort of little or more little risk that the information be disclosed. So, rather than discussing the usefulness of that, as properly complained by the chair of the GAC and by gentleman from the European Commission, the issue is how -- if we decide we made that person accountable to maintain its integrity, neutrality, and impartiality and faithfulness not to disclose any information whatsoever to his or her government and so on, so forth. Perhaps that is the main issue. I don't think that anybody has any doubt that --

I give a small example. They have the community forum. Community forum is not decision making. But everybody allowed, even those who are not members of the GAC or so on and so forth outside. Why? Because it is for CCWG -- I participated -- that they could provide more information to the people, enable them at the next step of escalation to decide on the issue. So there is no doubt about that. They have to concentrate on establishing some sort of accountability criteria for the person, if we decide that we should participate as a non-voting capacity in the NomCom. Thank you.

OLGA CAVALLI: Thank you very much, Iran.

Denmark.

DENMARK: Thank you, Olga. And sorry for not being able to have participated in the meeting yesterday morning.

From our side -- and we heard -- I think we have stressed that a couple of other meetings before, we think it's important that GAC produce certain criteria. And we are -- we would like to participate in that work.

By listening to also what Chris Wilkinson was saying, I have difficulty to see how that person could represent the GAC. As you have indicated in your slide, the government must play a role. It will not be GAC. It will be individual persons. If I heard this suggestion or kind of suggestion, it could be a retired GAC person, that has nothing to do with GAC but only a person in his or her own capacity.

And we have, to be frank, difficult to see the value added in having criteria that. By putting forward criteria, we clearly indicate what we from governments think is important. And I cannot see any benefits for having a person which are not

related or is accountable to us participating in that kind of voting or not voting or liaison. Thank you.

OLGA CAVALLI: Thank you, Denmark. I have on the list the European Commission.

EUROPEAN COMMISSION: Thank you very much, Olga. Just to point out that the previous speaker who was identified as European Commission representative, he's not. He was many, many years ago. But he's not. I'm the Commission representative in this meeting. Just to tease you. Just a comment. From our perspective it's very useful to have a GAC representative on the NomCom but also to have criteria that we think are important in the context of public policy related issues. But we wouldn't want to see a GAC participant in the NomCom taking a decision that would reflect the GAC; because it would have to, obviously, come back to the GAC to get that position.

On the other hand, we think it can be very useful to be there, to participate, to ensure that the procedures work properly, that they're in the interest of public policy considerations. Thank you.

OLGA CAVALLI: Thank you very much, European Commission.

I have our chair next.

CHAIR SCHNEIDER: I'd also like to thank Christopher Wilkinson, who used to work for the EU, as we all know, Megan, for this information.

I do think the issue of accountability is important. And we have to think about we do this or we would do this in case we would decide that we would go back to having some person again.

One element of accountability which is not directed to the GAC, but I assume these people have to sign some confidentiality agreements anyway. As soon as you sign something, you think about, okay, what happens if you breach that? That has some disciplinary effect. At least it had on me when I had to sign these papers.

And I also told my government superiors clearly that I will not be in a position to tell them things that I'm not supposed to tell anyone. And they had no problem with this.

So you need to have a person in such a position that is aware of the responsibility that is given to you in such a situation. And that is, of course, something that, no matter how many documents you sign, you need to know and want to respect it

yourself. The thing is that maybe what would be useful is to talk to the other

SO/ACs who may have a non-voting person on the GAC. Because they have the same issues of accountability. And maybe we could look at their provisions, in case they have any, and then use this as a further input to our future decision making on whether or not we would like to try or go back again to having a person. So that's just as an additional input. Thank you very much.

OLGA CAVALLI:

Thank you, Chair.

I have Olof next.

OLOF NORDLING:

Thank you very much. And, reverting to the question from the United States, I got an answer, a short one, whether a NomCom member, that inadvertently or on purpose, divulged personal information about an candidate whether that would lead to legal liability.

And the answer is that it is a possibility.

So, if there is an expectation -- I quote here -- that information is to be held as confidential. The applicant about whom the info was disclosed, may try to take action against the discloser.

But that would, of course, depend on the available courses of action. What can be done, and whether the definition of harm to the applicant -- and that may vary very much between jurisdictions, of course. But, well, it's not excluded. Thank you.

OLGA CAVALLI:

Thank you very much, Olof, for your very valuable information. If you can send that to me, so we can keep working on it in the working group, that will be very useful. We don't have much time. Iran. And I will close the queue and wrap up and finish the session.

IRAN:

Small clarification: Election of the board member by NomCom having this criteria of non-disclosure and so on, so forth. When we have election of the board by the SO and AC, all the information is available.

Look at ALAC. They put all the names. They put the last one Mr. X and Mr. Y. They mention 67% Mr. X, 32% Mr. Y. Then Mr. X -- why for the NomCom is so secret and for the other is -- this is

something we need look at to see whether that secrecy still is valid or not, to look at that one.

OLGA CAVALLI: Thank you. That's beyond the mandate of the working group, but it's a good remark. Emirates.

UNITED ARAB EMIRATES: Thank you. The UAE would like to support the GAC in having a selection criteria for the NomCom. And we also support that the GAC also elect a person in the NomCom, a non-voting member, of course. Thank you.

OLGA CAVALLI: Thank you very much. Any other last comment? Reflection? Question? Okay.

Wrapping up, I think we have agreement that it's value in redrafting and finalizing the criteria. I don't see strong opposition to that. So the working group will keep on improving the text. We will share it with the GAC once it's finalized from our perspective. I will request some legal background and rules that are in place now about what Olof has been providing me these days and what he referred today. So, on the working group level, we will keep on reviewing this information. And we will

come back to you with some, perhaps, more reviewed legal and norms related with this role.

And thank you very much. I think it was a very useful session. Thank you very much for your active participation.

[Applause]

CHAIR SCHNEIDER: Thank you. Also to Olga for guiding us through this.

[END OF TRANSCRIPTION]