

# Minutes NRO EC Teleconference

Tuesday, 22 January 2019, 11am UTC.

## Attendees

### Executive Council:

Alan Barrett (AB)	AFRINIC	Chair
Oscar Robles (OR)	LACNIC	Treasurer
Paul Wilson (PW)	APNIC	
John Curran (JC)	ARIN	

### Apologies:

Axel Pawlik (AP)	RIPE NCC	Vice Chair - Secretary
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### Observers:

Guylaine Lairya (GL)	AFRINIC
Pablo Hinojosa (PH)	APNIC
Richard Jimmerson (RJ)	ARIN
Ernesto Majó (EM)	LACNIC

### Secretariat:

German Valdez (GV)	NRO
Susannah Gray (SG)	NRO (Scribe)

# Agenda

1. Welcome
  2. Agenda Review
  3. ASO Review
    - a) Update on ASO Future Structure Consultation.
    - b) ASO AC Comments on Recommendations #6
    - c) ASO AC Comments on Recommendations #7
    - d) ASO AC New Procedures in Response to Recommendation #10
    - e) ASO AC New Procedures in Response to Recommendation #15
  4. NRO Process for Review of the ASO within ICANN
  5. ICANN 64 Activities
    - a) Topics for Opening Plenary
    - b) Topics for ICANN Board Meeting
    - c) SO/AC Leaders Meeting
    - d) Joint Meeting: ASO AC and NRO EC
    - e) ASO AC Annual Meeting
    - f) ASO Session
  6. ASN Registry
  7. RIR Incident Response Coordination
  8. Call for Public Comments on the IANA Performance Matrix Summary Report.
  9. CG Reports (WORK PLAN APPROVALS)
    - a) CCG
    - b) ECG
    - c) RSCG
    - d) Secretariat
  10. Open Actions
  11. Next Meetings
    - a) Teleconference Tuesday 19 February 2019
    - b) Teleconference Tuesday 19 March 2019
    - c) Teleconference Tuesday 16 April 2019
    - d) Next f2f Meeting Proposal
  12. Minutes Review:
    - a) 2018-Dec-18: Minutes NRO EC Teleconference
    - b) 2018-Nov-20: Minutes NRO EC Teleconference
    - c) 2018-Oct-19: Minutes NRO EC f2f Meeting in Amsterdam
  13. AOB
  14. Adjourn
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## Resolutions

No resolutions were passed during this meeting.

## New Action Items

The following action Items were assigned during this meeting:

NEW-ACTION ITEM 20190122-1: AB to send a message to ICANN and to the ASO AC regarding Steps 12, 15 and 16 (Recommendation #6).
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NEW-ACTION ITEM 20190122-2: AB to send a message to the ASO AC regarding the NRO EC's responses to Recommendation #7.
NEW-ACTION ITEM 20190122-3: AB to send a message to the ASO AC regarding the NRO EC's approval of the proposed new procedures for Recommendation #10 (ASO AC Chair and Vice Chair roles).
NEW-ACTION ITEM 20190122-4: ALL to review the ASO AC's proposed new procedures in response to Recommendation #15 by the February Teleconference.
NEW-ACTION ITEM 20190122-5: ALL to review the NRO Process for Review of the ASO within ICANN (version: 19 November 2018) by the February Teleconference.
NEW-ACTION ITEM 20190122-6: Secretariat to circulate a list of potential topics for the ASO/NRO presentation during the ICANN 64 Opening Plenary.
NEW-ACTION ITEM 20190122-7: GV to inform the ASO AC that the Joint NRO EC – ASO AC at ICANN 64 would go ahead and to secure a room for this meeting.
NEW-ACTION ITEM 20190122-8: GV to inform the ASO AC that the NRO EC defers the decision on whether an ASO Session should be held during ICANN 64 to the ASO AC.
NEW-ACTION ITEM 20190122-9: AB to send a note to the RSCG to ask for feedback on the proposal to restore granularity in the ASN Registry.
NEW-ACTION ITEM 20190122-10: ALL to ensure that the Call for Public Comments on the 2018 IANA Performance Matrix Summary Report is distributed to their respective communities.

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## 1. Welcome

AB welcomed the attendees. He noted that AP had sent his apologies and would not be attending the call.

## 2. Agenda Review

No items were added to the agenda.

## 3. ASO Review

### a) Update on ASO Future Structure Consultation

**AFRINIC:** AB noted AFRINIC's ASO AC representatives had launched a survey asking for the community's comments on the future structure of the ASO. The survey was now closed but a report had not yet been produced.

**APNIC:** PW noted that there were no new updates from the APNIC region. He added that the APNIC EC had agreed to the formation of a global team consisting of representatives from each RIR if that were the direction decided upon by all RIRs. No sessions on the ASO future structure were currently scheduled to take place during the upcoming APNIC 47 Meeting.

## b) ASO AC Comments on Recommendation #6

**Recommendation #6 (p.30):** *The ASO AC should ensure that procedures are developed for Steps 12, 15 and 16 of the GPDP as described in Attachment A of the ASO MoU.*

**ASO AC Response:** *Regarding Step 12, we as ASO AC can confirm that 6.6.2.3 fulfils the needs of step 12 of ASO MoU Attachment A. Whereas due to the specific nature of step 15 and 16 we believe that NRO EC should consider these points.*

Notes:

- Ref: [ASO AC Operating Procedures](#)
- Ref: [Global PDP from Attachment A of ASO MoU](#)
- Step 12 refers to an agreed procedure for dealing with concerns from the ICANN Board if it rejects a global policy
- Step 15 refers to an agreed procedure for mediation if a policy is rejected a second time by the ICANN Board.
- Step 16 refers to an agreed procedure for the ICANN Board to request the ASO AC to initiate a policy development process.

The NRO EC discussed its response to the ASO AC's comments on Recommendation #6.

AB noted that he agreed that Step 12 could be covered by section 6.6.2.3, 'ICANN Board Rejection', of the ASO AC Operating Procedures. As it was not yet a procedure, it would need to be discussed further with ICANN. He added that he also believed that Steps 15 and 16 were out of scope for the ASO AC and that the NRO EC would need to agree on new procedures with ICANN to address those.

JC noted that, in the [ICANN ASO MoU](#), there is an agreed procedure for arbitration, which could be used to address Step 15:

*"7. Arbitration: In the event that the NRO is in dispute with ICANN relating to activities described in this MoU, the NRO shall arrange arbitration via ICC rules in the jurisdiction of Bermuda or such other location as is agreed between the NRO and ICANN. The location of the arbitration shall not decide the laws to be applied in evaluating this agreement or such dispute."*

JC added that there could already be a suitable procedure for Step 16. He explained that the Global Policy Development Process (GPDP), as described in ASO MOU Attachment A, allows anyone to submit proposals to the ASO AC and thus "initiate a policy development process"; and thus the ICANN Board can do so via that mechanism. He noted that these already-existing procedures could be clarified to address Steps 15 and 16.

OR noted that the NRO EC should consider whether the arbitration procedures should be used to address Step 15 as well as whether arbitration would be an acceptable course of action: arbitration is a binding process that deals with strong conflict and the ASO AC had suggested mediation rather than arbitration.

AB agreed: mediation was not the same as arbitration.

JC noted that if the Arbitration clause in the ICANN ASO MoU were used then there would be no change to the status quo. However, if the NRO EC wanted to come up with a separate process for mediation for Step 15, he

believed that it might currently be out of scope, as it would need to wait until the consultations on the future structure of the ASO had been completed. It might also involve substantial negotiations with ICANN.

PW noted that it was becoming necessary to show progress on the Recommendations. He suggested that Recommendation #6 be closed during the upcoming ICANN 64 Meeting.

There was further discussion on this. The NRO EC decided on the following:

- Step 12: Contact ICANN to ask that it agree that paragraph 6.6.2.3 of the ASO AC Operating Procedures could be used to address Step 12.
- Step 15: Contact ICANN to ask if, in addressing Step 15, it would agree to skip mediation and go straight to arbitration as per clause 7 of the ASO MoU.
- Step 16: Contact ICANN to ask that it agrees that the ICANN Board is able to follow the same process as any member of the public to ask the ASO AC to initiate the GPDP.
- Respond to the ASO AC with an overview of the above discussion.

**NEW-ACTION ITEM 20190122-1: AB to send a message to ICANN and to the ASO AC regarding Steps 12, 15 and 16 (Recommendation #6).**

### **c) ASO AC Comments on Recommendations #7**

**Recommendation #7** (p.31): *The ASO should consider the adoption of a single, authoritative description of the GPDP for global numbering policies. The same description of the GPDP should appear in Attachment A of the ASO MoU and the relevant section of the Operating Procedures of the ASO AC (Currently Section 6).*

**ASO AC Response:** *We consider that the ASO MoU (and specifically the attachment A) is the authoritative document from which ASO operational procedures are defined. ASO MoU should only contain high-level policy descriptions and perhaps operational descriptions should be removed from the Attachment A. We request NRO EC if there is a wish that the MoU be cleaned up, then ASO AC will re-read the Operational Procedures to check if there is a complete ad equation between the 2 documents.*

AB noted that the NRO EC had discussed this previously and believed there to be no conflict: the ASO AC Operating Procedures state how it should be done and Attachment A states what should be done.

JC noted that, as the ASO AC was the group using the Operating Procedures, it should be happy with the content. He noted that although ITEMS had flagged an issue, he wanted to be cautious about inadvertently creating a major work activity for the ASO AC. The ASO AC should not be asked to change documents that are already operationally functional if the ASO AC itself did not believe that any change was necessary.

The NRO EC agreed on the following responses:

- **ASO AC Response:** *“We consider that the ASO MoU (and specifically the attachment A) is the authoritative document from which ASO operational procedures are defined.”*  
**NRO EC Response:** The NRO EC agrees with the ASO AC that the ASO MoU (and specifically the attachment A) is the authoritative document from which ASO operational procedures are defined.
- **ASO AC Response:** *“ASO MoU should only contain high-level policy descriptions and perhaps operational descriptions should be removed from the Attachment A”*  
**NRO EC Response:** If the ASO AC would like to revise its Operating Procedures to improve clarity to address Recommendation #7, the NRO EC welcomes suggestions and leaves this to the ASO AC’s

discretion. The NRO EC does not require that any changes are made if the ASO AC is comfortable with the existing Operating Procedures.

**NEW-ACTION ITEM 20190122-2: AB to send a message to the ASO AC regarding the NRO EC's responses to Recommendation #7.**

#### **d) ASO AC New Procedures in Response to Recommendation #10**

**Recommendation #10** (p.33): *The ASO AC should ensure that the duties of the Address Council Chair and the Address Council Vice-Chairs need to be added to the ASO AC Operating Procedures.*

**ASO AC Response:** *The ASO AC proposed new procedures in response to recommendation #10. The ASO AC requests the NRO EC the approval of the proposed procedures.*

The NRO EC reviewed the ASO AC's proposed new procedures in response to Recommendation #10 (ASO AC Chair and Vice Chair roles). There were no objections. The new procedures were approved.

*Note: AP gave approval by mail prior to the teleconference.*

**NEW-ACTION ITEM 20190122-3: AB to send a message to the ASO AC regarding the NRO EC's approval of the proposed new procedures for Recommendation #10 (ASO AC Chair and Vice Chair roles).**

#### **e) ASO AC New Procedures in Response to Recommendation #15**

**Recommendation #15** (p.41): *ASO AC meetings should be open to the public, except for discussions regarding the selection of individuals for ICANN roles.*

**ASO AC Response:** *The ASO AC proposed these new procedures in response to recommendation #15. The ASO AC requests the NRO EC the approval of the proposed procedures.*

As AP was not present, the NRO EC could not approve the changes proposed to the ASO AC Operating Procedures in response to Recommendation #15 and deferred discussion on this until the February Teleconference.

**NEW-ACTION ITEM 20190122-4: ALL to review the ASO AC's proposed new procedures in response to Recommendation #15 by the February Teleconference.**

## **4. NRO Process for Review of the ASO within ICANN**

As AP was not present, the NRO EC deferred discussion on the *NRO Process for Review of the ASO within ICANN* until the February Teleconference.

**NEW-ACTION ITEM 20190122-5: ALL to review the NRO Process for Review of the ASO within ICANN (version: 19 November 2018) by the February Teleconference.**

## **5. ICANN 64 Activities**

### **a) Topics for Opening Plenary**

AB noted that he would deliver the ASO/NRO presentation during the opening plenary.

**NEW-ACTION ITEM 20190122-6: Secretariat to circulate a list of potential topics for the ASO/NRO presentation during the ICANN 64 Opening Plenary.**

### **b) Topics for ICANN Board Meeting (Tue 12 Mar 2019, 09:45-10:45)**

The NRO EC suggested that the following could be discussed:

- Recommendation #6: Steps 12, 15 and 16 of the ASO MoU Attachment A.
- Progress on the ASO review and consultations on the future structure of the ASO.
- NRO Process for Review of the ASO within ICANN.

### **c) SO/AC Leaders Meeting (Fri 8 Mar 2019, 14:00-17:00)**

AB noted that the Chair of the ASO/NRO and the ASO AC Chair had been invited to attend this meeting. Aftab Siddiqui, the ASO AC Chair had confirmed his attendance and he would confirm his own attendance once his travel plans had been finalized.

### **d) Joint Meeting: ASO AC and NRO EC (Sun 10 Mar 2019)**

AB suggested that the NRO EC could update the ASO AC on its progress on the ASO Review and consultations on the future structure of the ASO. There were no objections to the joint meeting being held.

**NEW-ACTION ITEM 20190122-7: GV to inform the ASO AC that the Joint NRO EC – ASO AC at ICANN 64 would go ahead and to secure a room for this meeting.**

### **e) ASO AC Annual Meeting (Mon 11 Mar 2019)**

The NRO EC noted that those EC members attending ICANN 64 would attend the ASO AC annual meeting if available.

### **f) ASO Session (Wed 13 March 2019, 13:30-15:00) | Presentations by AC, NRO, PTI etc.**

PW noted that the ASO Session at ICANN 63 had been cancelled as the NRO EC believed that the Joint ASO – ICANN Board session was sufficient and that there was no need to hold two sessions where the same topics would be discussed. He added that the ASO AC Annual Meeting is an open session and wondered whether holding an ASO Session at ICANN 63 was necessary.

AB suggested that the ASO AC be asked whether the ASO session should go ahead.

**NEW-ACTION ITEM 20190122-8: GV to inform the ASO AC that the NRO EC defers the decision on whether an ASO Session should be held during ICANN 64 to the ASO AC.**

## 6. ASN Registry

AB explained that the NRO EC had requested that the IANA/PTI restore a previous level of granularity to the ASN Registry. Kim Davies had circulated a Draft proposal.

PW noted that he would like to get input from the RSCG on this.

GV noted that he had already shared the proposal with the RSCG and some initial comments had already been circulated.

**NEW-ACTION ITEM 20190122-9: AB to send a note to the RSCG to ask for feedback on the Kim Davies' proposal to restore granularity in the ASN Registry.**

## 7. RIR Incident Response Coordination

PW noted that there was an open action assigned to him, which is due by the February Teleconference:

*ACTION ITEM 20181218-01: PW to circulate a draft proposal on Incidence Response before the February Teleconference.*

This item was deferred to the February Teleconference.

## 8. Call for Public Comments on the IANA Performance Matrix Summary Report.

AB noted that the IANA RC had launched a 30-day comment period for the [2018 IANA Performance Matrix Summary Report](#).

JC noted that it should be made clear to the communities that a call for comments had been made.

GV noted that he had already advised the CCG that they would need to distribute an announcement today. He added that it would be good for the NRO EC to ensure that the announcement was published in each region so that there was an effective global call for comments.

AB noted that the announcement had been made in the AFRINIC region. JC noted that ARIN had received the request and would be acting upon it.

AB noted that this item should also be included in the agenda item for February's teleconference.

**NEW-ACTION ITEM 20190122-10: ALL to ensure that the Call for Public Comments on the 2018 IANA Performance Matrix Summary Report is distributed to their respective communities.**



## 9. CG Reports and Work Plan Approvals

### a) CCG

GV noted that the CCG was still working on its 2019 Work Plan.

### b) ECG

- Workplan Dec 2019
- Workplan 2019
- Face-to-face meeting

AB gave an overview of the ECG's proposed activities in 2019.

The NRO EC tentatively approved the ECG Workplan 2019, subject to agreement of AP, noting that the following would need to be addressed:

- Emergency Back Up Registry: documentation should be finalized and back up services should be up and running by the end of the year.
- The F2F meeting should be changed to coincide with an IETF meeting.

### c) RSCG

- Workplan Dec 2018
- Workplan 2019

AB noted that the NRO EC had already approved the RSCG's proposed F2F Meeting, which would take place in Daejeon, Korea in March.

AB, PW and JC approved the RSCG's Workplan 2019.

### d) Secretariat

GV gave a brief update on the ASO AC ICANN Board Seat 10 Elections.

## 10. Open Actions

ACTION ITEM 20181218-01: PW to circulate a draft proposal on Incidence Response before the February Teleconference.	OPEN
NEW ACTION ITEM 20181218-02: GV to circulate a Doodle poll to determine which location would work for the upcoming NRO EC F2F Meeting.	CLOSED
ACTION ITEM 20181120-01: All to review the RSCG's proposal to hold an F2F meeting during the ICANN 64 Meeting in Japan and to discuss this during the December teleconference.	CLOSED

ACTION ITEM 20181120-02: All to review the "NRO Process for Review of the ASO within ICANN (version: 19 November 2018)" for discussion during the December teleconference.	OPEN
ACTION ITEM 20181120-03: All to further discuss date/location of the proposed F2F NRO EC Meeting on the mailing list.	CLOSED
ACTION 20181019-1: All to review/share with respective Boards the 'Framework for Personal Data in the Internet Numbers Registry System' and report back by end of the 2018.  PW noted that he had not yet shared the Framework with the APNIC Board.  AB noted that he had shared the Framework with the AFRINIC Board and legal team but they were not yet ready to approve.  JC noted that ARIN had no objections to the Framework but that he was waiting for responses from the other RIRs to ensure there are no final edits before sharing it with the ARIN Board.	IN PROGRESS
ACTION 20181019-3: JC to circulate an outline for an RIR Cooperation Agreement document by early 2019.	OPEN
ACTION ITEM 20181009-5: All to review and subsequently approve the 2017 NRO distribution formula.  GV noted that he would shortly send the distribution formula, as well as other financial documents, to the NRO EC mailing list	IN PROGRESS
ACTION ITEM 20180717-5: Secretariat to keep the ASO Review Report Recommendation Implementation Status document updated according to the progress reported in future NRO EC meetings.	ONGOING

## 11. Next Meetings

- Teleconference Tuesday 19 February 2019
- Teleconference Tuesday 19 March 2019
- Teleconference Tuesday 16 April 2019
- Next f2f Meeting Proposal:  
**Venue:** RIPE 78 Reykjavik, Iceland  
**Date:** 24 -25 May 2019

AB asked whether the NRO EC would like to schedule a Strategic Planning Session during the proposed F2F meeting.

The NRO EC agreed that a Strategic Planning Session would be timely and that the session should be scheduled for the entire day on Saturday 25 May as well as the afternoon on 24 May, pending AP's agreement/availability.

AB asked GV to add the meeting to the NRO EC's shared calendar.

## 12. Minutes Review

### **a) 2018-Dec-18: Minutes NRO EC Teleconference**

The minutes from the December NRO EC teleconference were approved.

### **b) 2018-Nov-20: Minutes NRO EC Teleconference**

The minutes from the November NRO EC teleconference were approved.

### **c) 2018-Oct-19: Minutes NRO EC f2f Meeting in Amsterdam**

The minutes from the NRO EC F2F Meeting in October were approved.

## **13. AOB**

PW congratulated AB on being named in a list of [Internet legends of South Africa](#).

JC thanked AB for a successful first meeting as Chair of the NRO EC.

AB thanked PW and JC for their comments. He thanked the Secretariat for its help with the preparation of the agenda.

## **14. Adjourn**

The meeting was adjourned at 12:21 UCT.