

PROPOSAL NAME :

Establish an Ombud for the DAO

PROPOSAL CATEGORY :

Process

ABSTRACT:

The proposal seeks to establish the position of Ombud of the DAO. The Ombud will carry out spot checks several times a week on DAO posts and DAO related posts of officials of the DAO and investigate and adjudicate upon complaints of members of the DAO against elected officials of the DAO. Also to create a procedure for the Ombud to adjudicate and ban members of the DAO permanently where such members had continuously violated the DAO rules.

AUTHOR DESCRIPTION

The proposal is drafted by [@ApeForLife](#), Member of ApecoinDao, who is an Attorney by Profession, with experience as a Director, Executor and Trustee. [@ApeForLife](#) holds the legal degrees of B.Juris and LL.B (c.laude)

MOTIVATION

It has become apparent that the DAO does not have any sufficient procedure in place for grievances to be raised as to the conduct of any official of the DAO and how such grievances should be dealt with. Although an official of the DAO can be removed via DAO wide vote, this is not suitable for minor infractions. In the case of a minor infraction it should appropriately be dealt with by a warning. If an AIP is launched for the removal of an official of the DAO for a minor infraction, this could lead thereto that the elected official either gets removed from his position for something he should not have been removed or that he does not get removed and does not even receive a warning, when he should have been so warned. The outcome of a DAO wide vote for removal is thus not appropriate in such a case. Creating an Ombud that will carry out spot checks on posts of officials and inform such officials of any change of tone or preferable manner in responses to members of the DAO and to give warnings to officials of the DAO is advisable to ensure that officials do not transgress in their dealings with members of the DAO. Further for the Ombud to also consider, attempt to resolve and/or adjudicate upon complaints of members of the DAO against elected officials of the DAO and to provide for warnings to be given, prior to an AIP for removal being allowed.

Similarly, in cases where members of the DAO continuously violate the DAO rules or are continuously discourteous to other DAO members or DAO officials and fail to comply with three warnings from DAO officials, the fourth non compliance to be referred to the Ombud to adjudicate and ban those members from the DAO and all its related forums or media permanently if the Ombud finds that all three warnings given by the officials to have been justified and the member of the DAO has breached it a fourth time.

RATIONALE

Establishing the position of Ombud of the DAO, for the reasons as already set out in 'Motivation' above. The position of Ombud will provide for oversight and adjudication that is currently lacking in the DAO in respect of inappropriate actions of officials towards members of the DAO and provide a procedure for banning members of the DAO permanently who continuously fail to comply with DAO rules or are continuously discourteous to other DAO members or officials.

BENEFIT TO APECOIN ECOSYSTEM

The proposal will improve the functioning of the DAO in that an important position is created in the DAO for oversight and adjudication of inappropriate actions of elected officials and for the permanent banning of members of the DAO that continuously violate DAO rules or are continuously discourteous towards other DAO members or DAO officials.

SPECIFICATIONS:

1. The position of Ombud of the DAO is established on approval of this AIP and [@ApeForLife](#) will act as the first Ombud of the DAO for a period of 24 months, starting the first day of the month following approval of this AIP.
2. On expiry of the period of 22 months, after approval of this AIP, the position of Ombud of the DAO will be put up for election and the provisions in respect of terms of office and elections for Governance Stewards will apply mutatis mutandis to the position of Ombud.
3. The position of Ombud should be held by someone with either a legal degree or with experience in conducting disciplinary proceedings. [@ApeForLife](#) holds the legal degrees of B.Juris and LL.B (c.laude) and has more than 20 years experience as an attorney.
4. The Ombud will go through posts and carry out spot checks of posts made by officials of the DAO and consider if the tone thereof is appropriate towards members of the DAO. 'Appropriate' shall be defined as being courteous and without sarcasm, negative innuendo or personal insult. However, this will not take away any of the rights of any official to require or enforce appropriate behaviour from a member of the DAO, when the member of the DAO is transgressing

rules of conduct or being discourteous to other members or officials of the DAO. If the Ombud identifies a post by an official that is not appropriate as set out above, the Ombud will inform the official of the post and call upon the official to withdraw/remove his post. The Ombud will further inform the official to adjust his tone in future. If the Ombud again identifies the official committing the same transgression, the Ombud will inform the official and issue a warning and if it occurs a third time, the Ombud will provide with a final warning. If the official transgresses after the final warning the ombud will inform the official thereof and the Ombud must then proceed to draft an AIP for the removal of the official.

5. In addition, any member of the DAO can lodge a complaint against an official of the DAO, by sending a complaint to the Ombud on Discourse (forum.apecoin.com)

5.1 Upon receipt of a complaint, the Ombud will forward a copy of the complaint to the official against whom the complaint has been lodged and request the official to respond thereto within 2 days.

5.2 On receipt of a reply, if any, the reply shall be forwarded to the complainant.

5.3 The Ombud can call on the parties to provide additional clarifications as to the complaint or the reply thereto, if applicable, to be provided to the Ombud within 3 days from such request by the Ombud. The Ombud can send a list of questions to be answered by the parties as part of such clarification that the Ombud desires.

5.4 If the official fails to reply to the Ombud's correspondence in the designated time, the Ombud will adjudicate the matter without the official's reply and solely on what was presented to the Ombud.

5.5 The Ombud will if he finds the complaint to be justified issue a warning to the official.

5.6 In the case of a fourth finding against a particular official the Ombud will draft an AIP with his four findings against the official and request the DAO to vote for removal of the official from his position in the DAO. 'Finding' also includes any time the Ombud informed the official as per paragraph 4 above.

5.7 An AIP of the Ombud for removal of an official from the DAO shall be treated as a matter of urgency by the DAO and the Ombud will forward the AIP directly to a Facilitator of the DAO, who will load such an AIP under the heading 'Administrative Review' on the forum.apecoin.com webpage immediately and shall forward such an AIP as an extraordinary AIP for administrative review and the normal time periods of an AIP shall not apply thereto and is specifically authorised by this AIP.

5.8 All members and officials of the DAO will be bound by a decision or finding of the Ombud and as such the decision of the Ombud is final and no appeal or recourse shall lie against a finding of the Ombud.

5.9 No AIP for removal of an official of the DAO shall be allowed prior to following the above procedure and the Ombud making four findings against the official. Special Council may however, in the case of serious misconduct by an official of the DAO that they are made aware of, immediately bring an AIP to remove the official and the expedited procedure of forwarding the removal AIP will apply to such an AIP of Special Council. Every member of the DAO shall have the right to immediately inform Special Council of serious misconduct by any official of the DAO.

5.10 In cases where members of the DAO continuously violate the DAO rules or are continuously discourteous to other DAO members or DAO officials and fail to comply with three warnings from DAO officials, the fourth non compliance is to be referred to the Ombud to adjudicate and ban those members from the DAO and all its related forums or media permanently if the Ombud finds that all three warnings given by the officials have been properly given and the member of the DAO has breached it a fourth time. To this effect the relevant official or officials will forward proof of the previous warnings and the relevant posts to which they related together with the current transgression and proof thereof. If the Ombud finds that the warnings were justified and the member has again transgressed, the Ombud must ban the member from the DAO and its related sites permanently and will inform Special Council and the Facilitators that the relevant member has been banned from the DAO and its related sites and the Facilitators and/or relevant administrators will remove or block the member of the DAO from all relevant sites and the member ceases to be a member of the DAO on such finding.

5.10.1 On receipt of the evidence from the DAO officials as in 5.10 above the Ombud will forward it to the member of the DAO and inform him that it is alleged that the member has transgressed at least 4 times and as such the procedure of this AIP now applies. The member will be invited to provide reasons to the Ombud as to why any of the previous warnings given or transgressions alleged were not correct and why the last alleged transgression should not be regarded as a transgression.

5.10.2 On receipt of a reply, if any, the reply shall be forwarded to the relevant official or officials.

5.10.3 The Ombud can call on the parties to provide additional clarifications to be provided to the ombud within three days from such request by the Ombud. The Ombud can send a list of questions to be answered by the parties as part of such clarification that the Ombud desires.

5.10.4 If any of the parties fail to reply to the Ombud's correspondence in the designated time, the Ombud will adjudicate the matter without the clarifications or replies and solely on what was presented to the Ombud.

5.10.5 If the Ombud finds that there were not at least 4 transgressions, the Ombud will inform the parties accordingly of which transgression has been rejected and in the event of a finding of 4 transgressions the Ombud must ban the member

from the DAO and its related sites permanently and will inform Special Council and the Facilitators that the relevant member has been banned permanently from the DAO and its related sites and the Facilitators and/or relevant administrators will remove or block the member of the DAO from all relevant sites and the member ceases to be a member of the DAO on such finding.

1. All officials of the DAO shall keep a record of every transgression made by any member of the DAO in a centralised data base together with relevant screen shots and warnings given thereon and each transgression of a particular member will be so filed or saved under that members name or alias in the DAO, so that it can be monitored whenever four transgressions have occurred and the matter must be referred to the ombud.
2. Similarly the Ombud must keep a record of officials that the ombud found transgressing as in paragraph 4 or 5.5 above and the relevant screenshots and findings, so as to monitor the amount of transgressions of any official of the DAO.
3. Any reference to 'official' includes any person who holds a position in the DAO or is an administrative worker of the DAO.
4. Any reference to 'member' includes any person who joined the Discourse page of the DAO at forum.apecoin.com, irrespective of whether such a person has reached level 2 or higher or not.
5. In the event that it is prudent that the Ombud recuses himself from deciding any particular matter and the Ombud does so recuse, a member of Special Council shall act as Ombud in such particular matter.
6. The Ombud may be removed from the position of Ombud, at any time, by a successful AIP that passes majority DAO vote, that is brought jointly by all members of Special Council, if they are not satisfied with the work of the Ombud and Special Council can then immediately put the position up for election.

STEPS TO IMPLEMENT

The Apecoin DAO administrators or other administrative worker of the DAO or Apecoin Foundation administrators, to create a centralised database for the DAO where officials of the DAO can load records of the transgressions of members of the DAO, with relevant evidence such as screenshots and warnings given by DAO officials in respect thereof under the name or alias of the member of the DAO. The aforesaid administrators or administrative workers to also create a database for the DAO for the Ombud where the ombud can load records of the transgressions of officials of the DAO with relevant screenshots and findings.

[@ApeForLife](#) to act as first Ombud of the DAO for a term of 24 months at a remuneration of \$5000 or apecoin equivalent per month for the term.

TIMELINE

This AIP can reasonably be implemented within 2 weeks of the AIP being approved by the DAO.

OVERALL COST

\$5000 per month in Apecoin equivalent per month for 24 months as remuneration for [@ApeForLife](#) to act as Ombud of the DAO for the term.