

## ASO AC Meeting

6 June 2018

### Minutes

Attendees	Observers	Apologies
<p><b>AFRINIC</b> Fiona Asonga (FA) Noah Maina (NM) Omo Oaiya (OO)</p> <p><b>APNIC</b> Aftab Siddiqui (AS) - Chair Brajesh Jain (BJ)</p> <p><b>ARIN</b> Kevin Blumberg (KB) – Vice Chair Louie Lee (LL) Jason Schiller (JS)</p> <p><b>LACNIC</b> Hartmut Glaser (HG) Ricardo Patara (RP) – Vice Chair Jorge Villa (JV)</p> <p><b>RIPE NCC</b> Nurani Nimpuno (NN) Filiz Yilmaz (FY) Hervé Clément (HC)</p> <p><b>Secretariat</b> German Valdez (GV) - Executive Secretary Susannah Gray (SG) – Scribe</p>	<p><b>APNIC</b> Sunny Chendi</p> <p><b>ARIN</b> Nate Davis Sean Hopkins</p> <p><b>LACNIC</b> Gianina Pensky</p> <p><b>ICANN</b> Carlos Reyes (CR)</p> <p><b>ICANN Board</b> Ron da Silva (RdS) Akinori Maemura</p>	<p><b>APNIC</b> Henri Kasyfi</p>

### New Action Items from this Meeting

**New Action Item 20180606-1:** ALL to agree on the timeline for Seat 10 Elections time line as discussed in April and be ready formalize the process during the July teleconference.

**New Action Item 20180606-2:** AS to send the timeline for the Seat 10 Elections to the mailing list.

## Agenda

0. Welcome
1. Agenda Review
2. Review of Open Action Items
3. Approval of Minutes
  - a) May 2018
4. ASO AC Procedures Changes on Quorum Requirements
5. 2019 ICANN Board Election Calendar
6. ICANN 62 ASO Participation
7. Reports
  - a) AFRINIC
  - b) LACNIC
  - c) RIPE
8. Any Other Business
9. Adjourn

### 0. Welcome

AS welcomed the attendees. GV performed the roll call and declared quorum.

### 1. Agenda Review

No agenda items were added or removed.

### 2. Review of Open Action Items

- **Action Item 20180502-1: CR to contact the ICANN Legal team regarding the due diligence process outlined in the Proposed Uniform Board Member Integrity Screening Process to see how it might impact the ASO/ASO AC.**

CR noted that he had circulated a mail regarding this: the Proposed Uniform Board Member Integrity Screening Process has not been finalized or adopted so there is no immediate impact to the ASO AC process for selecting ICANN Board members.

KB asked if there was any estimate on when the legal team might respond.

CR noted that he had no information on that.

AS noted that the ASO would stick to its planned timeline regarding Seat 10 elections unless informed otherwise.

RdS noted that any changes would likely not impact the ASO.

**New Action Item 20180606-1:** ALL to agree on the timeline for Seat 10 Elections time line as discussed in April and be ready formalize the process during the July teleconference.

CLOSED.

- **Action Item 20180502-2: AS to circulate draft text on Annual Review of Appointments to ICANN to the mailing list for comment.**

AS noted that he had circulated the draft text. He asked for feedback.

KB noted some text about when the review of the appointments takes place should be added.

AS noted that the review of appointments should occur in the last ASO AC meeting of the year.

JS asked if the intention was to publish a running list on the website and be able to reference it.

RP noted that his initial idea was to simply add this to the annual work plan review but publishing it is a better idea. It would improve transparency and people would know whom to approach if they were looking for information about a specific issue.

KB noted that the list of appointments is good for transparency. He noted concern that specifying the ASO AC Interview Committee members might mean that candidates reach out to them in inappropriate ways.

AS noted the ASO AC's two internal committees, the Quality Review Committee (QRC) and Interview Committee (IC), both have public facing roles at some point but was happy to leave these appointments out.

NN noted that she had no concerns about listing the members of the QRC and the IC as it would be good for transparency but suggested to leave these two out for now as they could be added in at a later point.

JS proposed the motion to move forward with the draft text. NN seconded the motion. There were no objections.

AS noted that this would be added to the ASO AC Work Plan, item 14.

CLOSED.

- **Action Item 20180502-3: JV to draft a proposed note to the author of LAC-2018-1 and circulate to the Policy Proposal Facilitator Team (PPFT) for comment, then to the ASO AC for the ASO AC Chair to send.**

AS explained that JV had circulated draft text, which, once agreed, would be sent to the author of LAC-2018-1.

HC, KB, JS and BJ expressed support for the draft text.

JS proposed the motion that the ASO AC requests that the Chair sends the letter as composed to the author of LAC-2018-1. HC and BJ seconded the motion. There were no objections.

NN noted that she appreciated the democratic spirit by which the text was developed but believed that the ASO AC did not need to wordsmith every piece of text. The ASO AC had agreed that the Chair should seek clarification from the author and that she had trust in the Chair to send appropriate text. She did not see why there now needed to be a motion to send the letter when it was already agreed in the last meeting by the ASO AC that the Chair would do this. She added that this was not a criticism or objection to the motion.

AS agreed with NN's points but noted that JV, as the PPFT member, had already been in contact with the author and, as Chair, he did not want to contradict anything that had already been said so thought it best to ask for input.

KB noted that, while he also agreed with NN's point, in this case the text was important and being sent out on behalf of the ASO AC, and therefore the ASO AC should be able to comment on the content. He noted that wordsmithing on the call was not a productive use of time.

CLOSED.

- **Action Item 20180502-4: GV to finalize list of ASO AC members attending the ICANN 62 meeting.**

GV noted there had been some delay in getting answers as some ASO AC members have been waiting for confirmation on whether they are able to attend. He noted that he had now finalized the list and would circulate it shortly.

AS noted that he would not be attending ICANN 62 and the ASO AC does not have any scheduled meetings. There is an SO/AC meeting with Göran Marby. KB will attend as the ASO AC representative.

CLOSED.

- **Action Item 20180502-5: All to review the proposed draft text for the roles of the ASO AC Chair and Vice Chair and provide feedback.**

AS noted that the text had been circulated. Only NN had posted comments. He asked that the ASO AC review the text and provide comments with the goal to finalize within a week.

NN gave a brief overview of her suggested edits. She noted that the general idea was to keep both job descriptions fairly broad. There is a risk that processes may get blocked if the descriptions are too prescriptive. She added that there might be cultural/regional differences of opinion on how broad or narrow the descriptions should be.

NN noted that a broader job description allows for flexibility for the Chair and for the entire group as the ASO AC's work and ICANN's work changes frequently. If the descriptions are very prescriptive, then the job descriptions might need to be updated every year to reflect the changes in ICANN.

AS noted that currently, the Chair and Vice Chair can do anything. He noted that during the ASO AC meeting in March the job descriptions were discussed. Various parts were subsequently edited and removed and a new draft circulated.

FY noted that during the March meeting an action was put on NN for her to provide some alternative text drawing on the feedback that was provided during that meeting. She added that NN had contacted her for her feedback, which was the same as she noted during the meeting itself. The text that NN proposed captures her feedback and she supports that version of the text.

KB noted that there are two extremes: having almost nothing versus having something far too prescriptive. A balance needs to be found. He added that the ASO guidelines state that a description of the role of the Chair is needed. The long version circulated is too prescriptive. The short, four-point version suggested by NN is too broad. This broad approach would not satisfy the intent of the Recommendation. He added that it is also necessary to explain what a Chair needs to do: if someone who has never been involved in the ASO AC comes on board as Chair they would need an overview of their role.

AS believed that, on re-reading, there were some parts that could be removed from the long version and that a middle ground needed to be found. He asked NN to drive the discussion on this on the mailing list.

OPEN

- **Action Item 20180502-6: NN to circulate proposed text for adjusting quorum guidelines and meeting rescheduling procedures.**

See agenda item 4.

OPEN.

- **Action Item 20180313-4: AS to add Annual Review of Appointments to ICANN to the ASO AC Work Plan.**

CLOSED.

- **Action Item 20180313-6: AS to send a mail to clarify who will be present at ICANN 62 and ask for volunteers to work on comparing and aligning the GPDP processes as outlined in the MoU Attachment A and the ASO AC operating procedures (Recommendations #6 and #7).**

AS asked those attending to make time to discuss Recommendations #6 and #7 during the ICANN 62 Meeting.

ONGOING.

- **Action Item 20180313-7: All to review the proposed text for the duties for ASO AC Chair and Vice Chair and suggest improvements before the next ASO AC meeting.**

CLOSED.

### **3. Approval of Minutes**

HC proposed the motion to approve the minutes from the 2 May 2018 ASO AC Teleconference. BJ seconded the motion. There were no objections. AS asked the Secretariat to publish the minutes on the ASO AC website.

### **4. ASO AC Procedures Changes on Quorum Requirements**

AS explained that NN had circulated the proposed text as per *Action Item 20180502-6: NN to circulate proposed text for adjusting quorum guidelines and meeting rescheduling procedures*. There were some concerns noted and LL had provided comments on these. He asked the ASO AC to share any other concerns. If there were none, the proposed text should be added to the operating procedures after agreement by the NRO EC.

NN noted that the procedures state that if all three representatives from a particular region can't attend, a request could be made in advance to reschedule the meeting. The proposed text only refers to the cases where no such request has been made and no one from a particular region RSVPs, or no one from a particular region turns up on the call after stating that they would be present. It was meant to ensure that, by lowering the quorum to four, the group could continue its work by enabling the meeting to go ahead

*without* representation from all regions in such cases. She believed that the Chair would be wise enough to ensure no decisions would be made or motions carried where input from all five regions is imperative.

KB stated that he did not support the proposed changes: quorum needs to be four regions *or* five regions and should not vary depending on circumstances. He noted concern that meetings could be cancelled by one region 24 hours in advance: the ASO AC calls have been planned a year in advance. Allowing them to be shunted around at a moment's notice is not ideal.

He continued that in situations where quorum has not been achieved, discussions should still go ahead but no motions could be carried. He believed that lowering quorum from five to four would be trying to solve a problem that could be solved in other ways.

BJ agreed with KB: quorum needs to be set in stone. However, he also agreed that lowering quorum to four might be acceptable. He also believed that in situations where quorum was not achieved, the Chair would ensure that no motions or important decisions could occur during the meeting.

AS noted that currently, quorum is clearly specified: *eight members of the council shall constitute a quorum for the transaction of business providing that there is at least one person present from each of the five (5) RIR Geographic Regions.*

*Special meetings of the Address Council may be called for any purpose at any time by the Chair of the Address Council or any five (5) council members providing that there are persons from at least three (3) RIR Geographic Regions.*

KB noted that even during a Special Meeting, the quorum of all five regions still applies.

AS reiterated that it was the corner case that was under discussion i.e. when people don't turn up for whatever reason, because they did not RSVP, they did RSVP but they had an emergency situation or cannot connect. He agreed with KB that meetings should not be rescheduled unless absolutely necessary and that if quorum was not achieved, usual business, such as accepting minutes and reviewing actions, should take place.

FY noted that if a meeting cannot be held, the group cannot move forward. The work plan needs to be executed. If a certain region is not represented on a call and no prior warning was received then the ASO AC's work is hindered. She believed it only polite and efficient to inform the group in advance if a region may not have representation on a call. The region should either propose to reschedule the meeting or allow the rest of the group to move ahead with its work in the scheduled meeting. She noted that it is the ASO AC's responsibility to ensure all regions are included in decision-making but it is also the responsibility of all ASO AC members to ensure their region is properly represented.

AS understood that the ASO AC was not moving as fast as it should be. He noted that he was not in favour of changing quorum: it is not just an issue of changing quorum; it's about identifying what the quorum should be.

KB noted that he agreed with FY but that he was not opposed to changing quorum: there just needs to be one quorum across the board.

NN noted that there are clear rules on quorum. Currently, if it is clear that quorum will not be met 24 hours before a meeting, the meeting can be cancelled and rescheduled. This is just a way of setting a cut off point so that the ASO AC is not in that position an hour before the meeting is due to start.

She continued that there might be other ways to solve this issue but the reality is that not every member of the ASO AC communicates their availability in advance. Some members have not attended a single meeting since they were appointed. She noted that, if a particular region had not attempted to ensure

representation on a call, she would be comfortable lowering the quorum to four. It is not ideal from a diplomatic viewpoint but it is a practical measure to move the group's work forward.

FA noted that those who have to attend calls during business hours might find it hard to attend and also might find it hard to even commit to attending. She said that in some regions, it is not always possible to be in complete control of one's schedule. For example, she often needs to attend government meetings that she cannot leave until they are finished and they may go on all day. She added that the ASO AC should be cognizant of how other cultures operate.

She proposed that the ASO AC rotate the time of the call, which was done in the past, to ensure balance and flexibility for everyone's schedules. She added that the ASO AC should also be more accommodating of delays due to connectivity issues. She noted that she believed that changing quorum would help to address the issues.

AS noted that in his first year on the ASO AC he had some problems because the call was during his business hours in Pakistan. However, as the calls were scheduled so far in advance, things could usually be scheduled around them. There would always be challenges for someone whatever time the call is held. He noted that he would be happy to rotate if others agreed.

FY noted that the time of the call would always be an issue for someone: waking up at 4am is difficult too. She agreed with FA that the pain should be shared. She added that, while it is important to share the pain, it is more important that the timing works for the Secretariat and for the Chair as they don't have the luxury of skipping a meeting and they need to keep the meeting running. If the meeting time is not working for a certain region, ASO AC members need to speak up. She could recall the issue being raised only by the Secretariat in the past.

AS added that he had not been aware that some members were having issues with the meeting time. At the beginning of the year he had asked the ASO AC if the meeting time was still working and no objections were raised.

He continued that any other concerns on the meeting time and on quorum should be sent to the mailing list: there are 15 ASO AC members and all should provide input on this important matter so it can be moved forward.

OPEN.

## **5. 2019 ICANN Board Election Calendar**

**New Action Item 20180606-2:** AS to send the timeline for the Seat 10 Elections to the mailing list.

## **6. ICANN 62 ASO Participation**

See **Action Item 20180502-4.**

## **7. Reports**

a) **AFRINIC**

FA gave an overview of the recent AFRINIC-28 Meeting and noted that she had sent a written report to the mailing list.

HC asked for clarification on the AFRINIC Board elections. He understood that it was currently not possible to elect candidates into the vacant seats due to the Bylaws.

FA noted that there were four vacant seats. The current Board, led by Christian Bope, will select four people to sit in these seats until the next AGMM, when elections will be held. The deadline for applications is 17 June.

She noted that it had also been decided that the current ASO AC members would drive the discussion on the ASO Review within the AFRINIC community.

## **b) LACNIC**

RP gave an overview of the recent LACNIC-29 Meeting and noted that he had sent a written report to the mailing list.

## **c) RIPE**

FY gave an overview of the recent RIPE 70 Meeting and noted that she had sent a written report to the mailing list.

She noted that, during the Address Policy Working Group, the ASO AC representatives had given a presentation about how the Global Policy Development Process (PDP) works. There were questions on whether creation of RIRs actually fell into the global PDP parameters or not. A RIPE NCC staff member also pointed out that the ASO AC's procedures and the MoU were not well aligned in this respect and this should be looked into.

## **8. Any Other Business**

None.

## **9. Adjournment**

Motion to adjourn: KB. Seconded: FA. Meeting adjourned at 13:08 UTC.