ASO AC Face-to-Face Meeting
Cancun, Mexico
13-14 February 2023
Notes

Attendees	Observers Day 1	Apologies
AFRINIC Saul Stein (Saul S.) **APNIC** Nicole Chan (Nicole C.) – Vice Chair Gaurav Kansal (Gaurav K.) (remote participation) **ARIN** Nick Nugent (Nick N.) Kevin Blumberg (Kevin B.) **LACNIC** Ricardo Patara (Ricardo P.) – Vice Chair Jorge Villa (Jorge V.) Esteban Lescano (Esteban L.) **RIPE NCC** Hervé Clément (Hervé C.) – Chair Sander Steffan (Sander S.) James Kennedy (James K.) **Secretariat** Germán Valdez (Germán V.) Laureana Pavón (Laureana P.) – Minutes	**ICANN Org** Ozan Sahin (Ozan S.) Steve Sheng (Steve S.) **Community** Jan Aart (Jan A.) Eduardo Gimenez Akinori Maemura Lito Ibarra Gabriel Adonaylo Javier Salazar Hortense Jongen (Hortense J.) Craig Ng (Craig N.) **Joined via Zoom:** Adedokun Adewale Bastiaan Goslings	**APNIC** Di Ma (Di M.) **ARIN** Chris Quesada (Chris Q.)

New and updated action items from this meeting:

New Action Item 230313-1: Hervé C. to check with each RIR when a policy proposal is marked as global and whether it is vetted before it comes to the ASO AC. Also, to check what are the next steps once a policy is marked as global.

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Agenda

- Session 1 (13:15 – 14:30)
    - Welcome
    - ASO AC general info
    - Operational procedures update
        - § "Officers"

- § "Meetings"
- Session 2 (15:00 − 16:00)
    - ○ Procedures update: § "Global Policy"
- Session 3 (16:30 − 17:30)
    - ○ Procedures update: §"Voting"
- Session 4 (9:00 − 10:00)
    - ○ Procedures update: §"ICANN Board selection"

ASO AC Work Session 1

Welcome

After Ozan S. read the ICANN76 Remote Participation Script, the first session of the ASO AC face-to-face meeting began with Hervé C. welcoming everyone on 13 March at 1:16 pm.

Hervé C. said he was happy to have this f2f meeting, as the recent f2f in Belgrade had been very fruitful. He then went over the agenda for the five ASO AC sessions to be held on 13-14 March.

Hervé C. proposed going around the table for each councilor and observer to present themselves, so everyone in the room introduced themselves to the rest of the group.

ASO AC general info

Hervé C. thanked everyone for their presentations. He asked if ASO AC members were interested in having a quick report on the work on transparency.

No opposition was heard, so it was decided to have that presentation on Tuesday morning.

Hervé C. then asked whether the group would be interested on hearing a brief, 5-minute report on Legitimacy in Multi-Stakeholder Governance at ICANN by Jan Aart Scholte and Hortense Jongen.

After some discussion, all agreed and decided to reserve a 5-minute slot for this topic.

Hervé C. then mentioned that Ricardo P. had attended some training for leaders and asked him how he had found it beneficial.

Ricardo P. explained that there was an invitation to the ICANN Leadership program for chairs or people in other leadership roles. He attended the meeting with approximately twenty others, it was very productive and offered very good information, for example, on how to deal with various situations that working groups might encounter.

Hervé C. added that there had also been a meeting with the chairs and vice chairs of the AC and ICANN, the chance to talk with the chair of the ICANN Board. It's always a good opportunity to have a discussion with the other organizations and to see how ICANN supports the various organizations. There was also a dinner last night with the chairs of the different organizations.

Herve C. observed that Saul S. is currently the only member from AFRINIC on the ASO AC at this time, which is something we must take this into account in the work we do on the operational procedures.

He then shared that there is an ongoing NomCom appointment process and reminded everyone that the call for candidates is open and that we should all do outreach so we will have a good selection of candidates.

Saul S. said that, especially given the current circumstances, we need to be very careful with who gets elected to the NomCom, as the best way to takeover something is to be elected to the board.

Kevin B agreed that we should be vigilant about this. If a candidate does not meet our criteria, we should not accept that candidate.

Hervé C. said that the ASO AC has decided to have a set of questions to the candidates (addressing time commitment, capacities and knowledge of the RIR system, of ICANN and so on). He is confident that we will have the capacity to find good candidates.

Craig N. said that, in recent years, RIR lawyers have been talking about drafting a new version of the ICP-2. We believe that is something important for us to start working on. He asked if there is a chance to find a slot here in Cancun to talk about this.

All agreed that ICP-2 is a very important topic and decided to make some time to talk it.

Craig N. explained that the ICP-2 established a set of criteria that a group must meet before becoming an RIR. Our work would be to start thinking about the following questions: 1) What happens if these conditions are no longer being met?, 2) What is the event that triggers something, and 3) What does that event trigger? (link to ICP-2: https://www.icann.org/resources/pages/new-rirs-criteria-2012-02-25-en)

Kevin B. expressed the following concern: the AC has a very specific remit, we have to be careful to stay on the side of being neutral, we must focus on the process.

Hervé C. replied that we need to discuss this point internally within the AC. In his opinion, perhaps Craig N. could present some thoughts about the ICP-2, something we can then discuss further in our next monthly meeting. Question: do you think it is feasible to have a presentation from Craig N. about that tomorrow?

Kevin B. said that time is of the essence, we should all be taking a look at this, it is on our work plan (i.e., review documentation). Here we have access to resources (subject matter experts) that we normally do not. At the minimum we should review the document.

Esteban L. suggested discussing this tomorrow at the ASO AC joint session with the NRO EC.

It was finally decided that everyone would read ICP-2 to be ready to address this topic tomorrow.

Operational procedures update

Hervé C. observed that the AC has been working on this for six months now. There are six working groups, each with a shepherd and dedicated to a specific section of the procedures document. Now, each working group has a set of recommendations, so this week we should agree on these recommendations so that we can then consolidate a text that can be presented to the NRO EC in the middle of the year.

Esteban L. asked whether roll call was needed, to which Hervé C. replied that no decisions will be made, so no roll call is necessary. Attendance will be recorded but roll call will not be taken.

Officers Working Group (Esteban L and Saul S.):
Esteban L. shared that, after long discussions and the work we did in Belgrade, we decided that no changes are necessary, so this can be checked as done.

Meetings Working Group (Esteban L. and Hervé C.):
Hervé C. shared on screen the document with their proposed suggestions:

5.1.1. Schedule:
Suggestion: Add "the coming year."

5.1.2. Notice
Suggestion: Only members who will not attend a meeting should reply to the invitation, not "all members" (i.e, ASO AC members need not confirm their attendance but only inform if they will not be attending a meeting).

Comments:
- Jorge V: The problem is that we have no information if all members have received the invitation. This is the reason why this section was included.
- Esteban L.: There are different kinds of meetings, regularly scheduled meetings which do not require confirmation. Perhaps confirmation of attendance could be maintained for extraordinary meetings, but not for the regular meetings.
- Kevin B.: This is not a procedural issue, just a workplace issue. This is the focus with which I am looking at the procedures, we are now in a different world. These are secretariat issues, not AC issues.
- Nick N.: If something has not consequences on the work of the ASO AC, it can be eliminated.
- Saul S.: We are all adults here, we must assume that things work, we cannot have procedures in place in case things don't work. It's also a case of common decency, if we are not going to attend a scheduled meeting, we need to send apologies.

- Kevin B.: I don't agree with cancelling a meeting in advance. The meeting should be held and those in attendance should be recorded. We've never had quorum issues prior to a meeting, but there have been quorum issues during the meetings themselves.
- Hervé C.: So, deleting 5.1.2 might be a good idea.
- Esteban L. agreed.

5.2 Quorum:
Suggestion: Where it says "If all three ASO AC representatives of one region are unable to attend…" there is no need to specify a specific number.

Comments:
- Kevin B: This is a problem that will need to be addressed throughout the document. It should read "the majority of the sitting body," as this number may change. The entire document must make sure we use "the majority," not hard numbers. We don't need this level of specificity.
- Esteban L.: Agree. I believe that this special point increased its relevance in the last few months, it was not an issue when we began the review, but it is now. I suggest we review this together with the other chapter (you need quorum to make decisions), as they are related.
- Craig N.: In the case of quorum clauses that say "majority," typically this can be deferred and then at the new meeting, quorum is whoever is present. This is a pretty standard clause you can consider adding.
- Kevin B.: If you have the text for that, Craig N., we would appreciate if you could share it.
- Esteban L.: This is a complex issue because the goal is to have all regions represented. Now, however, we may need some other type of quorum or requirements to make decisions.
- Saul S.: Perhaps a better idea: decisions aren't made that affect every region every meeting. If decisions do not affect a region, there's no reason not to proceed if the representatives of that region are not present.
- Kevin B.: In our procedures on global policy, we have very specific requirements for the reason Saul S. mentioned. Even if ASO AC members are not showing up and are not being part of a decision, anything we do has to go to the EC, who will worry about the checks and balances.
- Sander S.: The fact that we have external checks and balances means that we don't have to be so concerned about having internal checks and balances.
- Kevin B.: I think what Craig N. said applies – if there is no quorum, we defer for a week, then session with whoever is there.
- Esteban L: Agree. This is related to the point before that says that if the three representatives of a meeting can ask for the meeting to be rescheduled. But it makes no sense if the geographic representation aspect is eliminated.
- Saul S: We have "at least 4 meetings," so it can be deferred to the next regularly scheduled meeting.
- Sander S.: I was talking to HPH who was chair when that section was added. The ASO AC used to have meetings every two months and adding an extra meeting was very difficult. It was easier to skip a meeting than to add an extra one.
- Kevin B.: All of these procedures were born out of complexities with people, not with holding a meeting. At the end of each meeting, we can ask "Will we have the meeting next month?"

5.4. Posting of Minutes
Suggestion: Replace the comment period of not more than 1 week for a 10-day term or establish that the deadline for review is one week before the next ASO AC meeting.

Comments:
- Kevin B.: Again, careful with the numbers. The less specificity, the better.

5.5. Cancellation of regularly scheduled meeting:
Suggestion: Delete "If insufficient members respond to the notice."

5.6: Types of meetings.
Hervé C. went over the various suggestions included in the document shared by Hervé C. and Esteban L.

Comments:
- Saul S.: Make it more general.
- Kevin B.: The specificity is there because the AC wanted to have the f2f meeting as early as possible. "Will attempt to have a f2f meeting at ICANN or at another meeting that is relevant." Why do we need to have procedures to change our meeting venue? To come to this meeting we had to ask permission from the EC. Let's just document that we will have a meeting at a venue to be decided.
- Esteban L.: The idea was to give us more flexibility (closed meetings). Another comment: the idea of ICANN meetings was to have interaction with other constituencies. I believe it is a good idea to keep ICANN or other relevant meeting.

Conclusion:
Hervé C. and Esteban L. will re-write or propose some wording for this chapter and share it with the group via the mailing list.

Coffee break from 2:47 to 3:05.

ASO AC Work Session 2:

Global Policy Working Group (Ricardo P. and Saul S.)

Ricardo P. shared on screen a presentation prepared by the working group. He said the presentation would provide some context (the current txt needs an update of old/stale references, fix some issues, the whole section would benefit from a complete review to improve its readability/flow of the text), ideas about what to update, comments received via the mailing list and during the meeting in Serbia, and a draft of the section with updates/changes.

Suggestion:
Overview paragraph. Should we reference the MoU?

Comments:
- Kevin B: No, we shouldn't. Instead "latest version of the MoU published on…"

Section 6.2. Overview

Ricardo P. shared on screen a document showing current Section 6.2 and went over the working group's proposed changes.

Saul S. said that the current text was very convoluted and that the process needed to be defined properly.

Comments:
- Kevin B.: I don't understand what Global Policy Presentation means.
- Ricardo P.: It refers to how a policy process can be started. I agree that the wording can be improved. The idea is to include all the ways in which a global policy proposal can be presented in a single section. In the current document states that the ASO AC should meet and decide whether a global policy can begin to be discussed, we can meet to discuss after the proposal starts. The proposal does not necessarily need our approval to start discussions, but the document gives the idea that it does.
- Kevin B.: When a policy is brought to the community in a region and starts as a draft in that region, we then, as the ASO AC, give that proposer the option "do you want to submit it yourself or do you want us to submit it?" Either way, we have to have made the determination that it is a global policy. How different is this from the MoU attachment on global policy process? I ask because I still believe that having information around global policy procedures is great, but if we have to follow the MoU anyway, why do we need this? We're doing ourselves a disservice having all this specificity when we have to follow the MoU.
- Saul S.: The MoU doesn't help with this either, it has a lot of gaps.
- Kevin B.: Should we really be fixing the gaps of the MoU? If some things are missing from the MoU, we should look into fixing the MoU. If not, this is explaining the things that are missing from the MoU (how we meet, etc.). If the MoU says we'll do this, then the procedures should say how we are going to do that.
- Ricardo P.: The MoU says nothing about we the ASO AC needing to approve the start of a global policy before it is submitted to an RIR.
- Saul S.: Maybe we need to look at this and say "What's missing in the MoU?" We approached this as fixing the procedures, not the MoU. Kevin B. is suggesting we go deeper, i.e., what should be in the MoU and get the separation correct.
- Kevin B.: If something is missing in the MoU, we need to point that out, we cannot simply add it in our procedures.
- Ricardo P.: We need to agree to include what is not included in the MoU. The MoU does not say that there should be a previous analysis from the ASO AC to be considered a global policy.
- Kevin B.: I think we have the safeguards on checking whether a policy is global. I don't think that legal will be happy with reforming the MoU, but I don't see how else we can proceed
- Nick N.: The MoU was amended only once, and it was very difficult (when the IANA transition happened). Could I get a sense of what the changes would be?

- Kevin B.: We're talking about the amendment. Conceptually it seems fine, but we know there are pieces missing to the puzzle. Not a rewrite of the MoU but incorporating things as we do in the ASO.
- Craig N.: The ASO and the RIRs have always taken a different route (not within ICANN bylaws). The ASO MoU is simply an agreement between the RIRs and ICANN that we do not need to go to ICANN when we want to change our procedures.
- Hervé C.: So, what we are doing (changing the procedures) would be much easier than modifying the MoU.
- Esteban L.: Perhaps we may not be able to solve all the problems, we may not have enough time. We need to prioritize, or we will fail in our goal of having the procedures updated on time.
- Kevin B.: We have the MoU, what we need now is a work plan that shows how we will actually do things, a transparent work plan that everybody can see.
- Saul S.: Perhaps we can take a look at everything from an MoU perspective, not a procedures perspective.
- Nick N.: That task is too hard for just two people, so I'm happy to help.
- Kevin B. also volunteered to help this working group.
- Ricardo P.: Agree. It was hard for Saul S. and I to go through the document see what is in the MoU and what is not, we may need more time and people.
- Ricardo P.: And we still have not reached the complicated part, which is a voting. The procedural document does not say what we need to vote on, it i very ambiguous. Those are more complicated things to discuss in this third paragraph.
- Hervé C.: We need to find a way to work more optimally on this section.
- Saul S.: Go back to the MoU. Ricardo P. Saul S., Nick N. and Kevin B. will go back and see what's missing in the MoU. Less is more.
- Ricardo P.: Perhaps take a look at the MoU and write something from scratch, not suggest changes to the current procedures document.

Conclusion:
Ricardo P. Saul S., Nick N. and Kevin B will continue to work on this section. We can check if anyone else wants to join in this effort.

New Action Item 230313-1: Hervé C. to check with each RIR when a policy proposal is marked as global and whether it is vetted before it comes to the ASO AC. Also, to check what are the next steps once a policy is marked as global.

Given the complexity of this point, Esteban L. observed that we may have to think about having an update in 2023 and a full update next year. We are under pressure to do the update in time.

Hervé C. agree, we may need to find a compromise.

Kevin B. noted that we can put this into a work plan, leave the procedure as is and have a work plan.

Hervé C. suggested having updated text about voting, a paragraph about what could be missing in the MoU, that might be done pretty quickly.

Coffee break from 3:51 pm to 4:30 pm.

ASO AC Work Session 3

Voting (James K. and Esteban L.)

James K. shared on screen a slide deck on titled "Voting Review: Goals and alternative to Schulze Method"

Highlights:
-   Build a separate, dedicated voting section that should resolve all ASO ac voting scenarios, unless a more specific section exits (e.g., ICANN board elections/removals)
-   Consolidate, standardize, and simplify how decisions are made by the Council
-   Replace Schulze method for ICANN board elections with an easier, more transparent too
-   Include the obligation for ASO ac members to justify vote abstention

Esteban L. said he would we present what we have and then, in a second part, we will propose ideas for improvement.

He then shared presentations on quorum and decision-making.

Current situation:
-   We have general quorum for meetings: 5.2 (eight members of the council). We already discussed this, but it is important to keep in mind that this quorum is for meetings.
-   Special quorum for special decisions: 1.1 amendment of operating procedures (4/5 majority support of all members of the AC whether at a council meeting or via an electronic vote); special quorum for OP amendment (4/5 majority support of all members of the AC)
-   Slide deck: we have seven different methods for decision-making, this is a major complexity in our current operating procedures.
-   Another issue is that some terms, e.g., "simple majority" and "relative majority," "the most votes" are not well defined. There are different criteria: "majority vote" or "absolute majority." Other examples: "4/5 majority support" for the amendment of the operating procedures (the absence of a region will mean unanimity), "unanimous vote" (for the removal of directors, a different criterion than for their election).
-   Finally, the Schulze method.

Esteban L. observed that they had first identified which criteria are applied and see which might be improved or maintained. He shared another presentation with certain points of discussion for the AC:
-   General quorum for ASO ac regular meetings:
    o   What happens if all three region representatives are not attending?

- o Specific learnings
- Quorum for voting procedures
  - o Must all ASO AC members vote?
  - o Are abstentions or blank votes admitted?
  - o In case abstention is admitted, how are these counted?
  - o Must abstentions be justified?
- General rules for decision making
  - o Simple majority, relative majority, most voted, majority vote, ⅗ majority support, unanimity, Schultze method
- Special rules for decision making
  - o ICANN Board appointment to replace Schultze method
  - o Appointment and removal of ASO AC's NomCom
  - o Amendment of the operating procedures

James K. then presented about the Schulze vote counting method, used for a critical function of the ASO AC, i.e., the ICANN Board Elections (9.4.7.3 Elections counting). "While there is no 'perfect voting system' (Arrow's Impossibility Theorem), council expressed desire for a more transparent and easier to understand tool."

He then shared and described some alternative voting mechanisms:
- Majority judgment
- Instant runoff voting
- Quadratic(-ish) voting

Now that we have a view of all the options, Esteban L. said that we should focus and decide, as we as a group have decided to have one form of voting. We must then decide the threshold for voting in general and special cases.

Esteban L. stressed that amending the procedures requires a supermajority (all twelve votes are needed) and that everyone should participate.

Comments:
- Kevin B.: There are two parts to this: 1) the parameters, 2) the voting mechanism. We should separate the two. My issue with majority is that I don't like a 'lame duck' (e.g., a candidate that wins with 5 votes out of a total of 15). In this case, we should be able to have a discussion and see why we are not reaching majority consensus. Perhaps simple vote and runoffs, something that allows us to have one candidate or decision reach a majority.
- Sander S.: We must decide the majority of what (the majority of the entire AC?).
- Nick N.: To reach majority, abstentions should not be allowed.
- Kevin B.: I believe we abuse abstentions. I have a hard time believing that a number of abstentions are due to a lack of knowledge. If you need to abstain because of a conflict, then let the other 14 people know this.
- Sander S.: We still need to know if that abstention counts toward majority.

- Kevin B.: We have a duty of care, not a fiduciary duty. We're not a board of directors, we have the responsibility to do the right thing, we abuse these terms because we take this language from boards.
- Hervé C.: We had this discussion about abstentions in Belgrade.
- James K.: We could keep it simple and high level, we can then decide for some scenarios which tools to use.
- Esteban L.: I also think that it is important to think about general rules and specific rules for voting board members. Abstention might not be needed or they may count as a "yes" vote. Another option would be to have abstentions but you must explain the reason for the abstention.
- Sander S.: I second what KV said, our responsibility is to the people that elected us. If we can't read what we're supposed to read, we're doing something wrong, abstention should not be an option. If we have conflict, what we can do is talk, about it discuss. The first solution should always be to talk to each other and work it out.
- Kevin B.: In the past we've made the decision to vote and the vote was not clean, so we've had the EC ask us why not everybody had agreed, i.e., the reason for the dissent. The vote is just one aspect, but the more information we can provide the better. We can allow abstentions in certain scenarios. The parameters play into it more than the voting mechanism. If it's a final decision going to the EC or to the ICANN Board, then the parameter may be different than if we are deciding whether to have a meeting next month or not.
- Saul S.: If voting is anonymous, we cannot know who dissented and ask them why they did not agree.
- Kevin B.: The community needs to know who didn't vote, unless in special cases such as the ICANN Board elections.
- Esteban L.: Those are good points. In a way, we are going along the road of how decisions are made. Perhaps we can go back to the quorum issue, not talking about geographic representation but number of members, and with Craig N.'s suggestions, include a normal quorum and a special quorum in case the normal quorum is not reached (for regular meetings).
- Kevin B.: "Active seated ASO AC members" is what I've heard a few times, and I also love Craig's suggestion. Does anybody here believe that less than 50% should be required for any decision? Knowing that at least 50% is always required might make things easier.
- Esteban L.: Under normal circumstances, I agree. But under special circumstances (e.g., three members want to block a decision), a lower threshold might be required.
- Sander S.: I believe we should have no exceptions (less than 50%).
- Esteban L.: In my professional experience, it's important to have the exception rule. Perhaps the exception is to have several rounds of voting.
- Kevin B. and Sander S. agreed.
- Esteban L.: But what happens if you have to make an urgent decision?
- Kevin B.: This should be covered by "50% of those eligible to vote," not 50% of everybody.
- Esteban L.: another issue is the special groups for decision making (in all cases we will require majority, but what are the exceptions?)
- Kevin B.: I never agreed with the 4/5. I believe it should be 2/3 of eligible voters.
- Hervé C.: Do we need the 4/5 now to approve the modification of the procedures?

- Kevin B.: I believe we don't. We should tell the EC "this is the situation" and let them decide. The procedures we have are not possible, "this is what we've done, please accept it."
- Esteban L.: Those comments are in the spirit of our work, but formally we need 4/5.
- Kevin B.: I believe we have to ask for forgiveness and do our best.

Esteban L. then brough up another topic for discussion: the Schulze method. He said we don't need to decide on a method today, but it's time to have this discussion on the method used for the ICANN Board election.

Comments:
- Kevin B.: Schulze was selected because it solved a number of problems, but it has created new ones.
- Craig N.: Do you use Big Pulse? I think they have program that runs ranked voting. If that sort of system is available, why not use this?
- Germán V.: One of the biggest risks we have with Schulze is that this type of mechanisms work when there is a large number of voters. We have a small number of voters, so we are at risk of having a tie and Schulze has no way to break a tie (it specifies the use of a random mechanism, which might even be tossing a coin).
- Sander S.: I prefer several rounds of voting there during the call rather than having some automatically ranked system.
- Saul S.: We are voting for our best candidate, not our second or third best candidate, so why are we voting this way?

HC thanked everybody for their participation and closed the meeting at 5:32 pm until the following day.

Tuesday 14 March - ASO AC Work Session 4

Observers day 2:
- Hortense Jenings (Hortense J.)
- Jan Aart (Jan A.)
- Paul Wilson
- Craig Ng (Craig N.)
- Lito Ibarra
- Steve Sheng
- Ernesto Majo
- Eduardo Gimenez
- Oscar Robles
- Farzaneh Badrei (Farzaneh B.)

After Germán V. read the ICANN76 Remote Participation Script, the fourth session of the ASO AC face-to-face meeting began with Hervé C. welcoming everyone on 14 March at 9:05 am.

Hervé C. said that great work had been done yesterday that will lead to better, more secure procedures.

ICANN Board Selection Working Group (Gaurav S. and Ricardo P.)

Ricardo P. spoke to a slide deck on the ICANN Board selection process.
- He provided some background, noting that the work had been started with Mike Silber and continued with Gaurav S. after Mike Silber's term ended.
- Main concerns (increased number of candidates, number of interviews required, scheduling of interviews and internal meetings, what to report back to the ASO AC)
- Adjustments
    9.1 (reference to articles is incorrect)
    9.3 Eligibility requirements
        ▪ Discussion of due diligence, which is in the hands of ICANN and the AC has no control of this.
    9.4.2 Qualification review committee
        ▪ Consider situations where it is not possible to have one member from each region.

    Comments:
- Kevin B. V: Is the plan to keep the QRC and the Interview Committee separate?
- Ricardo P.: The QRC begins one year earlier, so ASO AC members may change. This may not be a big issue, but we need to keep it in mind.
- Kevin B.: Having one person from each region may not be the best option. It might be better to have 3-5 people who actually want to do the work. This can be reflected in the wording. Let's get people who actually want to do the work on the QRC.
- Saul S.: But be careful not to have the QRC stacked.
- Esteban L.: Suggestion: use the same criteria as for the quorum for general meetings, i.e., all regions are invited to participate in the QRC and the IC, but if a region does not send a representative, the two committees can still advance in their role.
- Craig N.: If the concern is stacking, an option might be to say "not more than one from each region."
- Kevin B.: That's what I'm trying to move away from. The whole process is open now.
- Hervé C.: I agree, they are volunteers. It's better to have people who are concerned and have the time to do the work on the committees.
- Craig N.: Then you should delete the last sentence in section 9.4.2 ("another member from the same region…")
- Ricardo P.: Should we establish a minimum and maximum number of people? Also, I would like to qualify this (that we are talking about AC members).
- Kevin B.: It's a subcommittee of the ASO AC, so one sentence should be enough.
- Esteban L. agreed.

    9.4.6.1. Interview Committee

- ▪ We should consider situations where this is not possible (one member from each region).

Comments
- Kevin B.: This is a bit different, as the IC is conducting the interviews. We can't have nine people interviewing the candidates. I think the IC can internally determine who will be conducting the interviews. Anybody can join it, but the group will choose x number of people with regional representation.
- Esteban L.: By way of example, the NomCom has two people conduct the interviews. This makes the process more efficient.
- Ricardo P.: I agree with Kevin B. in that this is a more critical structure. We are a group of good people, but there might be situations when transparency is key, so stating to the public that we have regional representation is important.

- ▪ Comparative report and ranked candidates

Comments:
- Nick N.: A ranking may not be appropriate because different members may interpret each factor differently.
- Saul S.: I also don't like the ranking because it does not allow to portray nuances.
- Nick N.: That might be a function of good writing and communication.
- Kevin B.: We've spent a lot of time discussing why and what we write in the report, more than on actually writing the report. When you have two candidates, the report is meaningless, but if you have more candidates, the comparative report becomes important. It can be used as a means to take a number of interviews and consolidate them down. It can be done extremely well.
- Nick N. asked whether the interviews are recorded.
- Kevin B. replied that due to privacy concerns, the interviews are not recorded.
- All discussed the idea of tiers / top/bottom ranking.
- Kevin B.: This should be in our workplan, not described in the procedures as we have this here. We need to have a workplan we can refer to (e.g., "we will create a tiered ranking to decide who will be moving on to the next round").
- Hervé C.: I think that very good discussion and interaction between members is better in the end than a fixed ranking.
- Sander S.: The ranking was to start the discussion, not to set a cutoff limit.
- Esteban L.: I agree, establish clearly that the ranking is not mandatory. It is a reference but does not define the outcome.
- Kevin B.: This is the most important part of the entire process. Once this is done, the ASO has to make a choice about which candidates move forward and which do not.
- Kevin B.: Historically, people have said "thanks for the report, here's my decision based on the report." The report should be geared towards dialogue, not to make a direct decision.
- Ricardo P.: Although we don't have a recording of the interviews, we have a transcript. The AC has the questions and the answers. It's not the same, but it does help. For the comparative

report, what we did was define some of the aspects we expect from a good candidate. It was not a ranking but a rating.

- Nick N.: Perhaps the procedures should just say "produce a report" and then decide what the report will look like.
- Kevin B.: The problem is whether we can have this ready before the next election.
- Ricardo P.: Over the two last processes, having this discussion once the election has started was not productive. We must agree on this before the election process starts as the entire ASO AC, not later as the IC.
- Esteban L.: In Belgrade we discussed deciding the profile of the candidates we want for the board. It might be necessary to include a previous step where the whole AC decides which are the three main qualifications that candidates will need. Then, those qualifications must inform the entire selection process.
- Kevin B.: What Esteban L. brought up is important. We don't decide previously what qualifications will be required and what their weight will be.
- Esteban L.: Add a specific step in the process before the call for candidates where the AC decides what we are looking for. This discussion currently takes place after we have the candidates, after the interviews, etc.
- Jorge V.: This process should be done as soon as possible, know what we are looking for.
- Kevin B.: The crux is that this is not a vote, it is an interview process, is an appointment (a selection process).
- Hervé C.: Exactly, which is why good communication is important.
- Kevin B.: I am a pragmatist. If we add this now, we will not be able to complete the process before the next election cycle. Perhaps the small changes such as the ones Esteban L. is suggesting might help us achieve 85% improvement and can be done this year.

      9.4.6. Interview phase
- ▪ Recommendation to change 60 calendar days to 90 to have a buffer in case we need more time for interviews, specially in case of many candidates.

Comments:
- Saul S.: Why are we interviewing so many people?
- Kevin B.: During the QRC phase, it is possible to eliminate some candidates, but the problem is that while somebody may not be very good at writing they may be very good when speaking. This is why the QRC has been reluctant to eliminate candidates at this phase.
- Ricardo P.: We have first round, a written questionnaire, there we can eliminate some candidates if they don't have the profile we are looking for.
- Germán V.: Remember that, under the ICANN bylaws, we set the election schedule backwards. Our appointed board member must be seated six months prior to the date specified for the commencement of their term.
- Kevin B.: We should not waste any more time trying to accommodate candidate's preferences. We should provide two dates and times and each candidate must choose between both. Suggestion: Keep the 60 days but tighten our timing for interviews.

Coffee break from 10:05 to 10:33

ASO AC Work Session 5

Hervé C. observed that the last ASO AC work session would begin with two external presentations and will then continue with the procedures update. To conclude, we will have a 15-minute closed session.

Farzaneh B., founder of Digital Medusa, said they had conducted an independent study to see how sanctions impact the Internet. He invited anyone wishing to have additional information to contact him. He then spoke to a ppt presentation describing the goals of the project, types of sanctions (cyber sanctions, economic sanctions), method and focus, the OSI model, impact matrix, escalation (sanctioned operators might be the only Internet providers in the affected country, the current derogations and general licenses may not apply to the operations necessary for interconnectivity and may disproportionally affect third parties connectivity, it might become difficult for businesses conducted in environments subject to EU sanctions to remain lawful).

Hervé C. thanked Farzaneh B. for her presentation and opened the floor to questions.

Kevin B. also thanked Farzaneh B. He asked whether this study was commissioned by the RIPE NCC and when it is expected to be finalized and published.

Farzaneh B. replied that this is independent research, she will have to obtain permission to make it public. It is an ongoing process on which we continue to work.

Jorge V. asked whether they were covering the RIPE community or also the global situation.

Farzane B. replied that she is a consultant and does not represent RIPE. She looks at things globally, has talked, for example, to APNIC and ARIN. If LACNIC and AFRINIC want to talk to her about this, it would be great. It is not only global but focuses no only on the RIRs but also on operators.

Esteban L. said that he finds the report very interesting and that it would be good for it to include Latin American information. If Farzane B. needs some information, LACNIC can provide it.

Farzane B. replied that, as Venezuela and Cuba are also sanctioned, it would be great to get the perspective of LACNIC as well.

To conclude, Hervé C. thanked Farzane B. and asked if she could share her presentation via email.

Jan Aart and Hortense Jongen then spoke to their presentation on legitimacy at ICANN, p resenting the study in brief (research problem, research aims, evidence base), the concept of legitimacy, why legitimacy is important, levels of legitimacy beliefs toward ICANN, drivers of legitimacy (organizational, individual, and societal drivers).

Hervé C. thanked both very much for a very interesting presentation. The ASO is different from other communities within ICANN, but if we are here it is because we believe in this legitimacy.

Nick N. said the presentation had touched upon US dominance and that he is curious about a broader take on sovereign government involvement in ICANN given these overtures we've seen recently. He asked the researchers if they have you seen any correlation between legitimacy and trust as governments try to get more involved.

Jan A. said that there was no difference between regions or stakeholder groups, which\ was a little bit of a surprise. That might be somewhat related.

Kevin B. said that Jan A. and Hortense J. had used three words —transparency, non-bias and accountability— that the AC continually uses and spends a good portion of our time on. When transparency was called out on us some years ago, we found that changing the processes takes time, so it was good to see that those were your key considerations.

Jan A. commented that this presentation was a transition pitch of the work that we are doing now, which is working with the south-based RIRs. Hopefully we will have more information for you next year.

Hervé C. thanked both for their time and work.

ICANN Board Selection Working Group (Gaurav S. and Ricardo P.) - Cont.

Ricardo P. continued with his presentation:

> 9.4.6. Interview phase

Comments:
- Ricardo P.: If we are able to give candidates their time slots in advance, time zones would not be an issue.
- Kevin B.: We created this problem for ourselves by requiring that decisions at the IC and QRC phases be decided at a formal meeting.
- Esteban L.: Agree. The solution might be that the QRC can request the chair to call for a meeting if they consider it is necessary, or any other remember of the AC can ask the chair to call for a meeting.
- Kevin B.: "The QRC will invite the AC for a meeting to decide on the candidates moving forward." This way it will not be necessary to have all the formalities.
- Saul S. and Ricardo P. agreed.
- Text on interviews that will be conducted: not very clear, there might be cases where three rounds are necessary (many candidates). Suggestion: say "we can have up to three interviews, the first one written, the second and third via teleconference or in person if possible."

- Esteban L.: It's important to have a more flexible process, but we must also ensure the fairness and transparency of the process. I agree to give more flexibility, but all candidates should have the same opportunities.
- Kevin B.: Now, we do not have time for in-person interviews. Round one is written, round two and three are teleconferences. The whole concept of in-person interviews made sense ten years ago, but now we should get rid of in-person interviews.
- Esteban L.: But why have a limit of three rounds? Why not leave it up to the AC if additional interview rounds are needed?
- Kevin B.: We will already know how many candidates there are. I don't think we need more rounds, simply to whittle down more people during each round.
- Saul S.: Be hard from the beginning.
- Kevin B.: If we want to have fail safe, we could have a very limited window (just a few days) after the interviews for additional questions or clarifications.

9.4.6.2. Interview Round 1: Written Interview

Comments:
- Ricardo P.: Have the questionnaire and the questions for subsequent rounds developed by the whole AC, not by the IC.
- Ricardo P.: Recommend that this is done/reviewed in advance, before the start of the selection (part of work plan) – Include a paragraph on pre-work.
- Kevin B.: Simplify the wording of the questions for readability.
- Hervé C. agreed.

9.4.6.3. Interview Round 2: Video Conference Interview

Comments
- Ricardo P.: These questions should also be developed by the whole AC, covering more in-depth questions.
- Kevin B.: Depending on the culture, some people prefer candidates to have the questions in advance to prepare, others do not.
- Eduardo J.: An option would be to change "questions" to "list of topics."
- Saul S.: We're interviewing people who are supposed to know about these environments.
- Ricardo P.: In previous years, some of the interview questions required some research on the part of the candidates (e.g., how many ICANN events have you attended). Suggestion: move those to the written questionnaire and use the videoconference for the more dynamic questions.
- Nick N.: I personally favor providing the questions in advance. Different people think at different speeds.
- Esteban L.: If we refer to "topics," this will allow candidates to prepare without providing scripted answers.
- Nick N.: I tend to value a more thoughtful analysis. Some people are better at thinking on their feet.

9.4.6.4. Interview Round 3: In-Person Interview

- Ricardo P.: Remove "in-person."

After some further discussion of the proposed improvements, Hervé C. thanked everyone for their work and discussion of these topics. The next steps will be to take into account all the comments heard during these two days of face-to-face meetings and produce another proposal for each topic. He suggested that the end of March would be a good deadline. He said that anyone else who wants to join a specific working group, should let the others know.

Esteban L. observed that Ricardo P.'s way of presenting the proposed suggestion was very good (current text and proposed solution). He suggested that each working group might prepare something similar.

Kevin B. noted that there are many new faces here, so he wanted to share a brief history of the reason why we seem to be going around in circles with these procedures re the ICANN Board selection. He explained that, in the past, there had been some very contentious selection processes, absolute nightmares, with people trying to leverage every single procedure against the process.

Esteban L. observed that this problem will be solved with the previous conversation about what we are looking for in a board member.

Sander S. agreed that we should do this work even before we know who the candidates are.

Esteban L. concluded by saying that having this kind of conversation at an earlier date would benefit the entire community.

There being no further topics to discuss, the meeting ended at 11:58 am