

# 2024-June-18: Minutes NRO EC Teleconference

**FINAL**

Public Version

**Date: Tuesday, 18 June 2024, 11:00 UTC**

**Attendees**

**Executive Council:**

John Curran (JC)	ARIN	Vice-Chair
Oscar Robles (OR)	LACNIC	Chair
Hans Petter Holen (HPH)	RIPE NCCC	Treasurer
Paul Wilson	APNIC	

**Observers:**

Nirmal Manic (NM)	AFRINIC
Richard Jimmerson (RJ)	ARIN
Michael Abejuela (MA)	ARIN
Ernesto Majo (EM)	LACNIC
Athina Fragkouli (AF)	RIPE NCC

**Secretariat:**

German Valdez (GV)	NRO Secretariat
Laureana Pavon	Minutes

**New and Updated Action Items**

**New Action Item 240618-1:** With the assistance of the Secretariat, OR to draft and send a reply to ICANN in which, as one of the Chartering Organizations of the CCWG on Auction Proceeds, the ASO agrees with the Proposed Update to Recommendation 7 by the New gTLD CCWG-AP.

**New Action Item 240618-2:** GV to report to the ASO AC that, because the ICP-2 review is not an established process and involves parties outside of the RIRs, the ASO AC's communications and documents for publication will be reviewed by the NRO EC.

**New Action Item 240618-3:** OR to send the latest version of the ICP-2 Implementation Procedures document to Sally, AJ, and John Crain (cc Tripti, Carlos Reyes, and Steve Sheng).

**New Action Item 240618-4:** PW to send an email to Nii Quaynor (or AFNOG) to inform them that at this point it is unlikely that any of the RIRs will be sending their staff to Mauritius (no RIR staff will be present for AIS 2024).

**New Action Item 240618-5:** GV to go through messages from the past couple of years and send to the NRO EC all the communications the NRO EC has had with IGFSa to inform the decision on continuing or discontinuing the NRO's support of IGFSa.

## **New Resolutions**

**R-20240618-1:** The NRO EC resolves to approve NRO Collaboration with DNS Research Federation with the cost of 5000 USD

## **Agenda**

**1.- Welcome**

**2.- Agenda Review**

**3.- CCWG-AP Recommendation 7 Consultation**

### **Outline**

- Oscar Robles to report on conversation with ICANN staff, Giovanni Seppia and Sam Eisner, on the ASO involvement in the CCWG-AP Recommendation 7 Consultation

**4.- AFRINIC Update**

### **Outline**

- Update from last events in AFRINIC

## **5.- ICP-2**

### **Outline**

- Update on last developments on ICP-2
1. Travel Support to ASO AC Members to AIS and ICANN 81

### **Outline**

- As part of the ICP-2 process the ASO AC is requesting travel support for specific members to AIS meeting in September and second full ASO AC meeting during ICANN 81 in Istanbul
- NRO EC to record the decision in public minutes.

## **7.- NRO Collaboration with DNS Research Federation**

### **Outline**

- Attached proposed has RPKI Steering Group comments incorporated
- NRO EC to record the decision in public minutes.

## **8.- CCWG-AP Recommendation 7 Consultation**

### **Outline**

- Oscar Robles to report on conversation with ICANN staff, Giovanni Seppia and Sam Eisner, on the ASO involvement in the CCWG-AP Recommendation 7 Consultation

## **9.- Contribution to IGFSA**

### **Outline**

- 2024 Budget includes 50,000 USD for this contribution
- In a previous meeting NRO EC discussed the merit of this contribution
- NRO EC to decide in the support to IGFSA in 2024

## **10.- Internet Governance RIR Collaboration**

### **Outline**

- Topic proposed by HPH based on recent conversations with PW and the possibility to improve RIR collaboration in global events.
- Proposed action: Identify internet governance processes affecting the NRO and identify risks and opportunities for a joint plan until the end of 2025 to be discussed with and considered by the NRO EC at the July meeting.

## **11- Coordination Group f2f Meetings**

### **Outline**

- NRO EC to discuss approvals of f2f NRO CG meetings

## **12.- RIR CEO Updates**

## **13.- Minutes Review**

- 2024-May-14: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, APNIC, RIPE NCC)
- 2024-April-16: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, RIPE NCC)

## **14.- Next Meetings**

- a) Tuesday 16 July 2024 Teleconference
- b) Tuesday 20 August 2024 Teleconference
- c) Sunday 1 September 2024 Teleconference (Face-to-face meeting)
- d) Tuesday 17 September Teleconference

## **15.- Open Actions Review**

## **16.- AOB**

## **17.- Adjourn**

# **Minutes**

## **1.- Welcome**

OR welcomed everyone at 11:00 UTC.

## **2.- Agenda Review**

The agenda was displayed on screen. No comments were heard, and the agenda was approved as written.

## **3.- CCWG-AP Recommendation 7 Consultation**

OR said that 12 recommendations related to the new gTLD auction proceeds had already been approved by the all the charter organizations, but it was later found that there was a loophole that

might have consequences on other board decisions, and conversations started with the charter organizations to update Recommendation 7 (remove the phrase “from the Independent Project Applications Panel”). If the Chartering Organizations, including the ASO, approve this update, there is a proposed Fundamental Bylaws Amendment to Article 4, Section 4.1 of the ICANN Bylaws to supplement the process. This is what they are asking. We have a deadline on 1<sup>st</sup> July.

PW asked what exactly the change is.

OR replied that it's in an communication from Tripti Sinha dated 2 March 2024. It is not material for the ASO. The other five charter organizations have replied positively, we are the only ones missing. If we don't do it, it will create a complication.

JC suggested a message to the effect of “The ASO approves the recommended change, we're happy with it.” He asked whether some members of our community had been involved in these recommendations.

OR replied that it had been a long process, and that we participated not only in the approval of the recommendations but also in the working groups that led to those recommendations. He suggested asking ICANN how they will protect against this happening again in the future, as there is no process for this.

All agreed and the request was approved by the four RIRs.

**New Action Item 240618-1:** With the assistance of the Secretariat, OR to draft and send a reply to ICANN in which, as one of the Chartering Organizations of the CCWG on Auction Proceeds, the ASO agrees with the Proposed Update to Recommendation 7 by the New gTLD CCWG-AP.

#### **4.- AFRINIC Update**

OR welcomed NM and invited him to share an update.

NM reported that an appeal had been heard 3 or 4 weeks ago, the court heard both parties, and we are now waiting for a judgement from the court. NM is not aware of the exact timeline, perhaps 2-3 weeks.

PW thanked NM for attending this meeting and asked whether the courts had heard the appeal about the Official Receiver or if there was also some consideration of the rights and authority of the directors.

NM replied that the debate was started on whether the directors were legitimate to do this appeal. On our side, our lawyers mentioned that they are still directors until the next AGM. The next question that came up was “why don't you hold an election?” Our reply: you are the ones who must do that, not us (it was a new judge, we had to explain everything). The court will now give a ruling. It was a three-day debate during which the courts heard the arguments of the two sides, Cloud and AFRINIC.

OR asked NM if he had news about the staff.

NM replied that the staff is also waiting for the judgment.

PW asked NM whether in his opinion Benjamin is acting as a type of CEO.

NM replied that not at all. We feel that we need his approval, our lawyers told us that he is still our director (last year). Though we don't have a board, if we feel we need Benjamin's approval, we send him an email. Sometimes he replies, sometimes he does not.

PW asked whether that also applies to spending (e.g., travel expenditures).

NM replied that, in that case, we send Benjamin an email explaining why we need to go to that meeting, and he has to say whether we can go. He approved travel to the ICANN meeting in Kigali, but we had some challenges here, but it was cancelled at the last minute. Benjamin travelled, but he did so with his own funds.

PW inquired about AFRINIC's legal expenses.

NM said that AFRINIC had made some payments in November/December last year. This year, the legal advisors have sent some invoices. There was some back and forth and finally Benjamin approved this.

JC thanked NM for the update and his perseverance in making AFRINIC work.

## **5.- ICP-2**

OR said that Hervé Clément (HC) had sent the monthly report via email.

JC recommended taking the draft we received in its current form, giving it to the legal team and asking for their review. It would be good to have each of our legal folks review it.

OR seconded this recommendation.

OR shared the document on screen. HC has said that the AC is going to publish one of these drafts very soon, and OR believes that everything that goes public must first go through a legal team review.

PW agreed, adding that we need to be very careful about what is being concluded here and make sure that the AC is working on what they are supposed to.

HPH agreed on the importance of a review by the legal team.

Per JC's suggestion, the following action item was decided:

**New Action Item 240618-2:** GV to report to the ASO AC that, because the ICP-2 review is not an established process and involves parties outside of the RIRs, the ASO AC's communications and documents for publication will be reviewed by the NRO EC.

GV shared that the ASO AC will have two more dedicated meetings, and that the ASO AC has also started to engage with the RIR comms group and ICANN to discuss the public consultation on the Principles document.

Regarding the Implementation Procedures for ICP-2, OR noted that PW had been the only one to reply about how to communicate this to ICANN. OR's message is ready, so he asked the legal team to provide him with the latest version so he can share it with ICANN.

MA said that he would work with the legal team to make sure that OR has the latest version of the ICP-2 Implementation Procedures.

**New Action Item 240618-3:** OR to send the latest version of the ICP-2 Implementation Procedures document to Sally, AJ, and John Crain (cc Tripti, Carlos Reyes, and Steve Sheng).

## **6.- Travel Support to ASO AC Members to AIS and ICANN 81**

OR explained that HC had requested support, and we gave him support for travel to ICANN 81 in Istanbul. Now that the AIS has been decided, OR is concerned about whether it is safe for us to travel to AIS as it will be held in Mauritius. He suggested keeping this conversation open.

After some discussion, it was agreed to encourage the ASO AC to choose a different event and locale rather than AIS.

At PW's suggestion and after some further discussion, the following action item was decided:

**New Action Item 240618-4:** PW to send an email to Nii Quaynor (or AFNOG) to inform them that at this point it is unlikely that any of the RIRs will be sending their staff to Mauritius (no RIR staff will be present for AIS 2024).

## **7.- NRO Collaboration with DNS Research Federation**

GV informed that there is a proposal to collaborate on RPKI with the DNS Research Federation. Sofia Silva shared the proposal to the EC mailing list. She discussed this with the RPKI Steering Committee and in principle they are OK with this. HPH had some questions that Sofia answered. GV suggested including this topic in the agenda because it involves some financial expenses (USD 5000).

All agreed that if the Steering Committee agrees with this collaboration, then the EC would have no objections.

HPH noted that, for the future, it would make things easier from a procedural point of view if the RPKI Steering Group sends us a message saying “we agree to go ahead with this, but we need money, so therefore please approve this.”

**R-20240618-1:** The NRO EC resolves to approve NRO Collaboration with DNS Research Federation with the cost of 5000 USD

## **8.- Contribution to IGFSa**

GV explained that this is about the contribution to the IGFSa, he received their annual report from the IGFSa a few hours ago but hasn't had a chance to review it yet. In the past we've asked them to provide some information on how they spend the money. When we discussed the budget for the NRO, we said we would discuss this once we had that information, but perhaps it is too soon as we have just received this information.

GV then displayed the IGFSa annual report on screen.

HPH asked GV to scroll to page 15 (half-page financial report). He then went over this budget analyzing each line. As on previous occasions, HPH wondered why the NRO supports IGFSa if they support roughly the same national and regional IGFs events as the RIRs does directly. This way the NRO get no recognition for this. Why do we use an intermediary for this? Why don't we donate directly to the IGF activities and get recognition either for the RIRs or for the NRO?

OR agreed with this concern.

PW recalled that originally the NRO had provided this support to the IGFSa as evidence of support, that they might use to find more supporters. In his opinion, however, they have had ample time to get more supporters; therefore it seems that the NRO has done enough and should consider withdrawing further support. However, he also recalled that the EC had discussed this same issue last year and decided that it might be late to suddenly withdraw support without giving them notice. He asked GV if there had been any communication from us to the IGFSa saying that the NRO wouldn't continue our support.

GV will double check, but he believes there was no communication in that sense last year.

JC observed that the NRO contributes approximately half of the budget of the organization. JC's preference would be to draft a letter thanking IGFSa for their annual report and saying “there's a lack of detail and transparency in the financial report, no mention of our efforts in supporting IGFSa nor any recognition that you need to get more funding support from other organizations. We would hope all of this to change in upcoming years, otherwise it might be better if the we fund these directly” This letter could be sent along with an agreement to support one more year, but formally go on record regarding what our expectations are.

HPH will also go back and check his prior communications with Markus Kummer back when HPH was the NRO EC chair to check what was shared and then we can draft a new communication based on that. HPH is on the fence about JC's thinking, as RIPE NCC members



are putting spendings on matters like this with lack of financial transparency under great scrutiny.

JC agreed. ARIN would not expect to support future funding the IGFSa without some clarification of our expectations (reporting, transparency, self-sustainability).

Under the assumption that we haven't already communicated this to IGFSa, PW would be in favor of simply telling them that we are reassessing our priorities and will only be able to provide 50% of the previous contribution (so USD 25k) and say that this will be the last contribution that we are able to make.

After some further discussion, the group decided to defer this decision until we know exactly what we have told them before.

**New Action Item 240618-5:** GV to go through messages from the past couple of years and send to the NRO EC all the communications the NRO EC has had with IGFSa to inform the decision on continuing or discontinuing the NRO's support of IGFSa.

## **9.- Internet Governance RIR Collaboration**

HPH shared that the PACG is meeting regularly, which is a good step forward. However, HPH has been told that the group is lacking a bit of direction from the EC. What do we as the NRO EC want? What would we like to see as collaboration? The IGF coming up in December. We should have a clear agreement well ahead of time on what we want to do there, and there may be other things for next year. We've asked the PACG to identify Internet governance processes affecting the NRO and identify risks and opportunities for joint activities. Rather than making it to the end of this year, we might also consider next year as well. This could bring some continuity and lead to a longer-term and closer collaboration. Seeing if this leads to something, then we would have the justification for starting the process with the program manager. If not, that would be a clear reason for not going ahead with the program manager.

PW said he supports the proposal.

JC also supports HPH's proposal. Caveat: having the PACG get together, look at opportunities and report back to us has a challenge in that its focus has historically been Internet Governance, which is not necessarily the same thing as addressing strategic coordination among the RIRs on engaging with governments (the RIRs individually and collectively working and strategically engaging with governments).

OR's opinion is that the PACG doesn't need the EC's approval to engage, but rather the coordination groups are there to have these conversations, this is what we have asked them. Additionally, OR doesn't want to attach the outcome of this effort to the continuity of the NRO government engagement program, so don't ask the PACG to work on this as a way to decide whether we are going to maintain the program. We want them to start thinking about the risks and the opportunities, and that's it.

HPH replied that they had not asked for approval but for direction, adding that he is happy to modify his proposal, replacing "Internet Governance" with how "the NRO interacts with governments." He stressed that this would be an excellent topic to discuss during the next f2f NRO EC meeting.

Conclusion: All four CEOs support HPH's proposal.

## **10- Coordination Group f2f Meetings**

OR observed that the HR Coordination Group will be meeting f2f for the first time since 2019. He added that this will be a good chance for the HRs to meet, if everyone approves.

HPH said he's approved the Finance and HR f2 face meetings. Also, he has no issues with having the RSCG meeting in conjunction with the next RIPE meeting.

JC said that to the extent that the coordination groups feel the need to get together, he's happy to support their travel. However, he's asked them to remember they're spending the members' money and to try to be frugal in their efforts to do so.

PW said he will approve them if they are agreed as meetings that need to happen. The CFOs and HR meetings are confirmed, but he asked if it was possible to decide now if the RSCG meeting will be taking place.

OR said that the way the EC asks the CGs to work is that they are not required to ask for permission to meet, as they are not having special f2f meetings. They happen to travel to RIR events and meet there (for example, the ECG meets three times a year because they attend the IETF and find a slot to meet). We didn't ask the CGs to send us in advance a plan for the meetings, so we are not getting those plans. They are not asking for permission because we didn't ask them to.

HPH agreed with OR. In his case, he makes it very clear that the travel money needs to be in their respective budgets and plans. He also try to send at least one staff member to each of the other RIR meetings.

Re the location of f2f meetings, OR added that the EC might ask the CGs to find a balance on where they meet so that the costs to one of the RIR are not extremely high every time.

## **11.- RIR CEO Updates**

JC provided an update of ARIN and its engagement with governments in its region.

HPH followed by providing an update on the recent RIPE meeting, during which variations to the charging scheme were approved. He also noted that the Board also proposed setting up a charging scheme task force. Another task force is being formed to discuss the purpose of the RIPE NCC, the relationship between the community and the RIPE NCC. There's a need to have a discussion on securing funding for the RIPE NCC in the future, beyond the budgeting year

over year and instead budget for 2025 with an indication for 2026. Then, for the new strategic plan (starting in 2027), present a five-year budget. We are looking for stability, trying to step up on long-term planning in order to have long-term stability in the system.

OR said that he did not have too much to say, just that two months ago LACNIC updated the core of our RPKI implementation. The implementation backdated +10 years, so we decided to make a strong change. This will help LACNIC have a commercial grade solution.

PW was no longer present on the call at this time, so he was unable to provide his update.

## **12.- Minutes Review**

- 2024-May-14: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, APNIC, RIPE NCC)
- 2024-April-16: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, RIPE NCC)

OR invited those the others to review the pending minutes.

## **13.- Next Meetings**

- a) Tuesday 16 July 2024 Teleconference
- b) Tuesday 20 August 2024 Teleconference
- c) Sunday 1 September 2024 Teleconference (Face-to-face meeting)
- d) Tuesday 17 September Teleconference

On the matter of the f2f meeting in Wellington, OR observed that PW is not attending this meeting.

JC replied that if the f2f meeting doesn't involve PW, the meeting might be not be worthwhile. He suggested rescheduling to a date/location that works for PW.

HPH agreed with JC.

After analyzing various options, holding the f2f meeting at ICANN 81 in Istanbul appeared as the best option, as the ASO AC and most of the lawyers will also be attending.

OR suggested finalizing this conversation with PW in two days after the meeting scheduled between the EC and Sofia Silva. PW is one of the original members of the NRO EC, and this was his last official NRO EC meeting as APNIC CEO. It's a shame that he had connectivity issues and is not here so we can officially bid him farewell.

## **14.- Open Actions Review**

OR suggested to review open actions for next meeting.

**15.- AOB**

**16.- Adjourn**

Having gone over the two scheduled hours, the meeting concluded at 13:15 UTC.