

2021-August-17: Minutes NRO EC Teleconference

FINAL

Date: Tuesday, 17 August 2021, 11:00 UTC.

Attendees

Executive Council:

Hans Petter Holen (HPH)	RIPE NCC	Chair
Oscar Robles (OR)	LACNIC	Vice-Chair
John Curran (JC)	ARIN	Treasurer
Paul Wilson (PW)	APNIC	
Eddy Kayihura (EK)	AFRINIC	

Observers:

Subramanian Moonesamy (SM)	AFRINIC
Pablo Hinojosa (PH)	APNIC
Kenny Huang (KH)	APNIC
Richard Jimmerson (RJ)	ARIN
Paul Andersen (PA)	ARIN
Michael Abejuela (MA)	ARIN
Eduardo Jimenez (EJ)	LACNIC
Ernesto Majó (EM)	LACNIC
Chris Buckridge (CB)	RIPE NCC
Remco van Mook (RvM)	RIPE NCC
Athina Fragkouli (AF)	RIPE NCC

Secretariat:

German Valdez (GV)	NRO Secretariat
Laureana Pavón (LP)	Minutes

Agenda

1. Welcome

2. Agenda Review

3. Legal Team Update

a) NRO MoU Review

b) Legal Status IP Addresses Update

4. AFRINIC potential request for support from the joint RIR stability fund.

5. NRO Strategy Review Plan

6. Reverse DNS Resolution in the SLA

7. NRO EC 2022 Roles

8. ASO Independent Review 2022

9. RIR Updates

10. Open Actions Review

11. Minutes Review

- **2021-July-27:Minutes NRO EC Teleconference - DRAFT (Pending: AFRINIC, ARIN, LACNIC)**
- **2021-June-15:Minutes NRO EC Teleconference - DRAFT (Pending: AFRINIC, LACNIC)**
- **2021-May-25:Minutes NRO EC Teleconference - DRAFT (Pending: AFRINIC, ARIN)**

12. Next Meetings

a) Tuesday 21 September 2021

b) Tuesday 19 October 2021

c) Tuesday 16 November 2021

13. AOB

14. Adjourn

New Action Items

New Action Item 210817-1: All members of the EC to submit their final comments on the latest version of the MoU to the legal team, trying to converge on a draft that the EC would be ready to sign before the strategic retreat, in the understanding the MoU would still be open for editing during their strategic retreat.

New Action Item 210817-2: The Secretariat to begin working on preparing for the ASO Independent Review 2022 (budget, instructions for the bidders, RFP, etc.) before the September EC meeting.

Minutes

1. Welcome

HPH welcomed everybody and opened the NRO EC meeting at 11:04 AM UTC.

2. Agenda Review

At HPH's request, GV went over the agenda, which was approved as written.

3. Legal Team Update

a) NRO MoU Review

AF noted that she had sent a final draft (redline and clean) to the list yesterday which included all the latest amendments requested during the May EC meeting, adding that some

inconsistencies had also been fixed. She then went over the latest version of the MoU explaining each of the changes in the redline document.

JC thanked AF for joining the EC meeting and suggested that all members of the EC should make an effort to confirm or send any final suggested changes to this version before taking the document to each of their Boards.

OR recalled that the EC had wanted to have a strategic conversation before finalizing the MoU and suggested waiting until after the strategic retreat.

After some further discussion, the following action item was agreed:

New Action Item 210817-1: All members of the EC to submit their final comments on the latest version of the MoU to the legal team, trying to converge on a draft that the EC would be ready to sign before the strategic retreat, in the understanding the MoU would still be open for editing during their strategic retreat.

b) Legal Status IP Addresses Update

AF observed that the initial timeline for this project had been to have some statement ready for the NRO EC by October, but that given the circumstances and the urgency of the matter with regard to the proceedings in AFRINIC, the legal team had decided to accelerate their work. She added that input had been received from all but LACNIC and confirmed that there was some common ground between the four RIRs that had already provided their input. First, the right to IP addresses is a right to the registration of IP addresses which comes with exclusive rights to use the addresses and also the right to transfer this registration (these are based on a contractual relationship between the right holder and the relevant RIR). The second part has to do with the right to seizure, the registration of IP addresses may be eligible for seizure.

AF concluded that, once LACNIC's input is received, the legal team will be able to present a statement on the legal status of IP addresses.

HPH stated that the original plan for the legal team is to conclude their work on this issue by October.

JC observed that it was great to see progress on this and that October would be fine. He noted that having a relatively common statement about the nature of IP addresses and the rights received by a person who is assigned IP addresses would allow the RIRs to inform their communities using the right terminology, something that is becoming increasingly relevant.

HPH asked to include another update on this topic at the September NRO EC meeting.

Before moving on to the next agenda item, OR provided the following update: LACNIC commissioned this study to a local legal firm, the first draft of the study was received yesterday,

so he expects send some comments on this draft probably in one week. He said he had heard from EJ that there was a lot of common ground with the other RIRs and that, so far, no contradictions or significant differences had been detected compared with the other RIRs.

HPH thanked everyone for their updates and said he looks forward to an update in September and the statement in October.

4. AFRINIC potential request for support from the joint RIR stability fund

Because of the nature of this potential request, HPH asked whether anybody had any objections to the legal team staying on the call for this agenda item.

No objections were heard.

EK explained that during the meeting held on 6 August the board had decided to recommend exploring all options within the legal provisions to keep the critical functions in operation before calling on the joint RIR stability fund, that some community members have pledged their support, and that the board would meet again on 23 August, see how much this initiative has progressed and, if it is not satisfactory, decide to submit their request for the joint RIR stability fund.

AF reminded that releasing the joint RIR stability fund requires unanimous agreement by all the RIRs.

EK said they would start working on this, that he would take this concern to his board tomorrow.

EK thanked everyone for the time spent on this item and expressed his appreciation for the support from everyone present on the call and from the entire community.

HPH expressed his hope that this will be solved as soon as possible for the AFRINIC community and the global Internet community.

5. NRO Strategy Review Plan

GV provided the following update regarding the selection of a facilitator for the strategic review: the Secretariat and OR met and prepared a set of questions for the shortlisted consultants (International Consortium/ICJ and Leader Shape). Now, the notes for the interviews of both organizations and most importantly OR's views and conclusions are available for review.

After each had given their personal opinion, JC moved to select Leader Shape to facilitate the NRO strategic planning process, OR seconded the motion, all were in favor and the motion carried.

It was agreed that the next step would be for GV to draft a contract with Leader Shape, perhaps with the help of PW. Ideally, the EC could have a meeting with Leader Shape to agree on the process before the next EC meeting once the contract is in place.

6. Reverse DNS Resolution in the SLA

HPH said that he sent a reminder to Kim Davies that we have been waiting for a response from IANA since November and that he would follow up with another reminder next week.

7. NRO EC 2022 Roles

GV explained that during the last f2f EC meeting (Montreal) the EC had decided to make a change in the rotation of the roles considering that Axel Pawlik was leaving and that EK was also new to the EC. The past decision for the 2022 rotation was as follows: Chair - ARIN, Vice Chair/Secretary - APNIC, Treasurer - AFRINIC. GV said that the idea was to confirm or modify these roles for next year.

HPH added that this was not an immediate decision, but that it should be made sooner rather than later.

JC brought up the possibility of continuing with the same roles as in 2021, and it was briefly discussed.

JC conceded that if the joint RIR stability fund was triggered, it might be worthwhile for ARIN to be treasurer for another year.

HPH concluded that they would leave this decision open until November rather than December.

8. ASO Independent Review 2022

GV explained that the ASO Independent Review was scheduled for next year, so this year we need to start planning the budget, instructions for the bidders, solicitation and selection time, schedule, duration, etc. He said that the Secretariat could start working on this, the RFP, and include it in the agenda for the September EC meeting.

New Action Item 210817-2: The Secretariat to begin working on preparing for the ASO Independent Review 2022 (budget, instructions for the bidders, RFP, etc.) before the September EC meeting.

PW said that it would be very helpful to be reminded about what this process consists of and that they might want to do things differently this time. He said the EC should take a look at how much flexibility there is in how this review is conducted to make sure it does not involve unnecessary costs and extraneous activities. He suggested looking at the plan in the next EC meeting, but not deciding anything until after the strategic meeting.

JC supported PW's suggestion.

HPH asked whether there was any flexibility on the timing of this review due to exceptional circumstances?

JC explained that, as part of their agreement with ICANN, they had agreed to support ICANN processes related to this review, so the obligation was to conduct the review in a timely manner. He said the NRO could inform ICANN formally or informally that they intend to do this, but after the NRO strategy meeting.

HPH said he'd just received an annual or monthly invitation to a meeting with Göran so this would be something that he could raise informally with him.

JC agreed.

GV explained that the ICANN bylaws say that the review shall be conducted no less frequently than five years. Because the last review was performed in 2017, they have all of next year for the 2022 review.

9. RIR Updates

HPH shared that at the RIPE NCC the focus now is on planning and budget for next year. Up until now, the RIPE NCC had seen 10% growth year over year, but due to IPv4 runout this will no longer be the trend, so RIPE needs to prioritize what is really important (RPKI resiliency, accuracy of the registries, more legal competence in such as or regulatory and geopolitical issues).

He also shared that RIPE had engaged with the community on the cloud strategy.

JC then shared that ARIN had done a consultation with the community regarding a change of their fee schedule and structure, noting that the information is publicly on the website and will come into effect in January.

OR and PW had nothing to report under this agenda item.

EK shared that AFRINIC had had an exercise in their RPKI setup.

10. Open Actions Review

Action Item 210316-4: HPH to follow up with Kim Davies about their (second round of) comments to our proposal to include reverse DNS resolution in the SLA.

Discussed earlier.

Action Item 210420-6: HPH to reply to the NRO-ECG that they could share with each other the responses to the RPKI Verisign questionnaire and the ECG to prepare a compiled version of their responses and then report back to the EC during the EC's June meeting.

GV noted that the NRO-ECG had already been contacted.

Action Item 210525-1: The legal team to come back with a new version of the NRO MoU, which should include the suggestions decided in the NRO EC meeting held on 25 May 2021, including the use of the term "Joint Internet Numbers Registry."

Discussed earlier.

11. Minutes Review

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HPH observed that he had cleared out my backlog and encouraged the others to do the same so that the minutes can be published.

12. Next meetings

a) Tuesday 21 September 2021

b) Tuesday 19 October 2021

c) Tuesday 16 November 2021

No issues were raised regarding the September and October meetings.

All agreed that they would discuss the date for the November meeting once again during the September meeting.

13. AOB

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14. Adjourn

There being no further business to discuss, HPH moved to adjourn the meeting, EK seconded the motion and the motion carried. The meeting was adjourned at 12:50 UTC.