

ASO AC Teleconference
Wednesday, 07 February 2024
12:00 PM UTC
Draft Minutes

Attendees	Observers	Apologies
<p>APNIC Nicole Chan (Nicole C.) – Vice Chair Gaurav Kansal (Gaurav K.)</p> <p>ARIN Nick Nugent (Nick N.) Chris Quesada (Chris Q.) Kevin Blumberg (Kevin B.)</p> <p>LACNIC Ricardo Patara (Ricardo P.) – Vice Chair Esteban Lescano (Esteban L.) Jorge Villa (Jorge V.)</p> <p>RIPE NCC Hervé Clément (Hervé C.) – Chair Constanze Buerger (Constanze B.) Sander Steffann (Sander S.)</p> <p>Secretariat Germán Valdez (Germán V.) Laureana Pavón (Laureana P.) – Minutes</p>	<p>AFRINIC Madhvi Gokool (Madhvi G.)</p> <p>ARIN Eddie Diego (Eddie D.) John Sweeting (John S.) Michael Abejuela (Michael A.)</p> <p>LACNIC Eduardo Jimenez (Eduarco J.)</p> <p>RIPE NCC Athina Fragkouli (Athina F.) Angela Dall’Ara (Angela D.)</p> <p>RIPE Community Mirjam Kuehne (Mirjam K.)</p> <p>ICANN Org Ozan Sahin (Ozan S.)</p>	<p>APNIC Di Ma (Di M.)</p>

New and updated action items from this meeting:

New Action Item 240207-1: The ASO AC Chair to send the final version of the 2023-2025 timeline so it can be tentatively agreed that this timeline fits the EC’s framework.

New Action Item 240207-2: The Secretariat to set up a special call for the ASO AC to discuss how they will organize their work for the ICP-2 update (timeline, activities, who will do what, etc.).

New Action Item 240207-3: Hervé C. to send the document titled “Comments to NRO EC on ICP-2 Implementation Procedures (2024-02-07 - FINAL)” to the NRO EC, cc the AC-DISCUSS mailing list.

New Action Item 240207-4: Hervé C. to share via the AC-DISCUSS mailing list the brief report of the ASO AC’s work in Montevideo on 29-30 January as shared via the mailing list (including the amendments suggested via the mailing list itself).

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Agenda

0. Welcome
1. Roll Call
2. Agenda Review
3. Review Open Actions
4. Approval Minutes January 2024
5. ICP-2 Update
6. ICANN Seat 9 election update
7. ICANN 79 Activities and f2f Meeting
8. AOB
9. Closed Session
 - a) ICANN Board Interview Phase
10. Adjourn

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0. Welcome

Hervé C. welcomed everyone to the meeting at 12:04 UTC, thanking everyone for their work in Montevideo.

1. Roll call

Roll call was taken, and quorum was established.

2. Agenda Review

The agenda was approved as written.

3. Review Open Actions

Action Item 240110-1: Hervé C., Nicole C., Ricardo P., and Esteban L. to prepare a first version of the agenda for the Montevideo meeting and share it on the mailing list so it can then be consolidated with any additional information received with the documents from the legal team. **CLOSED**

Action Item 240110-2: Hervé C. to ask the Secretariat to confirm with the EC what the travel policies for ASO AC representatives are for 2024 in each individual region. **ONGOING**

Action Item 240110-3: The Interview Committee (IC) to report back to the mailing list on a proposed timeline / dates for special meetings to discuss the ICANN Board Seat 9 election. **CLOSED**

To be discussed under Agenda Item 6.

Action Item 240110-4: The ASO AC to review the 2023 ASO Work Plan Review that was shared via the mailing list. If no comments are received within seven days, the 2023 ASO Work Plan Review will be considered approved. **CLOSED**

Action Item 240110-5: The ASO AC to review the 2024 ASO Work Plan that was shared via the mailing list. If no comments are received within seven days, the 2024 ASO Work Plan will be considered approved. **CLOSED**

Action Item 240110-6: Kevin B. to include a line re the closed sessions in the 2023 Transparency Review and circulate the new version of the document on the ASO AC mailing list, then share the original MS Word docs with the Secretariat so they can be posted to Confluence. The ASO AC to review the 2023 Transparency Review shared via the mailing list, including attendance records and personal information. If no comments are received within seven days, the 2023 ASO Transparency Review will be considered approved. **CLOSED**

Laureana P. noted that 2023 work plan review and 2024 work plan have already been published on the ASO website.

Action item 20230911-1: As soon as the period for candidate acceptance closes (15 December), the ASO AC to set up times for special meetings for deliberating after the last round of interviews with the candidates to the ICANN Board. **ONGOING**

Action item 20230911-3: Each ICANN AC member to read and review historical documents (questionnaires, reports, etc.) related to the ICANN Board elections to obtain a better understanding of what needs to be changed. **CLOSED**

4. Approval Minutes January 2024

Esteban L. called the motion to approve the minutes of the 10 January 2024 ASO AC teleconference minutes with the editorial changes suggested by Hervé C. via the mailing list, Kevin B. seconded the motion, no abstentions were suggested, nobody opposed, so the motion carried.

5. ICP-2 Update

Hervé C. provided a summary of the work done by the ASO AC in Montevideo, a very productive meeting for working on the ICP-2 procedure document.

Nick N. explained that he has finished the letter, but that there are a couple of open questions, mainly around definitions.

Kevin B. mentioned the main example: 20 years ago, 'ISP' had a different definition than it has today, i.e. it was used as a term for resource holder (20 years ago ISPs were the main resource holders, which is not the case today). Additionally, ICP-2 mentions IP addresses, but today number resources include ASNs. So, the term 'resource holders' —which Athina F. is already using— is more looking forward. To reply to Nick N.'s request for feedback, Kevin B. replied that they should use 'resource holders' rather than ISPs, especially where the definition might be confusing.

Sander S. added that we need to get rid of the term 'ISP' in any case.

Nick N. then explained that he had excluded a couple of points from the draft and invited any comments, for instance, about the scope.

Kevin B. replied that, if we're including the original scope of the original ICP-2, it's beneficial to a reader that is not versed in this. Simply to clarify that we did not stray from the original scope.

Nick N. will tweak the part about the definition and send the letter out again.

Kevin B. noted that he was hoping that the group would vote on this today. He suggested that Nick N. could have a few minutes to update the document as discussed and then we can do a roll call to vote on this.

Esteban L. observed, as a general comment, that in his opinion, the letter by Nick N. reflects the conversations we had in Montevideo.

Hervé C. agreed.

While Nick N. updated the letter, the proposed 2024-2025 timeline for the ASO AC was shared on screen and Kevin B. proceeded to comment. He explained that the goal is getting a rough draft of the ASO AC timeline to the different people, so we don't run into issues. The key will be working in parallel, but we need to fill out what those parallel activities should be. We must do multiple things at once if we want to succeed.

Kevin B. explained the proposed timeline, including which activities might be done in parallel, and the other members of the ASO AC shared their comments.

After some discussion, the following action item was agreed:

New Action Item 240207-1: The ASO AC Chair to send the final version of the 2023-2025 timeline so it can be tentatively agreed that this timeline fits the EC's framework.

Athina F. thanked the AC for inviting the legals to this meeting. Speaking of the survey, she suggested that the AC might want to liaise with the CCG ASAP to coordinate their capacity to support the AC, perhaps even before sending this to the EC.

Constanze B. asked whether the timeline should include a review of the questions.

Kevin B. agreed with Constanze B. that it should be added.

Kevin B. mentioned that it might be worth having a call early next week where we can organize the work. The AC will probably have time to start working on the principles document at ICANN in San Juan, and Kevin B. hopes that the AC could set aside part of our March teleconference agenda and one in-person meeting for this.

Hervé C. suggested that this call could be held on 14 or 15 March.

After some additional discussion, the following was agreed:

New Action Item 240207-2: The Secretariat to set up a special call for the ASO AC to discuss how they will organize their work for the ICP-2 update (timeline, activities, who will do what, etc.).

Sander S. observed that NAGOG had not been included in the timeline and wondered if it would be useful to expand the scope to ARIN+NANOG. Also, to keep things uniform, AFRINIC does not have RIR meetings, only a possible community meeting, RIPE meetings are combined RIR+community, etc.

Kevin B. replied that NANOG may or may not include us on the agenda, it's not a given. As far as the RIR updates for the meetings that are coming up, the slide deck that includes our timeline, hopefully will be solidified by then, that's a 5-10-minute addition to the RIR updates. Kevin B. believes we will not have much feedback by the March timeline.

Hervé C. agreed.

Esteban L. agreed that including this in the information sessions will be enough, no need for a special sessions. Merely information to encourage the participation of the different RIR communities.

Mirjam K. asked if the AC is also planning to use the mailing lists between the milestones included in the table, to which Hervé C. replied that the AC has indeed talked about how we want to communicate around that.

Kevin B. added that, based on Montevideo, we are not looking at having separate mailing lists for this. The purpose of the survey is to gather information. We mentioned that a general discussion list exists in RIPE but not in the other regions. We are looking for targeted information, we are not looking at having multiple mailing lists, so we will try to keep it on point. The AC will have further discussions in March, but the concern was that mailing lists devolve quickly into discussions. We are not looking for a two-way feedback loop. For now, our main goal is to gather feedback from a survey.

Nick N. then returned to the call and shared the modified version of the letter to the EC in response to the procedures document on screen. He suggested that, because the legal team was present, it might be good to share this with them for a sanity check. Our intention is to be helpful, but we don't want to make things more difficult. The first question we asked is about the legitimacy of the implementation procedures. We shot you our best devil's advocate arguments, to stress test that this is legitimate. He asked the legals present if this is helpful.

Three minutes of silence were allowed for the legal team to read the Legitimacy of Implementation Procedures section of the draft reply to the NRO EC about the ICP-2 procedures document.

After the three minutes, Michael A. said he was contemplating the EC's question about the helpfulness of the section.

In Athina F.'s opinion, there is nothing harmful. The procedures might be confusing perhaps to someone who doesn't know the context. She is fine with the wording as is.

Nick N. said that his thinking was that the legitimacy of the procedures might be challenged in the future. And the role of the ASO AC. Obviously, the AC will have played a role in this (we'll have offered comments, sent them back to the NRO for adoption). If someone were to challenge legitimacy, the reply might be "The ASO AC looked at this issue, they were involved in this process. They were satisfied. Here's the feedback on the procedures, the ASO AC agrees with them, subject to these suggested tweaks. We also agree with the entire process because we asked these questions, and they were answered to our satisfaction." Another sort

of ratification, approval or legitimacy of the whole process which bolsters legitimacy, if it were later challenged.

Michael A. believes that, because the ASO AC represents the community, there is benefit to this kind of findings/conclusions. He likes the fact that the ASO AC, as elected community representatives, are able to make this kind of analysis.

Kevin B. added that he was very happy with this additional text, as it is insightful and shows that the ASO AC is doing its due diligence. It is a good example that we're doing more than just "putting a rubber stamp." This is very helpful information.

Esteban L. agreed with what was said, especially by Michael A. The ASO AC is part of the community. It shows that work was done, we discussed this in Montevideo, and these are our conclusions. Thank you Nick N. for your work. He supports the letter.

For the record, Eduardo J. noted that he agrees with what his two colleagues have said, especially Michael A., he agrees with the inclusion of this section in the document. It is good to be on the record that the ASO AC has analyzed the procedures document and reached these conclusions.

At this time, Kevin B. called a motion to accept the Comments to NRO EC on ICP-2 Implementation Procedures (2024-02-07 - FINAL) as displayed on screen, Sander S. and Esteban L. seconded the motion, and no further discussion was heard. German V. then conducted a roll call vote with the following results:

Nicole C, Gaurav K, Chris Q, Nick N, Kevin B, Ricardo P, Esteban L, Jorge V, Constanze B, Sander S, and Hervé C. all voted yay. With 11 votes in the affirmative, the Comments to NRO EC on ICP-2 Implementation Procedures (2024-02-07 - FINAL) were approved.

Hervé C. thanked Nick N. and the legal team for their work.

Nick N. said that there had been a question as to whether this was discussed internally vs on the AC-DISCUSS mailing list. John Curran's request on October 25 to the ASO AC regarding the procedures and strengthening the ICP-2 was to AC-DISCUSS, but the procedures we got were marked "Common and joint interest privilege," so he wonders what level of confidentiality this should have.

Kevin B. said that there was a bigger question of when things should go from the AC-INTERNAL to the AC-DISCUSS mailing lists. In March, we can have a broader discussion in person about how we will manage the work and at what point things will be ready to go on the public mailing list. Kevin B.'s personal preference is the less on the internal, the better. But we still need the ability to work on drafts among ourselves.

Hervé C. said that this had also been on his mind and that he was concerned about this problematic. He will be happy to discuss this in March in San Juan.

Nick N. said he was thinking about privilege. The procedures document sent to the AC by Oscar Robles had a red heading marking it as "Common and joint interest privilege" so he would like to know what the legals would like to see.

Kevin B. observed that the document had been sent to a public mailing list, so it cannot be considered privileged.

Michael A. replied that the red header should have been deleted; this was probably an oversight, a leftover from the drafting phase. If the ASO AC wants to, the document can be sent with no worries about privilege and confidentiality. For the future, we can discuss this later, but right now we would default to keeping this process as open as possible.

Nick N. asked the following: So, we will assume, as a general matter, that none of this is under privilege, unless under some exceptional circumstance there needs to be some privileged conversation or document with the ASO AC, in which case the legal team will notify us of that fact, and we'll figure out procedures for it?

Michael A. confirmed this.

New Action Item 240207-3: Hervé C. to send the document titled “Comments to NRO EC on ICP-2 Implementation Procedures (2024-02-07 - FINAL)” to the NRO EC, cc the AC-DISCUSS mailing list.

Moving on, Hervé C. mentioned that he had proposed a brief report of the work the ASO AC did in MVD and shared it on the mailing list for comments/approval.

Esteban L. agreed that it is important to communicate this. He is fine with the proposed text, including the amendments suggested via the mailing list.

All agreed.

New Action Item 240207-4: Hervé C. to share via the AC-DISCUSS mailing list the brief report of the ASO AC's work in Montevideo on 29-30 January as shared via the mailing list (including the amendments suggested via the mailing list itself).

6. ICANN Seat 9 election update

Action Item 240110-3: The Interview Committee (IC) to report back to the mailing list on a proposed timeline / dates for special meetings to discuss the ICANN Board Seat 9 election. **DONE**

Ricardo P. explained that the idea was to come up with a 2024 ICANN Board Seat 9 Election timeline for the interview phase, so that, if they advance to the next interview, candidates can have an idea of when they can expect the teleconference. He then explained the proposed timeline, which was shared on screen and is available in the ASO AC wiki. The interviews can be held right after the ICANN meeting, a week or two later to allow time for people to get back home. He added that Constanze B. had made a very nice table with this idea. It would be good to have this date in mind so that we can all attend the interviews if possible.

After Hervé C. thanked them for attending the meeting, the members of the legal team left the meeting at this time.

All ASO AC members present on the call then went over and finalized the draft timeline, confirming that candidates would be offered the 12:00 UTC timeslots, perhaps providing +/- 1 hour flexibility. We can offer the candidates two time slots each day to give them some flexibility.

Hervé C. then noted that the status of Action item 20230911-3 can now be changed from ongoing to closed.

Germán V. noted that he had submitted the written questionnaire for the ASO AC to review, as he needs to send this questionnaire to the candidates tomorrow. He asked if the AC can discuss these during the closed session.

Ricardo P. agreed this should be discussed during the closed session.

7. ICANN 79 f2f Meeting

Hervé C. noted that the AC will have multiple sessions in San Juan and that he has shared an agenda. He asked Ozan S. and Germán V. if they had anything to add.

Ozan S. shared the schedule for the ASO AC in San Juan once again: https://docs.google.com/spreadsheets/d/1H5-f_j2pwud3-iDRWGreR2Hoq0NNuGex9pB2CDB8JuY/edit?usp=sharing, adding that the meeting with the GAC is not yet on the agenda, but it will possibly be on Sunday. If that is confirmed, he will add it to the schedule. He then went over the schedule for ASO activities at ICANN 79 and asked for comments, as this will be made public on the 12 February.

Esteban L. noted that, at first glance, it looks fine.

Kevin B. mentioned that, if the meeting with the GAC is happening on Sunday, he will not be present in San Juan, as he was under the impression that the ASO AC activities would be starting on Monday. He also asked whether the NRO EC would be driving the discussion with the GAC.

Hervé C. mentioned that he will not be in San Juan on Sunday either, and that the NRO EC will be involved in the meeting with the GAC.

Kevin B. noted that we should know how many chairs will be there for the joint session with the ICANN Board so we can decide who will be on the table, perhaps one member from each region.

Esteban L. observed that he is also arriving on Sunday. Having some representatives will be fine, also at the meeting with the ICANN board. We need to focus on our work, which is more important than the other activities.

GV: the NRO EC will have limited participation, OR and JC are not traveling to ICANN 79. HPH will be there for the weekend, If there is to be participation of the NRO EC, this needs to be coordinated. I will pass the information to the EC next week at their meeting once it is finalized by ICANN.

Esteban L. asked Germán V. who would represent the EC if the NRO EC chair is not present.

Germán V. replied that it should be John Curran, who was the NRO EC chair last year, but it will be HPH and Paul Wilson, as they will be there. The EC will meet next week and discuss this.

8. AOB

Kevin B. reminded everyone that, especially with the work that we're now doing on ICP-2, consistent attendance is important. Sending regrets in advance and then being able to read off on the work that was done is OK, but one thing he believes is important and we could include as part of the introduction of in the in-person meeting is the need to keep reminding ourselves that we are a global body. We have people from all over the world who operate in different ways. Some AC members have no problem speaking on calls or in person, while others prefer to use written communications. It's very important that we tease out as much as possible from ASO AC members, so if we can't participate verbally we can do so in written form. Participation —not merely attendance— is important.

Hervé C. thanked Kevin C. for his comment. He added that he would also say “don't be afraid to say what you want to say. We are here to share different opinions. The more opinions we have, the better-informed decisions we can make.”

Esteban L. agreed with Kevin B. and Hervé C.

Sander S. also thanked Kevin B. for his important reminder.

At this time, Hervé C. thanked everyone not a member of the AC for their participation. After making sure that only ASO AC members and GV and LP were on the call, the closed session began.

9. Closed Session

10. Adjourn

There being no further business to discuss, Esteban L. called the motion to adjourn, Nicole C. seconded, no objections were heard, and the meeting was adjourned at 13:12 UTC.