ASO AC Face-to-Face Meeting
Belgrade, Serbia
25 October 2022 (9:00 am local time)
***Draft* Minutes**

Attendees	Observers	Apologies
AFRINIC Saul Stein (Saul S.) Mike Silber (Mike S.) – Vice Chair **APNIC** Nicole Chan (Nicole C.) – via Zoom Di Ma (Di M.) – via Zoom Shubham Saran (Shubham S.) **ARIN** Kevin Blumberg (Kevin B.) – Chair **LACNIC** Ricardo Patara (Ricardo P.) Esteban Lescano (Esteban L.) Jorge Villa (Jorge V.) **RIPE NCC** Hervé Clément (Hervé C.) – Vice Chair James Kennedy (James K.) Sander Steffan (Sander S.) **Secretariat** Germán Valdez (Germán V.) Laureana Pavón (Laureana P.) – Minutes	**AFRINIC** Madhvi Gokool (Madhvi G.) – via (zoom) S. Moonesamy (SM) **RIPE NCC** Angela Dall'Ara (Angela D.) **ICANN Staff** Carlos Reyes (Carlos R.) Ozan Sahin (Ozan S.) **ICANN Board** Alan Barret (Alan B.)	**ARIN** Chris Quesada (Chris Q.) Martin Hannigan (Martin H.)

New action items from this meeting:

New Action Item 221025-1: The Secretariat to check visa requirements for Mexico (Cancun) in preparation for ICANN 76.

New Action Item 221025-2: Esteban L. to start working on the ASOA AC slide deck for ICANN 76.

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Agenda

Tuesday, 25 October - 9am - 12:30 pm
9:00am

4.- Procedure Review (cont.)

10:30 Break

5.- Work Plan 2022/2023
6.- Global vs Globally Coordinated
7.- PTI - Post Covid
8.- ICANN 76 - Meeting with ICANN Board, In Person Goal

7:30pm ASO Dinner
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Kevin B. opened the second day of the f2f meeting at 9:03 am local time.

He said the AC would continue with the procedures review then go over a number of items on the agenda.

Sander S. noted that he would be co-chairing the panel discussion at RIPE 85 after the break so he would have to leave the ASO AC meeting early. He apologized for this.

Hervé C. welcomed Angella D., policy officer at RIPE NCC, and Alan Barret of the ICANN board, who joined the second day of the meeting as observers.

Continuing with the procedures review where they had left off the previous day, Hervé C. noted that the sections of the procedures up for discussion today are global policy development (Ricardo P. and Saul S.), then multiple parts of the procedures related to voting (Esteban L. and James K), and finally ICANN Board and Directors Selection (Ricardo P. and Mike S.).

While sharing a slide deck, Ricardo P. said he and Saul S. had tried to cover some of the work done in the past by Kevin B., suggesting the same adjustments and also improving the text a bit further to increase its readability and flow, eliminate some repeated paragraphs. Ricardo P. summarized the work on Section 6 of the procedures as follows:

- Section 6 of ASO AC procedures document needed review
    - Outdated pointers to other documents
    - References to inexistent parts of text (templates, annexes)
- Previous work started by Kevin B. in November 2011
    - The proposed updates did not move forward at that moment, so further comments were received to review the whole section, improving grammar and writing for a better understanding
- Kevin B.'s document from November 2011 was used as starting point
    - Adjustment to outdated references
    - Eliminating references that no longer exist
    - New paragraph stating ASO MoU would be authoritative in case of conflict between the MoU and ASO AC procedures

Ricardo P. then went over each of the references to texts that no longer exist or are outdated. He noted that ICANN has its own set of procedures to deal with this process internally, so perhaps the AC does not need to say what ICANN should do re global policy development.

After mentioning some other updates for improving readability, grammar, repeated paragraphs, etc., he brought up a few topics for discussion/decision:

- Paragraph between parentheses in Section 6.5.
    - Is this a comment that was left behind unintentionally? If not, should we keep it as it is?
- Section 6.6.2.5. Notice of Rejection
    - This section instructs the NRO to follow the MoU in case of ICANN rejection of global proposal.
    - It seems to refer to item 25 of the MoU. Perhaps this should be clearly stated.

Kevin B. wondered whether the AC should take the changes discussed in November 2021 and the cleanup that Ricardo P. and Saul S. have done now or go further and further away from the natural text, which is the MoU. The ASO MoU is very prescriptive in how we do our global policy development and the ASO AC procedures take over where the MoU has gaps. The further we get from the source document, the more problems we have. He asked Saul S. and Ricardo P. the following question: Are there logic jumps in the MoU that make it difficult to follow while matching our procedures?

Ricardo P. replied that the work he and Saul S. had done was to consider the text in Section 6 of the ASO AC Procedures to try to improve it, not compare the procedures to the MoU or specify what is missing in the MoU.

Kevin B. thanked Ricardo P. and Saul S. for their work and said that after today's discussion the policy team has a great path forward.

Hervé C. also thanked Ricardo P. and Saul S. and added that their work will make the process easier.

He then noted that SM from AFRINIC and Madhvi G. are here today as observers in person and via Zoom, respectively, and thanked them for their presence.

Hervé C. said that they would now move on to the voting part of the procedures and gave the floor to the working group that had addressed this topic, namely, Esteban L. and James K.

Esteban L. began by saying that he and James K. prepared a redline document and for clarification he also prepared some slides reflecting issues and potential improvements to the decision-making processes, which he shared on screen.

He observed that the ASO AC makes two types of decisions: decisions taken inside an ASO AC meeting and decisions taken by e-vote. The procedures, however, specify various thresholds for arriving at a decision, including by simple majority of those attending a meeting (Section 7.), a relative majority if more than half of the members have voted (Sections 7.4 and 7.4.1.), majority vote (Section 9.5), use of the Schultze method (Section 9.4.7.3), most voted, 4/5 majority support (Section 11.), and unanimous vote (Section 8.3).

Esteban L. observed that this creates a mixture of decision-making thresholds and then went on to provide an overview of proposed improvements:

- Unify the way in which decisions are made, giving priority to e-vote
- Include a specific chapter on Voting Process that can be applied to all cases
- E-vote is not needed if there is only one candidate to be appointed

Kevin B. agreed that voting is complex, even more so considering that there is a sentence that says we can use Robert's Rules of Order Newly Revised. There are far too many rules for voting. We have not addressed the question of public vs private voting (roll call vs private) in a long time. For transparency, the default should be roll call voting, even in case of e-vote. Also, these numbers no longer make sense. We have set the bar too high. The important thing is not the vote but the reason why a person has decided to vote against something that would be presented to the EC (procedural changes). In the case of procedural reviews, a majority could be used, especially for things that are trivial. As for the voting methods, we should simplify them.

In Esteban L.'s opinion, there are only few cases where a special majority would be required (e.g., procedures amendment), in which case there can be a higher threshold. In other cases, a simple majority of the ASO AC would be enough. A simple majority and public voting could be the general rule, with private voting an exception in the case of ICANN Board appointments.

Mike S. added that, in his mind, the only reason for private voting would be NomCom or the ICANN Board appointments, i.e., contested elections. As for majority/supermajority, again, we are trying to avoid the oppression of a minority by a majority by small margins. Our procedures are not that important, they set up how we work, unless there is a real fear that a majority of one could oppress a minority, the simple majority would be fine. He is still undecided about the Schulze method.

Esteban L. and Sander S. agreed with Mike S.

Regarding the single candidate vote, Sander S. commented that the single candidate should not get the appointment if they do not achieve the simple majority of votes.

Kevin B. added that that needs to be spelled out, as the ASO AC cannot seat somebody who is not qualified simply because they were the only one to show up.

He observed that having support for something like the Schulze method being available is important. He asked German V. whether his understanding that the version of Schulze we are using is uncommon and that German V. is doing manual calculations was correct. If so, he said that this is a failure on our part.

German V. confirmed that, after using it in practice, the method is complicated. If we have a small number of voters and a limited number of candidates, ties can be common. To break the tie, Schulze suggests a random selection, which could be a risk. We are performing manual calculations and using a third-party online calculator for quick results, which is not good.

Regardless of which methodology the AC uses, in Kevin B.'s opinion, the problem is that with just 15 voters any system can be gamed. Transparency and running through the process looking for markers and understanding those markers is more important than the method. The voting should allow determining "patterns." Is there a simpler method rather than Schulze that would allow us to have weighted voting? Another option would be successive voting, i.e., if nobody achieves the majority, the bottom candidates are dropped off and then we iterate, but not seven days for each iteration as we are on a short timeline. How many iterations would we need? In short, we need some sort of weighted method.

Kevin B. then asked the following question: Should Schulze be kept or is everybody in favor of a more common method?

Sander S. replied that, for transparency, using a non-obscure method is important to those who voted us to the AC. He is strongly in favor of a simple methodology and does not feel comfortable using a method he does not understand.

Esteban L. agreed. The method is dark and requires manual intervention. The whole process cannot depend on the work of one person, in this case German V.

Hervé C. also agreed.

Shubham S. noted that, as users of the voting system, AC members need to trust the method and not rely on manual intervention.

Kevin B. then shared that he has had the pleasure of serving as chair with a body that has been very amenable, but that this has not always been the case. Over the years he has known individuals who were not as supportive of the process, and many of the procedures try to envision dealing with negative situations. In the past couple of years, we have not had to deal with this, perhaps that's why we don't understand why the procedures say what they say. We need to be aware that the group may not be all working together all the time, so we need to know how to move forward as a group in such a situation. Our procedures should serve as an escape valve to address situations when something is not working well.

Mike S. mentioned that if a member of the ASO AC understands that simple majority is too low and would like higher thresholds, that can be accommodated. He does not want to be in a situation of simple procedural amendments getting stymied by abstentions or failure to vote. 50+1% of ASO AC voting is good enough unless somebody believes that something requires supermajority, in which case they should request it. But if they do, would that automatically be accepted? If so, why?

Regarding the question of ASO AC members' accountability to their regions, Saul S. asked whether we want to report at the end of the year how many times we voted, how many meetings we attended, and so on.

Kevin B. replied that, right now, there is no data, as the default has been for private voting. There is a method for removal, but other than attendance, there is nothing else for our communities to see. If private voting is changed to public voting, that would help alleviate this issue.

Saul S. said that it would also help increase accountability.

Kevin B. shared that there is a lot of work to be done on this topic, but we are not going to be able to do it all today. Another question: should abstention be a viable option? It is not always used, but we are using it and not always for the right reasons.

Hervé C. replied that abstention can be used for candidate selections when we don't agree with one candidate or another, in other cases it does not make sense.

James K. suggested that, if somebody is voting no, then perhaps a reason should be provided.

Esteban L. added that we can maintain abstention as an option, but it should not be counted towards majority.

Sander S. said that a non-vote being counted as a vote against may be the origin of the problem.

Esteban L. said that, as ASO AC members, we have the responsibility of deciding.

Mike S. said that abstention should not count towards the majority, but towards quorum.

Kevin B. added the following caveat: we overuse abstentions, and this may lead to the EC coming back and asking why. In this case we might have to start everything over. When I see an abstention at board level, I need to see the reason (e.g., I did not read about this, I don't have sufficient information to decide). Also, abstentions are used differently around the world, etiquette is different. Whatever the options are, let's see what Robert's Rules say about abstentions (but not today).

James K. agreed that the AC needs a definition of abstention put into writing.

Kevin B. had the following request for the team working on the voting procedures: please do this in red line. If we try to do a markup of all the changes we want to implement, it will be difficult to reach consensus. We still need the majority of votes to get these changes passed.

Sander S. noted that, if the AC communicates to the EC, they can see why people voted no. In case of an abstention or negative vote, it would be reasonable to ask for a reason.

James K. agreed.

Kevin B. said that in November last year the AC did not reach consensus and that now we can do a better job at documenting this.

Hervé C. thanked the team working on the voting procedures for their excellent job. We have defined the different points to consolidate and discuss, a solid basis for the coming weeks and months.

He then invited Ricardo P. and Mike S. to share their work on Section 9. Selection of ICANN Board Directors.

While sharing a ppt presentation, Ricardo P. provided the following update:

- The previous selection process highlighted possible weaknesses in our process
    - Increased number of candidates
    - Number of interview phases required
    - AC member roles
- Comments after process conclusion
    - Not ideal time management
    - Role of observers and other AC members
    - Questions about report format and objective

After sharing some further details, he presented the following proposals for Section 9:

- Fix outdated references
    - References to ICANN Bylaws in the first paragraph
- Improvements to the text
    - Rewrite some paragraphs for clarity
    - Remove repeated paragraph
- Interview phase
    - Longer period (60 to 90 days)

    - Review interview rounds. There was a need for a third round, and this was not well documented (e.g., it is not clear when we go from a second to a third round, it was not ideal to move all candidates to a third phase, last year we culled the number of candidates who moved on to the third interview)
- Interview Committee
    - Recommendation of a shepherd role
    - Recommendations for meeting arrangements in advance, as well as questionnaire preparation (written questionnaire and questions for the phone/in-person interview phase, which are prepared by the IC, but it might be good for this to be done by the group as a whole)

Ricardo P. finalized his presentation by mentioning the following open points:

- Candidate application
    - There was a recommendation to use a web form to obtain uniform candidate information.
- Election process / ballots
    - Another group is responsible for this part (so we did not touch this part).

Mike S. asked what the purpose was of having these committees (QRC and IC). Why not have the entire AC do all this work? The point is to try to ensure that we have a reasonable review but avoid quorum issues.

Kevin B. replied that many of the complexities were included to avoid someone fiddling with this, which resulted in overly complex rules with underdefined areas. We achieve good results at the end of the process, but the first slide by Ricardo P. shows that we create a lot of additional work for ourselves and that is not practical.

Seeing that it was already 10:30 am, Hervé C. proposed taking a break before restarting the discussion.

All agreed.

After a 30-minute break, Kevin B. began by saying that, every third year, the AC has the chance to work without distractions as we are not appointing a director. We are in a unique position to have some time to do this. We have held off making changes because of the narrow windows over the past couple of years. Now, everything is open and up for discussion and change. We are in a situation where things were based on timelines that are no longer in effect and we have to provide to ICANN our decisions much earlier than before. Also, we have the assumption that we need all 15 ASO AC members to make the selection, but that's not the case. We need to have good procedures for the election, and the most important thing is that we reach a good decision after the process. Based on the complexities we have set for ourselves, we spend too much time on the elections, the procedures are overly complicated and can be radically improved. Now, let's focus on the discussion of what high level improvements can be made.

Kevin B. observed that Ricardo P. had presented many problems and asked whether the preference would be to clean up the text or to start afresh.

Saul S. replied that having 10 candidates in a year was excessive and that we should whittle them down based on their CVs, which is how most important processes work.

Esteban L. replied that in a way the written questionnaire is the first filter.

Ricardo P. explained that we have a basic check to make sure that the candidates are involved with the numbers community, which region they are from, and so on; then, the first questionnaire. During the first conference we can feel each candidate's capacity.

Mike S. wondered whether they should consider a redesign from scratch. 1) We receive applications: Is this somebody who's candidacy is valid and worth considering? 2) Are they likely to be a good appointment? How many people do we want to consider? From his experience on the NomCom, we don't need everyone to interview each and every candidate. Do we want to spend time interviewing viable candidates? I don't have the answers, but I say let's redesign this in a way that suits all of us. At NomCom, we were given a pool of candidates and we became an advocate for 2-3 candidates, we met them and then presented them to the others. "I met this candidate and I recommend they move forward or not." Maybe we could consider something like this.

Alan B. shared that he used to sit on the other side of the table and has been involved in appointing board members. At that time, there was the written interview, which whittled down who moved on the telephone interview (or in person if they were all at a f2f meeting). He believes the procedure has not changed much since then, perhaps it is the interpretation that has changed. He agreed that it is not necessary for everybody to interview everybody.

Jorge V. asked Kevin B. if he could remind him of the timeline for this election.

Kevin B. said that it is complicated because we have the preliminary due diligence by ICANN. March is really when we need to be wrapping up the process. To add to what Mike S. said, he has also been on contentious NomComs, it doesn't matter how specific a process is, if there is wiggle room it will be found. Scoring is important, based on defined goals (experience, capabilities, etc.). If not all the people are scoring, you will not remove the bias. Now, the procedures are great when you have 2-3 candidates, when we have many, we need safety valves, we cannot pass ten candidates to the interview phase. If we design the questionnaire well, that should allow us to do a first pass to move people forward. The five members of the QRC and the IC do the heavy lifting.

Mike S. added that in the past couple of years Ricardo P. has done a lot of the work.

Kevin B. reiterated that the AC itself created many of these problems. Again, our procedures have worked, we just know they are overly complicated, which is why we are having this discussion now. Next steps? We have lots of ideas about what would allow us to get good results without the complexity we have now.

Esteban L. noted that if they were to start from scratch, an option might be to ask for help from a third party to participate from the very beginning and then have the ASO AC continue with the process. He added that this was just an idea to explore, as in some ways it would make the process more proficient/sophisticated, and it might also be better for the ICANN Board and the candidates.

Kevin B. replied that he is familiar with such solutions and that they have their pros and cons.

Mike S. said that this means we would have to think about our criteria very carefully, which we have not really done. Who are we hiring? What is the skill set we are looking for? This is an exercise we need to have: a separate document which would also help for our scoring process.

Saul S. said the AC needs to make sure the skill set matches the skills matrix, including soft skills.

Kevin B. agreed with Mike S. that having a skills matrix is absolutely critical and removes any inherent bias. Whether internal or external, the people doing the selection need these criteria. We want to run a more standardized NomCom process. How do we go about it?

Mike S. wondered whether we can use the questionnaire to get to the interview phase more quickly. For that we would need a set of criteria for scoring, then we need to get into the interviews. He does not want to discuss personal qualities but prefers having standard scores for all the candidates to see which one best fits the composition of the board at each specific time.

Jorge V. said the AC has to cull based on what we are looking for. We are looking for skills. Personal characteristics are a plus, but the filter must be the skills we are looking for.

Esteban L. agreed with Jorge V. but added that it is not necessary to put the skills and requirements in the procedures as they may change depending on the situation. Perhaps include something that will allow us to establish the set of requirements for each seat election.

Kevin B. agreed that the most important thing is that the requirements do not need to be in the procedures, but they should be referenced in the procedures. The Secretariat will maintain the requirements as necessary. Let's codify that we're going to use these documents, which can be modified but they will be referenced in our procedures.

Esteban L. suggested including this item in our annual work plan.

Kevin B. noted another important point: we are looking at changing the number of formal meetings of the AC. We should be able to operate appointment meetings, closed sessions for the purpose of appointments without the complexities we typically have. We should create a calendar of closed meetings (avoid closing an open session and then opening it again simply to adjourn).

Esteban L. then mentioned that they might consider providing some feedback to the candidates who are not selected, treat candidates well so they will run again.

Saul S. replied that that would be a slippery slope and might create some issues.

Esteban L. said that in some ways it is important to encourage good candidates to run again.

Kevin B. mentioned that this is an unnecessary complexity.

Mike S. explained that if we know a candidate personally, we can encourage them to run again, but not as the ASO. Everybody is welcome to give their personal feedback taking care not to violate confidentiality.

Esteban L. believes that an official response would be better.

Mike S. noted that crafting the response would take too long.

Kevin B. finalized this discussion by saying that there is now a path forward for the group working on this topic. Because we are all seeing the same path but a different road, he suggested working on high-level, bulleted lists, without going into details that might not be approved by all.

To conclude, Hervé C. thanked everyone for their work. It has been very useful and great to be working in person. We have to move forward, our next regular meeting is next week, so there is no time to have something ready to present then. The Procedures Review Team will discuss how to move forward, and the owners of each specific topic will try to be as efficient as possible.

All thanked Hervé C. for driving the process forward.

Kevin B. noted that these have been two productive mornings working on procedures which would not have been possible without the work of the Procedures Review Team.

He then noted that tomorrow morning James K. would be giving the ASO update.

James K. said that if anyone has anything specific they would like to add in the presentation, they should let him know.

Moving on, Kevin B, said that yesterday they had briefly discussed global vs globally coordinated policies. People will sometimes say "global" and they mean "globally coordinated." In his opinion, we should use "RIR coordinated" to avoid confusion. Someone needs to update the deck so that we can use it in our regions to remove this confusion.

Ricardo P. agreed that "globally coordinated" creates confusion but is not sure whether "RIR coordinated" is appropriate as it might give the impression that the RIRs are working together.

Kevin B. then moved on to another agenda item: ICANN 76, in March, in Cancun.

Various things need to be planned:

- The AC has been approached by the ICANN Board asking where we have been, as due to covid we have been out of touch. We need to do something in March. Given the number of years, this should happen regardless of whether the EC will be meeting with the ICANN Board.
- We will need to finalize the procedures to approve them.
- Have a round table post-covid discussion between PTI and the AC, we can come up with an agenda, we had a successful meeting a few years ago and it would be useful for that to continue.
- Also, are we going to do an ASO AC update? What will that look like? A round table? Preaching on slides for 30 minutes is not community engagement. We need to think outside the box, and everyone can contribute their suggestions.
- The new chair in January will have to do the heavy lifting, but we need to start the process now.

Carlos R. recalled that, for the last pre-covid meeting, there was a successful session between PTI and the ASO AC. As for engagement, one option could be tech day, if the ASO AC wants to submit some sort of session proposal for that, that could help with audience update.

Kevin B. said that perhaps they could suggest to the RIRs having something for tech day as the ASO.

Esteban L. said that we need good marketing and agreed that it's a good idea to meet with the ICANN Board and PTI.

Kevin B. asked Carlos to inform the Secretariat as soon as room reservations are open so members of the AC can plan their travel.

New Action Item 221025-1: The Secretariat to check visa requirements for Mexico (Cancun) in preparation for ICANN 76.

Carlos R. observed that, if the topic is something that has to do with ASO, the plenary session would also be a good opportunity.

Ricardo P. recalled that once the AC gave a presentation during the newcomers meeting. Also, a couple of times the AC did some presentations in venues like eLAC to invite people to our sessions.

Hervé C. agreed with Ricardo P., adding that in Rotterdam there was a meeting to explain their policies, so he took the opportunity to go up to the mic.

Kevin B. said that there are some great ideas here, that we can brainstorm and create a list of things to do at ICANN 76 and get it to the EC.

Shubham S. agreed, adding that we can perhaps think about a workshop.

Kevin B. noted that we have to be careful not to overstep ourselves with topics that are outside the scope of the ASO.

Carlos R. said that it was his understanding is that registration for ICANN 76 opens on 15 November.

New Action Item 221025-2: Esteban L. to start working on the ASO AC slide deck for ICANN 76.

Kevin B. then wrapped up the second day of the ASO AC f2f meeting. He noted that these two days had proved what we already knew: we get work done online because we have to, but much more work gets done when we meet in person. Four hours a day is the daily maximum, but two days was definitely not enough. Let's consider this for ICANN.

He explained that if anyone has any additional suggestions or comments, these can be sent to the mailing list.

Next week we'll be discussing the work plan that is coming up. For next year, we need to do a more robust review of our work plan than we've done historically.

After thanking everyone for their work, Kevin B. closed the meeting at 12:12 pm local time.