ST-WP Meeting #4 (15 April)

Attendees:
Sub-Group Members: Athina Fragkouli, Avri Doria, Cheryl Langdon-Orr, Finn Petersen, Izumi Okutani, Jonathan Zuck, Julia Wolman, Par Brumark, Samantha Eisner, Steve DelBianco
Staff: Alice Jansen, Berry Cobb, Brenda Brewer

Apologies:
**Please let Brenda know if your name has been left off the list (attendees or apologies).**

Transcript
CCWG ACCT Stress Tests Meeting #4 15 April.doc
CCWG ACCT Stress Tests Meeting #4 15 April.pdf

Recording
The Adobe Connect recording is available here: https://icann.adobeconnect.com/p5uyox79792/
The audio recording is available here: http://audio.icann.org/gnso/gnso-stress-tests-1100-15apr15-en.mp3

Notes
Accountability Stress Tests WP Meeting #4 on 15 April

These high-level notes are designed to help you navigate through content of the call and do not substitute in any way the transcript.

P1 last paragraph will be edited. ST of interest to CWG will be added.

ACTION ITEM - Steve to refine paragraph on page 1

Edward Morris’ additional ST will be #26

STs # 3, 4, 29, 11, 27, 17 - Board Inaction: ability to spur the Board to make a decision in order to trigger a reconsideration or IRP is not firmly established in any of the design powers and mechanisms yet. Outreach to legal on Board inaction has not led to formal feedback. Suggestion that threaten Board of removal to solve for Board inaction is not a formal mechanism. Expanding on ATRT recommendation #9 language in the bylaws might be sufficient to trigger the IRP and other review mechanisms that are being worked on in Work Party 2. Conversation with WP1 to ensure inducing Board action is a community power. WP2 discussion about whether or not existing redress mechanisms could somehow be triggered by a failure to act.

ACTION ITEM - Jonathan to recirculate explanatory note

Steve Del Bianco flagged that Preserving AoC commitments in ICANN bylaws will be discussed in WP1

Suggestion that better to have Bylaw provision that forces Board an accountability to the community to respond to Advisory Committee formal advice. - Advisory Committees would benefit from this. Outreach to ACs might be needed.

Community Veto STs #3, 4, 19, 10, 20, 15

ACTION ITEM - remove strike through

ST #18 GAC
Discussion is pending. Some GAC support for ST recommendation.
Should more urgent issues come forward from WP1 - WP2, stress test 18 still needs discussion - would cut back on 14 - 17

GAO
Steve provided GAO with overview of STs

ST #21
Suggestion to amend ST 21 in light of CWG remarks concerning appeal mechanism and respect national legislation on redelegation

ACTION ITEM - Read CWG input and incorporate any effect this may have on ST 21 as needed.

Consider including reference to GAC principles

ACTION ITEM - Cheryl to contact Bart Boswinkel/Bernie Turcotte to incorporate language

Action Items

ACTION ITEM - Steve to refine paragraph on page 1

ACTION ITEM - Jonathan to recirculate explanatory note

ACTION ITEM - remove strike through

ACTION ITEM - Read CWG input and incorporate any effect this may have on ST 21 as needed.

ACTION ITEM - Cheryl to contact Bart Boswinkel/Bernie Turcotte to incorporate language

Documents Presented

Chat Transcript

Brenda Brewer: (4/15/2015 05:45) Welcome to the Accountability Stress Tests WP meeting #4 on 15 April.

Brenda Brewer: (05:45) Please note that chat sessions are being archived and follow the ICANN Expected Standards of Behavior: http://www.icann.org/en/news/in-focus/accountability/expected-standards

Pär Brumark (GAC Niue): (06:01) Hi all!

Brenda Brewer: (06:03) you have everyone in Adobe

Alice Jansen: (06:04) [V9] - https://community.icann.org/download/attachments/52232556/Applying%20Stress%20Tests%20%5BDraft%20v9%5D.pdf?version=1&modificationDate=1427783848000&api=v2

Steve DelBianco [GNSO - CSG]: (06:04) I've noted that

Izumi Okutani (ASO): (06:12) Sorry for not being up to date with the agenda, may I confirm which ST# are we talking about?

Cheryl Langdon-Orr: (06:12) Several but #17 is a good example all those hat are effected by a risk of Board Inaction

Izumi Okutani (ASO): (06:13) OK thanks Cheryl!

Cheryl Langdon-Orr: (06:13) 3,4,29, 11 +17

Cheryl Langdon-Orr: (06:16) ohh and 27

Athina Fragkouli (ASO): (06:16) thanks for the comprehensive list

Avri Doria: (06:18) do not know if it is relevant to stress test discussions, but as we drift away from being a consensus based organization to a voting organization are we moving into ta tyranny of the majority model.

Cheryl Langdon-Orr: (06:19) and well OUT of my personal comfort zone :-) 

Cheryl Langdon-Orr: (06:24) These are ST's #3, 4, 19, 10 & 20

Cheryl Langdon-Orr: (06:24) Also 15

Cheryl Langdon-Orr: (06:28) Action Item just noted in discussion pod re Community Veto is incorrect it shiuld read next version of the ST Doc will NOT have the text shown as strikethrough

Athina Fragkouli (ASO): (06:28) apologies if I am bringing up an issue that has been discussed and sorted out in a previous call, but I would like to ask why forcing the board to respond to ACS's advise should be a WS1 item.

Izumi Okutani (ASO): (06:28) ST #18 makes sense to me

Finn Petersen, GAC - DK: (06:28) you are not alone! Steve

Steve DelBianco [GNSO - CSG]: (06:29) that weekend document that Avri and I worked on is here https://community.icann.org/download/attachments/52888421/2015-04-13-PreservingAoCCommitmentsinICANNBylaws-submitted.pdf?version=1&modificationDate=1428927271000&api=v2

Izumi Okutani (ASO): (06:29) seems like a reasonable solution respecting GAC's possible changes in their definition of consensus
Steve DelBianco [GNSO - CSG]: (06:29) Right, Izumi. But I am not confident that EU GAC reps appreciate the compromise.

Izumi Okutani (ASO): (06:30) Same situation for me, I missed the CCWG call yesterday, so once we are done with the planned agenda would be nice to have little more background on the need to address board's inaction-

Izumi Okutani (ASO): (06:30) Noted Steve about EU GAC reps

Athina Fragkouli (ASO): (06:32) thanks Steve

Cheryl Langdon-Orr: (06:33) Noted Izumi we will round back to that for you and I will ask Jonathan to lead on this for us...

Izumi Okutani (ASO): (06:33) thanks Cheryl

Cheryl Langdon-Orr: (06:35) % & ^ are related to Financial Crisis 5 is specific to the DNS Industry

Finn Petersen, GAC - DK: (06:35) ST 21 should amending in light of CCWG remarks concerning appeal mechanism and respect national legislation on redelegation

Cheryl Langdon-Orr: (06:35) argh should read #5 & 6

Izumi Okutani (ASO): (06:36) It's consistent with my understanding, not about the probability. Thanks Steve for explaining this to GAO. When submitting it, it may be worth clearly describing the intention that this is not able probability.

Steve DelBianco [GNSO - CSG]: (06:36) True, Izumi. Should we add to page 1, under the charter

Izumi Okutani (ASO): (06:36) good idea

Finn Petersen, GAC - DK: (06:37) i am in the AirPort and Can not speak

Steve DelBianco [GNSO - CSG]: (06:37) ST 21 is on page 5 of the doc

Finn Petersen, GAC - DK: (06:38) CCWG should have been CWG

Steve DelBianco [GNSO - CSG]: (06:39) @Finn -- is that edit in first paragraph of the Proposed measures?

Finn Petersen, GAC - DK: (06:39) sorry i am on my Way to gccs2015 in the Haague

Julia Wolman GAC Denmark: (06:40) In relation to Finn's comment: In light of the answer from the CWG (sent to the CCWG list by Mathieu) with regard to their expectations from the CCWG, I would like to ask what effect this will have on ST21. In this regard I would like to point to the importance of taking into account the GAC principles

Pär Brumark (GAC Niue): (06:41) +1 Julia

Julia Wolman GAC Denmark: (06:45) Yes thank you:-), wording is important and so is reference to the GAC principles

Steve DelBianco [GNSO - CSG]: (06:50) Please do

Julia Wolman GAC Denmark: (06:50) For the record this issue has not yet been discussed in the GAC

Steve DelBianco [GNSO - CSG]: (06:50) nothing more from me

Izumi Okutani (ASO): (06:54) OK great

Cheryl Langdon-Orr: (06:54) Perfect Thanks Joinathasn...

Izumi Okutani (ASO): (06:54) thanks


Cheryl Langdon-Orr: (06:54) Ohh more letters than in my usual typos (sorry Jonathan)

Cheryl Langdon-Orr: (06:55) Thanks Alice...

Izumi Okutani (ASO): (06:58) Understood thanks for the update - as a quick observation I'm not sure how crtical it is not to address it immediately but I think would be desirable to be addressed with some small changes

Avri Doria: (06:58) 9.1. ICANN Bylaws Article XI should be amended to include the following language to mandate Board Response to Advisory Committee Formal Advice:

The ICANN Board will respond in a timely manner to formal advice from all Advisory Committees, explaining what action it took and the rationale for doing so.

Samantha Eisner 2: (06:59) @Jonathan, I agree that there is not requirement in the bylaws (like the ATRT9.1 implementation that is underway) in order to require the board to look at advice/have teeth to enforce not looking at the advice

Avri Doria: (07:00) Note the 9.1 recommendations does allow the consideration of AC advice to rise to the level of GAC advice.

Pär Brumark (GAC Niue): (07:01) Thx all!

Julia Wolman GAC Denmark: (07:03) Thank you all, bye
Athina Fragkouli (ASO): (07:03) bye

Izumi Okutani (ASO): (07:03) Thanks Cheryl Steve all. Thanks Jonathan for the update!