

2024-March-19: Minutes NRO EC Teleconference

FINAL

Date: Tuesday, 19 March 2024, 11:00 UTC

Attendees

Executive Council:

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

Observers:

Nirmal Manic (NM)	AFRINIC
Richard Jimmerson (RJ)	ARIN
Michael Abejuela (MA)	ARIN
Pablo Hinojosa (PH)	APNIC
Ernesto Majo (EM)	LACNIC
Eduardo Jimenez (EJ)	LACNIC
Athina Fragkouli (AF)	RIPE NCC

Secretariat:

German Valdez (GV)	NRO Secretariat
Laureana Pavon	Minutes

New and Updated Action Items

New Action Item 240319-1: GV to organize a meeting of the NRO EC with the AFRINIC management teams to discuss the continuity of the AFRINIC engagement plan.

New Action Item 240319-2: OR, JC, PW, and HPH to look at the final version of the ICP-2 Implementation Procedures, as if these procedures are ever invoked, they will have implications for every RIR.

New Action Item 240319-3: The Secretariat to set up a meeting with the chair and vice-chairs of the ASO AC to transmit to them that the NRO EC would like to receive monthly updates on the progress of the ICP-2 review. This brief update should answer the following: 1) please tell me what you've done the last period; 2) please tell me what you plan to do in the next period, and 3) please tell me if you have any obstacles that you need help with.

New Action Item 240319-4: OR to send a message to Kim Davies saying that the NRO agrees to go ahead with the practical work (the IANA is happy to provide the services) and that once AFRINIC is ready, they can hold a IANA SLA Signing party.

New Action Item 240319-5: OR to send a message to the IANA RC thanking them for their excellent service in preparing the 2023 IANA RC Report.

New Resolutions

R-20240319-1: The NRO EC resolves to approve the 2023 NRO Distribution Formula.

R-20240319-2: The NRO EC resolves to approve the 2024 NRO budget.

R-20240319-3: The NRO EC resolves to approve the payment of US\$ 823,000 as the annual contribution to ICANN.

Agenda

1.- Welcome SEP SEP

2.- Agenda Review

3.- AFRINIC Update

Outline

- Update from last events in AFRINIC

4.- AFRINIC Engagement Plan

Outline

- NRO EC put on hold the AFRINIC Engagement Plan in December 2023 Teleconference with the idea to restart in 2024.

- At the moment the 2024 NRO Budget includes 200K USD (out of 300K USD originally approved) for the continuation of the plan.
- NRO EC to review the decision

5.- ICP-2

Outline

- Update on last developments on ICP-2

6.- IGFSA Contribution

Outline

- NRO EC to review the contribution to the IGFSA currently budgeted for 50K USD

7.- 2023 NRO Distribution Formula

Outline

- NRO EC to review 2023 NRO Distribution Formula. If approved will apply to the 2024 ICANN Invoice and 2024 NRO related expenses.

8.- 2024 NRO Budget

Outline

- NRO EC to review last version reviewed by the CFOs. Budget reflects the last decisions from the NRO EC before this call.

9.- 2024 ICANN Contribution

Outline

- NRO EC to review and approve the 823,000 annual payment for ICANN.

10. IANA SLA Signing

Outline

- At this stage ICANN is reluctant to countersign the agreement if only 4 RIRs can sign it at this time.
- ICANN is concerned with conveying an incorrect impression that the amendment is in legal force without a complete set of signatures from all 5 RIRs.
- NRO EC to review next steps

11. IANA RC Report

Outline

- IANA RC published their annual report on 5 march 2024
- The IANA RC noted that no incidents were reported in the IANA Numbering services to the RIRs in 2023.
- NRO EC to acknowledge the report and conclusions and reply accordingly to the IANA Review Committee

12.- RIR CEO Updates

13.- Open Actions Review

14.- Minutes Review

- 2024-February-16: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, APNIC, LACNIC, RIPE NCC)
- 2024-January-16: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, APNIC, LACNIC, RIPE NCC)
- 2023-December-19: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN, APNIC, LACNIC, RIPE NCC)
- 2023-November-14: Minutes NRO EC Teleconference - DRAFT (Pending: ARIN)
- 2023-October-23: Minutes NRO EC Teleconference - DRAFT (Pending: RIPE NCC)

15.- Next Meetings

a) Tuesday 16 April 2024 Teleconference

b) Tuesday 14 May 2024 Teleconference

c) Tuesday 18 Jun 2024 Teleconference

16.- AOB

17.- Adjourn

Minutes

1.- Welcome

OR welcomed everyone at 11:02 UTC.

2.- Agenda Review

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

3.- AFRINIC Update

NM: There are no major updates, except that the hearing for the appointment of the receiver has been postponed until May. We have to wait to see if the receiver will be back.

NM: Operationally we are managing, still the same. While the receiver was here, he did not allow the staff to sign new contracts. But when he left, the member services department released all resources (contracts signed by the head of member services).

HPH asked how the staff is doing and if there is there anything the EC can do to help.

NM replied that everyone wants to have a board and that sometimes there are frustrations as the budget has been reduced drastically (e.g. for training).

Looking forward, HPH asked what the staff's thoughts are on participating in events such as ICANN in Kigali, and so on. If any of these events are important, the NRO may need to assist AFRINIC, so it's better to start planning for this early.

NM replied that certain events are critical to AFRINIC, but we would like the chairman (Benjamin) to give us the go ahead for any travel. Having help from others becomes complicated for us on our side. It's difficult to satisfy everyone, as there are different opinions.

PW observed that continuing uncertainty is creating ongoing, increased lack of confidence, not just in AFRINIC, but in in the entire RIR system, and that the community needs to be informed of what's going on. Is anything going out to the AFRINIC community? This is a serious, ongoing situation that needs action. If AFRINIC cannot do so, the RIRs will be obliged to act. This situation cannot go on forever.

OR asked PW what he expects from AFRINIC staff.

PW replied that some comment would be useful.

NM agreed. There are also some discussions among the management team regarding money. Some of this staff wanted to have a meeting with the NRO, especially concerning the Africa engagement plan. There are different opinions on how this should be done (via webinar or f2f). NM has told his to be transparent, to share the engagement with the directors, explain to them, get their approval. There is no consensus on this engagement, there is a lot of back and forth. Perhaps the EC could meet with the AFRINIC management team and give them your views so we can all be on the same page.

PW agreed that a more concrete action will help move things along. Question: if that meeting happens, can we contact Benjamin and let him know that we have concerns and a plan that we are ready to proceed with? He asked NM for his suggestions on what to do.

NM said that they first will have the meeting with the AFRINIC management team, and he would then like to also invite the directors to the meeting with the NRO (I'm not sure if they'll

come, but they will be informed). By doing this we will eliminate the back and forth and be able to move forward. Then we can decide the way forward.

OR agreed and asked GV to help find a date and time when we can meet and have this conversation.

4.- AFRINIC Engagement Plan

OR explained that in 2023 the NRO EC defined a budget of around US\$ 300,000 to help the AFRINIC initiative to re-engage the community, and that US\$ 100,000 have already been used. At that time there was the Official Receiver, so during our December teleconference the NRO EC decided to put that plan on hold. This decision now needs to be reviewed to decide what we are going to do.

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

New Action Item 240319-1: GV to organize a meeting of the NRO EC with the AFRINIC management teams to discuss the continuity of the AFRINIC engagement plan.

5.- ICP-2

GV shared that the ASO AC met in Puerto Rico, they had several meetings where they advanced the timeline and the definition of the principles for the revised ICP-2. These were discussed at length over three days. As part of their actions, a section will be opened on their website to document the entire process. They will continue their discussions during a set of weekly meetings to begin in one or two weeks. As GV discussed with OR, it would be good to give the ASO AC some time to further the discussions they had in Puerto Rico, and then invite Hervé Clément (HC) back to the next NRO EC meetings to share the latest developments regarding the ICP-2 document.

AF added that she and MA were both invited to some of the ASO AC sessions in Puerto Rico, that they were all very productive meetings, and a lot of work was done there in line with what GV mentioned. Another element has to do with the implementation procedures which are now with the NRO EC. The next step is to share this document with ICANN for comments. AF was also in contact with HC, trying to understand whether the AC is going to communicate anything from their work on the timelines, and so on. AF's understanding was that communications will not come earlier than April, which puts us in a very difficult position. People ask, at least in the RIPE community, and we may publish something about the ICP-2 work.

HPH added that he has significant pressure from his board members to have regular and public information about ICP-2. There is no reason why the ASO AC should not provide good communications about their intents, their timelines, and so on. He appreciates that AF is pushing for this, and RIPE NCC is now preparing a statement about this (the general process, and so on). This needs to have this communicated well ahead of the RIPE meeting. We may want to figure out a way to encourage the ASO AC to be more transparent and more communicative on these matters. HPH thinks that having good, clear communication about this on the landing page of the

ASO website, the status of the process, the rough timeline, etc. is crucial for the reputation of the ASO AC and for the EC.

Returning to the topic of the operational procedures, OR asked whether they had been transmitted to ICANN.

JC replied that ICANN has a draft of the ICP-2 operational procedures, but that they have not been formally transmitted because they are waiting for ICANN's feedback.

MA added that a draft had been sent to JJ on 4 March, that nothing has been heard back. Also, Steve Sheng asked for a copy of this draft. MA will check if this was sent.

New Action Item 240319-2: OR, JC, PW, and HPH to look at the final version of the ICP-2 Implementation Procedures and concur, as if these procedures are ever invoked, they will have implications for every RIR.

OR observed that the most relevant part is the role of ICANN, and wondered if ICANN is willing to take that neutral role.

JC mentioned that this afternoon we have a meeting with ICANN, and that it will be a good time to check in and ask if they are ready to receive a formal request to agree to these implementation procedures.

All agreed.

OR suggested moving on to the second part of the work on ICP-2, the longer-term review.

JC believes that a formal communication plan needs to be set up regarding the ongoing ICP-2 update. There is no reason not to have that. The EC has tasked the AC to do the job, we should be providing the updates. Now that we have enough information, we can work with the chair of the ASO AC to come up with timely messages to the community.

JC shared that it had been pointed out to him that the level of knowledge of the RIR system was somewhat uneven in the room and that there is a depth of knowledge that the AC didn't necessarily have present. JC doesn't know how to solve this other than to regularly meet with them and be available, or to provide staff resources. We have assigned the legal team to be in the room. JC agreed that the AC might need to have at least an informational resource, or formally be told that they're going to meet with the NRO or with the legal team so that they don't waste their time on questions that they can get answered from us.

OR agreed.

HPH said it may be worth making sure there is always observers appointed by the NRO EC present to observe and assist.

OR summarized the situation as follows: HPH is saying that we could offer the ASO AC an observer to comment or solve any questions, but JC is saying that we don't want to be doing their work. OR thinks that the level of information they need is very relevant, not mere solving occasional questions. The AC lacks a lot of information and understanding, so OR is unsure if merely having an observer from each region will solve the problem. He then asked AF, who was present during the ASO AC meeting in San Juan had anything to share.

AF replied that she and MA were only invited to some sessions. Her personal observation was that what was presented was a very structured way of working. Perhaps there were other things that led to this structure that we missed completely, and maybe they lost a lot of time going back and forward and down the rabbit hole, but we didn't see much of that. Her understanding was that they were aware when this happened, and they were calling the legal team for help, so we can definitely help them more and ask them to be present. The issue is finding a balance where we don't tell them what to do, so it's their work and not our directions.

HPH added another point: this is the first time ever that the AC has been driving a process like this. This is something completely different, we have asked them to come up with a process and drive it, this is something that the AC has never done collectively, it is uncharted territory.

MA agreed with AF, it does appear to be a very structured process that the AC is trying to follow. They're starting with a set of basic principles and then moving forward. They did ask for some assistance. We tried to be very cautious about the tone and the perspective that we were giving, that it is their work, and we were providing them with some options or avenues they might follow. It did appear that the scope was starting to creep, so they might need some assistance with the scoping.

OR agreed that the EC needs to have this conversation with the ASO AC chair and vice-chairs to transmit these concerns. Whether they change the way they are working or not, that's a different issue. First, we want them to explain what it is they are trying to do and then transmit the communications part. We could also offer to have an observer for every RIR to help them solve any questions.

JC noted that the AC has been given the opportunity to have a wide-open discussion of the issue, and that's good. Now, we need some feedback from them about what they see, where they see the process going, what the timeline is. If we get something back from them, we should be able to provide feedback back saying that we would like them to be more expeditious, focus more clearly on things that the community would expect to see, e.g., mechanisms, structures.

OR asked how the EC expects the AC to maintain this level of communication, considering that they have no staff and work on a voluntary basis.

Adding to what JC proposed, HPH suggested saying that the EC would expect monthly status updates of the AC's progress on the ICP-2 review (5-8 lines). As for staff, the AC does have staff support from the Secretariat. In addition to GV, RIR staff can contribute. The legal team is providing a lot of assistance, but the AC may need other skills as well. JC believes that, going

forward, communications not only to the EC but also to the community, are crucial for this to be a success.

OR agreed that, if it's just a few lines, they should start with this.

HPH suggested the following: 1) please tell me what you've done the last period; 2) please tell me what you plan to do the next period, and 3) please tell me if you have any obstacles that you need help with.

OR agreed that the AC can start by answering those three basic questions.

JC suggested that the request to HC should state that the NRO EC is where a lot of the RIR system learns what's going on. "We need from you an understanding of where you are, what's coming up, what your timelines are. We are not questioning what's happening or where you're going, merely asking for a readout so we can communicate with our communities. Before we were just starting, but now we need a regular line of communication."

New Action Item 240319-3: The Secretariat to set up a meeting with the chair and vice-chairs of the ASO AC to transmit to them that the NRO EC would like to receive monthly updates on the progress of the ICP-2 review. This brief update should answer the following: 1) please tell me what you've done the last period; 2) please tell me what you plan to do in the next period, and 3) please tell me if you have any obstacles that you need help with.

6.- IGFSA Contribution

GV explained that this started with a request from the IGFSA for a quote for their annual report. HPH brought to GV's attention that this would be a good opportunity to review the amount that we are contributing to the IGFSA. For the past eight years or so, this contribution has been \$50,000.

HPH said he is concerned that the IGFSA doesn't fulfil the necessary levels of transparency. From the little HPH understands about what the money is spent on, the IGFSA is supporting the exact same local initiatives that the RIPE NCC supports in its own service region. For the initiatives that RIPE NCC supports directly, RIPE NCC receives recognition; for the ones that are supported through the IGFSA, this recognition goes to the IGFSA, although the money still comes from us. Also, HPH thinks the administrative overhead of this association is way too high. So, for multiple reasons, he is not in favor of continuing to support the IGFSA. His current thinking is that he would like to continue to support national IGF initiatives, but that would be better done through the relevant RIRs.

PW agreed with HPH. The initial promise was to build some momentum and to attract a diversity of funders. The idea was that the RIRs would be attracting others to do the same by de facto matching funding from other sources. So, our contribution should have been able to see some multiplication, but that doesn't appear to be happening.

OR said he also shares HPH's and PW's concerns. He doesn't see why we need this global organization to repeat what we are already doing in our regions.

JC added this is a relatively small financial decision that may have significant ripples in the community if done unexpectedly and comes as a surprise to the parties involved.

The group continued to discuss this and various other donations/contributions, as well as transparency issues, lack of timely and accurate public records, budget cuts, obtaining value for money, administrative overhead, the fact that past donations are not reason enough to continue to donate, and multiple other arguments, including the fact that many of the recipients of IGFSAs are in the AFRINIC region.

To reach a conclusion, HPH said that since the NRO did not support the IGFSAs because NRO didn't receive a request in 2023. The NRO's response could be that since we did not support them financially last year, we don't see why we would contribute to their annual report (which is all they have asked for up to the moment). Going forward, we could take a passive approach: we will simply wait until we receive their request, and when we do, we ask for appropriate reports of prior spent funds and expectations for things going forward, after which we can reassess.

OR, PW and JC agreed.

7.- 2023 NRO Distribution Formula

GV displayed on screen the NRO distribution formula for 2023. This distribution is updated annually so everyone can check that the numbers are accurate. He noted the differences for each RIR with respect to last year. Because this needs to be approved for 2024, GV noted that there needs to be a vote to agree.

OR questions or comments to GV? None were heard so the EC voted to approve the NRO Distribution Formula for 2024. With everyone in favor and nobody opposed, the formula was approved.

R-20240319-1: The NRO EC resolves to approve the 2023 NRO Distribution Formula.

8.- 2024 NRO Budget

GV displayed the budget on screen, explaining that it was very similar to the one they had discussed at the prior EC meeting, except that it now considers some comments from the CFOs. He explained that this budget reflects the latest decisions of the EC, and then went over the budget item by item, providing explanations where needed.

HPH recalled that the NRO discussed this budget last month, and asked what the changes were. There was a 400k increase and PW asked for a review. The budget went for review but only 20k was reduced.

PW observed that the NRO does not have a CFO, and that the Secretariat is being asked to convey information that has been approved by the RIR CFOs. It might be worth having the CFOs' comments on this budget. He feels we need more information to make fully informed decisions on this.

HPH said that last month he was prepared to approve the budget, but before this meeting his CFO is now asking him not approve this budget since the CFOs believes more work is needed.

OR asked whether there is any formal request for cuts.

HPH replied that this budget represents a 90% increase compared to last year. His CFO believes we will not be able to execute on this.

OR suggested that HPH could mention to his CFO that we agreed to increase this budget when we agreed to launch these initiatives. This is something we have agreed on already.

HPH said that he has not seen how the money for AFRINIC engagement will be spent, also, we need to reach a decision on the other programs. He noted that last time he was ok with the budget but understood that PW was not. We could say that this budget includes two parts (regular operations, plus a second part that other needs NRO approval before proceeding).

JC said that it will take a miracle for us to spend this budget in the coming year. Having said that, he fully approves the budget for ARIN. This is an ambitious plan of activities, which we may not be able to satisfy.

OR agreed and said he is also ready to approve this budget, as it is. This is a planned increase in activities and programs. We are working here. If somebody is not ready, please state your expectations.

PW agrees that, given what is being projected, we are unlikely to spend so much; but he is happy to approve the budget as written.

As PW agreed, HPH said he would stick to his original decision and approve the budget.

All voted to approve the 2024 NRO Budget. With everyone in favor and nobody opposed, the budget was approved.

R-20240319-2: The NRO EC resolves to approve the 2024 NRO budget.

Before moving on to the next agenda item, GV observed that he had received some input from the CFOs, which he will compile (improvements to this process).

9.- 2024 ICANN Contribution

GV explained that ICANN sent their invoice for this year. We usually call for approval for this contribution, as it is a significant amount. He added that the contribution has already been approved, and that he is now asking for authorization to make the payment.

JC reminded everyone that we agreed that AFRINIC's part of the contribution is considered as an outstanding debt invoiceable to AFRINIC until the AFRINIC governance situation is resolved.

NM agreed.

All voted to approve the 2024 ICANN Contribution. With everyone in favor and nobody opposed, payment of this contribution was approved.

R-20240319-3: The NRO EC resolves to approve the payment of US\$ 823,000 as the annual contribution to ICANN.

10.- IANA SLA Signing

OR said that he was not in Puerto Rico, but saw that the IANA is not willing to sign with only four RIRs.

HPH said that the good news is that Kim Davies said he is happy to provide the services and wait to sign until all five RIRs are able to do so. Having five RIR signatures on the contract, rather than four is more political than operational. The SLA will not be valid until signed by all parties. HPH would be inclined to say "since you are happy to go ahead with this, let's do the practical work and then have a signing party when AFRINIC is ready."

OR agreed. Let's do what HPH is suggesting. This was supposed to have been implemented 5 years ago.

New Action Item 240319-4: OR to send a message to Kim Davies saying that the NRO agrees to go ahead with the practical work (the IANA is happy to provide the services) and that once AFRINIC is ready, they can hold a IANA SLA Signing party.

11.- IANA RC Report

GV explained that the IANA RC published the report on 5 March, and that there were only two assignments from the IANA to RIRs in 2023. As part of their duties, the IANA RC must advise the NRO EC on the performance of the IANA functions. The next step is for the EC to acknowledge reception of the report and perhaps send them a message thanking them for their work. The report is published at <https://www.nro.net/wp-content/uploads/2023-IANA-RC-Report-FINAL.pdf>

New Action Item 240319-5: OR to send a message to the IANA RC thanking them for their excellent service in preparing the 2023 IANA RC Report.

12.- RIR CEO Updates

HPH:

- I will be happy to welcome you and/or your staff to Krakow for the RIPE meeting.
- I've asked my PACG to work on a plan and align for the rest of the year (IGF assignments and so on). We need to take a holistic approach here. It's an opportunity for us to stand together and be aligned on this. Together we can be stronger.

JC:

- We will be meeting in Barbados on 14-17 April.

PW:

- I will be attending both Krakow and Barbados.
- APNIC had a successful meeting in Bangkok.
- APNIC EC election results returned the incumbents.
- The APNIC EC has formed a CEO Recruitment Committee, and they are selecting or have selected a recruitment firm. My official end date is at the end of June, but I will be there to support the transition until the end of the year approximately, as needed.
- APNIC is in good state.

OR:

- We will have a LACNIC meeting in Panama in the month of May.
- The plan for October had to be changed. We were planning on having our second annual meeting in Ecuador but after the political disruptions we decided to change and will be holding our event in Paraguay for the first time.

Agenda items 13.- Open Actions Review and 14.- Minutes Review were postponed due to a lack of time.

15.- Next Meetings

The dates for the next three NRO EC teleconferences remained unchanged (Tuesday 16 April 2024, Tuesday 14 May 2024, and Tuesday 18 Jun 2024).

16.- AOB:

HPH suggested adding "attendance to ICANN 80 in Kigali" to the agenda for the next NRO EC teleconference.

17.- Adjourn

There being no further business to discuss, the meeting was adjourned at 13:04 UTC.