

Minutes of AfriNIC-14 Public Policy Meeting

(8th and 9th June 2011, Kunduchi Beach Hotel, Dar es Salaam, Tanzania)

Chairs (Interim Policy Development Working Group - PDWG)

1. Alan Barrett <apb at cequrux.com>
 2. S. Moonesamy <sm+afrinic at elandsys.com>
- Minutes: Mukom Akong T. <tamon at afrinic.net>

[1] Agenda

- (a) PDWG co-chair Elections
- (b) Introduction - Policy Development Process, and report on recently approved policies
- (c) Global Policy for Post Exhaustion IPv4 Allocation Mechanisms by the IANA - Philip Smith
- (d) Global Policy for IPv4 Allocations by the IANA Post Exhaustion
- (e) Limited Out of Region Allocation of IPv4 Resources - Andrew Alston
- (f) Addition of Real Contact Email into ASN Whois Bulk Data
- (g) IPv4 Soft Landing Policy - Frank Habich (for Douglas Onyango)
- (h) Transfer of IPv4 Addresses to Any Entity - Jackson Muthili
- (i) Reclamation of Allocated but Un-routed IPv4 Addresses

[2] Deliberations

(a) PDWG co-chair Elections

Started at 12:20, Gift Shava the chair of the 2011 Nomcom introduced the election process beginning with the open positions PDWG co-chairs positions and the terms. He declared that only two nominations were received for the PDWG co-chair seats and these are:

- Timothy McGinnis
- Paulos Nyirenda

Thereafter, one of the nominees' (Timothy McGinnis') recorded presentation was projected to the audience. In his video presentation, Timothy McGinnis expressed his hope that Paulos Nyirenda be chosen for the two year seat.

In the absence of Dr Paulos Nyirenda, the nomcom chair proceeded to announce the results of the election, with Dr Nyirenda for two (2) year term and Timothy McGinnis serving the one (1) year term.

Alan Barrett objected to the process and stated that elections must be held, even if it were just a show of hands. This sentiment was supported by Sunday Folayan, Andrew Alston and S. Moonesamy who recalled that even during AfriNIC-12 in Kigali, an election was held even though there were only two nominees for two open seats. In response, the Nomcom chair clarified the

Nomcom's thinking thus: since there are only two valid positions and two nominees who have expressed preference, then it was an election by default. Ashok Radhakisson, AfriNIC's legal counsel stated that given the circumstances on ground and the candidates stated preferences, there is no choice and as such there can't be an election. This position was countered by Sunday Folayan who countered by saying that the community did have a choice ... the choice of rejecting candidates. Andrew Alston also supported this position. Mark Elkins stated that the community could not reject the candidates at this point given that their nominations were accepted and confirmed as part of an open process. This was also confirmed by Ashok Radhakisson who pointed to the root cause of the problem as being not the process, but as that of getting candidates to stand for open positions.

Badru Ntege called for a review of the entire process and for the elections to be postponed to the next day. Alan Barrett proposed an election by show of hands to confirm Paulos Nyirenda for the two (2) year term and Timothy McGinnis for the one (1) year term. Adiel Akplogan stated that the main issue was that the Nomcom showed the results before asking the community its views and that delaying the process will not change anything.

Mark Elkins asked whether the community had any objections to the two candidates and there was no objection (i.e. no show of hands). Gift Shava called for a show of hands to support Paulos Nyirenda for two (2) years and Timothy McGinnis for one (1) year. There was no opposition to this motion. As such Gift declared the final outcome as follows:

Dr Paulos Nyirenda --- 2 years
Timothy McGinnis --- 1 year

S. Moonesammy later objected to the show of hands and result but the Nomcom chair dismissed his objection on the grounds that he did not object when the motion was open to the floor.

The session stopped for lunch at 13:06 pm.

(b) Introduction - Policy Development Process, and Report on Recently Approved Policies

Alan Barrett opened the session after lunch and gave a brief introduction to the policy development process as well as the status of proposals under discussion. He declared that since AF-13, four proposals were discussed:

- Abuse Contact Information: Reached consensus at the meeting and during last call on mailing list. Currently waiting for Board ratification.
- Real Contact Information: There was no consensus at AF-13 and there has been no mailing list discussion. While it is formally still open for discussion, the author has informally indicated that he would like to withdraw the proposal.
- IPv4 Soft Landing: Reached consensus with a few changes at AF-13 but failed to reach consensus during the Last Call on the mailing lists.
- Global Policy for Allocation of IPv4 Space by IANA Post-Exhaustion: Did not reach consensus at the AF-13 meeting. In the absence of any of the authors, Alan Barrett presented this proposal based on the presentation for this proposal that was done at AF-13.

(c) Global Policy for Post Exhaustion IPv4 Allocation Mechanisms by the IANA (AFPUB-2011-v4-004-draft-01)

Presented by Philip Smith who is one of the authors, he stated that the proposal addresses the lack of a policy to guide IANA on what to do with any blocks of addresses that may come under its possession after IPv4 exhaustion. He said this proposal is an improvement over the "Global Policy for IPv4 Allocations by the IANA Post Exhaustion" proposal <<http://www.afrinic.net/docs/policies/AFPUB-2010-v4-003-draft-02.htm>> because it does NOT mandate any returns of IPv4 space to IANA, and does not deal with any issues of transfer. He also reported that it has been endorsed at APNIC, had completed Last Call at RIPE, is in Last Call at LACNIC, and is under discussion at ARIN.

Andrew Alston wanted to know if any space gotten through this proposal would fall under respective Soft Landing policies where they exist. In response, Ingrid Wijte replied that at RIPE, such space would fall under equivalent Soft Landing proposal. Arturo Servin reported that LACNIC doesn't have a Soft Landing in place now. Leslie Nobile at ARIN said this wouldn't be the case as there is no Soft Landing policy. Sanjaya from APNIC reported that their situation is similar to RIPE's. Alan Barrett clarified that for AfriNIC, a Soft Landing policy is under discussion and if adopted, all such space would be subject to it.

Dr. Nii Quaynor wanted to know the rationale behind the equal sharing of any such space as proposed by the policy. Philip Smith responded that the rationale was because it is simple and has been done before (Distribution of the last blocks of /8s by IANA to the RIRs in February 2011).

John Walubengo asked why anyone would want to give resources back to IANA instead of the local RIR and if the later happened, the reclamation pool mentioned in the proposal may never become reality. In response Philip Smith said the proposal cannot address that and even the authors don't know. S. Moonesamy (speaking as a co-author) said there are currently some bits and pieces of address space at IANA but there is no policy to guide IANA in deal with it. Sanjaya reported that APNIC is considering returning some of the returned legacy space to IANA (about 1/3 of a /8) while Arturo Servin of LACNIC reported that if LACNIC got any legacy space back, it would be returned to IANA.

Support for the proposal was voiced by Mark Elkins, Frank Habicht, Andrew Alston, Sunday Folyan, Ishmael Settenda, Ni Quaynor (who supports it but would prefer any such space be given to AfriNIC) and Eddy Kayihura.

S. Moonesamy recused himself from the consensus evaluation for this proposal (on the grounds that he is a co-author) and it was up to Alan Barrett alone who evaluated and declared consensus. The next step was for it go to Last Call.

(d) Limited Out of Region Allocation of IPv4 Resources (AFPUB-2011-v4-003-draft-02)

Presented by Andrew Alston who called everyone to speak up for or against the proposal as he sensed too much apathy in the community. The proposal essentially wants out of region parties to get address from one /8 of AfriNIC space and that these members be charged a premium for it. The author said doesn't believe that we can stop foreign entities plundering African resources but we might as well benefit from it. He said that foreign entities currently could already acquire AfriNIC space through holding companies in Africa and use them anywhere as they see fit anywhere. This proposal simply introduces a penalty fee for what is currently the status quo. The author believes that any funds thus acquired can be used to fund development of IPv6. The author

clarified he was not proposing AfriNIC sell space, it continues to be a penalty membership fees and such allocations will continue to be managed like other resources.

After Andrew's presentation Ernest Byaruhanga (AfriNIC's Registration Services Manager) gave a brief analysis of the proposal stated that it would require change of internal systems to cater for foreign memberships, which wouldn't take long to achieve. The other issue was that by the time the proposal is ratified by the board, there won't be an entire /8 left and called for the author to specify if he meant an equivalent of /8 or an entire block of /8. As written, the policy if ratified will be implemented between 6 and 12 months. S. Moonesamy questioned why the potential issue with the /8 was not raised in the Analyses report that was sent to the mailing list.

The author clarified that /8 is the maximum size, not a reserved space. If there is no such space, then the policy falls away.

Alan Barren (speaking as himself) wanted to know if the intent was for all foreign entities to get out of the same /8 and the author replied that that would be ideal but he had not thought of it.

Alan Barrett asked AfriNIC staff to comment on the feasibility of implementing a possible 100% fee surcharge for foreign members. Ernest Byaruhanga stated that any matters of fee would be the prerogative of the board.

Elise Gerich of ICANN raised a concern that the RIRs and IANA have often spoken of addresses being held in trust and cautioned the author's use of the word "ownership" which might turn these into assets. The author acknowledged that addresses are not sell-able assets and it shouldn't be in anyone's mandate to sell them.

Bill Woodcock suggested that such a policy should be very general and not specific because specificity makes opens loopholes that can be exploited. He for example suggested that instead of doubling membership fees, the ratio of space used on and off continent should be calculated and the fees based off of that. The author replied that he didn't put that in the proposal because it would require policing what was being used in and out of Africa and this he considered impractical.

Marc Crandall asked how "foreign entity" was defined and if AfriNIC had the resources to adequately research what a "foreign entity" was so as to obviate any potential for fraud. The author defined "foreign company" as registered off-continent or a resident of the region in the case of PI space. These definitions he said were not currently in the proposal but he was prepared to add them. Ernest Byaruhanga added that any entity legally incorporated outside the service region would be classified as a foreign.

Marc Crandall asked that If foreign entities are going to come and get the resources anyway as claimed by the author, was this proposal not just giving more address space to those entities? Andrew acknowledged that there were still going to be violators but his proposal gives those companies who would want a legitimate way to have an option.

S. Moonesamy asked whether AfriNIC would have any issues about implementing the proposal as written. In response Ernest stated that it would be up to the board to make that decision. The AfriNIC team he said will also work with the author to clarify any issues that come up towards facilitating a smooth implementation. Commenting for the Board, Dr Viv Padayatchi stated that AfriNIC operates on a cost-recovery principle and any such premium on foreign entities would have to take that into consideration. He further specified that the 100% on price would have to be removed. He stated that it was however still premature since the proposal was still under discussion.

Dr Nii Quaynor questioned the wisdom of opening up the resources to plunders simply because we can't police them. This position was also supported by Timothy McGinnis (through the chat room). Andrew stated that if the illegitimate way prevailed, it will leave us with an inaccurate whois database, space may be hijacked, become uncontrollable and Africa will not gain anything from it. Since we can't stop them, we should at least be compensated for the space.

Sunday Folayan stated that he doesn't see the problem that is being fixed, and that rather the proposal was going to create problems where they don't exist (a position echoed and supported by two other people). As to the definition of foreign entities, he said that we might not know those who are foreign, but we do know those who are not foreign. With respect to the policy's intent of preventing AfriNIC from sitting on a worthless block of IPv4, he stated that AfriNIC was not broke and that such blocks have sentimental value to the community.

Andrew stated that, by having a slower burn rate, Africa is disadvantaged technologically as vendors can dump their non-v6 capable equipment on the continent. Burning through our current v4 will shorten the transition period to IPv6 and let Africa go over the cliff with the rest of the world.

Alan Barrett (speaking for himself) questioned the premise behind this proposal, especially the fact that we need to burn IPv4 as a motivation to move to IPv6. Irrespective of how much IPv4 space we've got, the need to allow connectivity to IPv6 only users is another motivation. He expressed opposition to the proposal. He also pointed out that by registering a local company within the AfriNIC service region, any foreign entity can totally by-pass this proposal. This position was also supported by Timothy McGinnis (through the chat room). Andrew responded that the problem with being left with IPv4 space is that it will create complacency in moving to IPv6.

Mark Elkins expressed support for the idea of foreign definition being use of space outside the continent rather than just an entity registered off the continent. As a director of AfriNIC, he also expressed support for getting more money for AfriNIC to spend on IPv6 development. He generally supported the proposal.

Mark Tinka disagreed with the proposition that burning IPv4 will push us towards IPv6 because if we run out of IPv4 (and are thus motivated to go to v6), we'll still need to talk to IPv4 content providers (who have the IPv4 and choose to use it rather than IPv6 because it is cheaper) and so vendors will sell us lots of equipment to do NAT64 and thus money flows out of the continent. On the other hand, if we have IPv4 and they run out, then they will have to move to IPv6. Andrew responded that having spare IPv4 could be used as an excuse by vendors to sell us old hardware, and then sell us new hardware for IPv6, which will not be good for us.

Trevor Mwangwi (through the chat room) asked how this proposal keeps AfriNIC within its mandate of only allocating in the African region. He also asked AfriNIC Ltd to specify whether there was anything in AfriNIC's charter or codes of operation that restricts allocations off -region. Ernest Byaruhanga stated that RIRs only serve their regions of service.

John Walubengo questioned the assertion that AfriNIC will get money out of this especially since only a /8 is to be used. What if only a single foreign entity gets the entire allocation? Andrew responded by saying that there was a brief discussion on the mailing list about this but he had not yet updated the proposal to reflect this.

The co-chairs evaluated consensus and Alan Barrett announced was no consensus and said the author could either withdraw the proposal or modify it and send it back to the mailing list for discussion.

In a closing statement, Andrew remarked that this proposal succeeded in motivating Africans to stand up and speak passionately about African resources, as opposed to about four (4) African

comments on the mailing list. He said that one foreigner currently accounts for 17% of posts to rpd mailing list and that is not good. He would like the community to transfer the passion shown here to the mailing lists so that foreign entities do not steal our policy process because of lack of participation. While acknowledging that the proposal was controversial, he said it has succeeded in stirring Africans up and hoped that the folks who commented here should also post on the mailing list. He officially withdrew the proposal and challenged the community to think about what the controversy achieved.

(e) Addition of Real Contact Email into ASN Whois Bulk Data (AFPUB-2010-GEN-007.htm)

Alan Barrett reported that the author of the proposal wants to withdraw the proposal and then opened the microphone for anyone who had read the proposal and wants to discuss it.

As no one made any comments, S. Moonesamy asked if any one supported or objected to the proposal as written. At this point Mukom Akong (the policy liaison) read the proposal and gave a bit of background. He said that there was debate on the mailing list about whether this was a policy proposal or not. He reported that the author had not made any attempt to support the proposal and in recent communications, the author stated he wished to withdraw the proposal.

Marc Crandall stated that proposal is not strong enough in how it is written and so he does not think that it can be implemented. He offered to contact the author to rewrite it.

In the absence of any comments from the community, the co-chairs declared that there was no consensus.

(f) IPv4 Soft Landing Policy (AFPUB-2010-v4-005-draft-04)

Frank Habicht presented the proposal on behalf of the author (Douglas Onyango) who was unable to make it to Dar es Salaam. This proposal calls for a change in the assignment and allocation criteria used when AfriNIC starts making allocations from the Final /8 as follows:

- Exhaustion Phase 1 during which allocation/assignment will continue as in the Current phase (/24 for a EU and /22 for a LIR) but the maximum will change from /10 to /13.
- Exhaustion Phase 2 starts when no more than a /11 of non-reserved space is available in the Final /8, and during this phase a minimum allocation/assignment size will be /24, and the maximum will be /22 per allocation/assignment.
- For each allocation or assignment made during the Exhaustion Phase, no more than 10% of these resources may be used outside of the AfriNIC region, and any use outside the AfriNIC region shall be solely in support of connectivity back to the AfriNIC region. This still remains the main thorny issue, which was responsible for the proposal not succeeding in Last Call on the mailing list.

Alain Aina wanted more explanation as to when the exhaustion modes will start and this was clarified by Alan Barrett as above.

Andrew Alston stated that he would support the proposal without the 10% clause as it was un-enforceable, disadvantages African companies that expand abroad and needed IPv4 space to do so.

Ashok Radhakisson (AfriNIC general counsel) stated that the 10% allocation contravenes paragraph 3.4 and 6.2.1 of AfriNIC's constitution, which reflect the fact that Internet resources are for the African geographical use. In a response, Dr. Viv Padayatchy, the current chair of the Board clarified that the community by way of resolutions passed during a public meeting may change bylaws.

Nii Quaynor wanted to know why a 10% limit and not 1% which could be guided by developing best practices as to the kind of out of region uses that are realistic which would then be included in the Registration Services Agreement (RSA). Mark Elkins responding that 1% of a /22 (the typical allocation during exhaustion phase 2) will be inadequate for most purposes.

Frank Habicht suggested that a middle ground to specifying percentage was to change the clause to state that more than half of all the space of the requesting entity (including legacy space) has to be used within the AfriNIC service region.

Alan Barrett clarified that the 10% mentioned in the proposal applies to all allocations, not just those gotten in the exhaustion phase. He called on Ashok to clarify what the issue with is constitutionally with the 10% clause. Ashok responded that as resources from IANA to AfriNIC is for the sole use of the interest of Africa; the requirement can be stretched to entities outside the region just to maintain connectivity back to the continent.

S. Moonesamy asked the AfriNIC Ltd to provide guidance on whether the 10% statement contravenes some part of the by-laws of the company.

Dr Nii expressed support for the proposal if the 10% was exclusively to allow connectivity back to the continent.

Mark Tinka opposed the proposal because it tries to tell an operator how to run their network which was going beyond its purview. This position was also supported by Sunday Folayan.

Mark Elkins expressed belief in the need for this proposal and stated that the 10% clause was purely to stop theft and if the bylaws preclude theft, then he is supports the proposal without the 10% clause. Andrew Alston also stated that so long as out-of-continent use of resources was to support connectivity back to the continent, then we don't need the 10% restriction and he would support it. Nii Quaynor also supported this position.

Alan Barrett (speaking for himself) proposed that replace second paragraph of 3.8 with the following:

"AfriNIC resource are for the AfriNIC region, however, organisations based in frica may have equipment outside of Africa and there is a need for address space to support the equipment. In order to meet these goals, the following requirement is made:

Any organisation that receives IPv4 during exhaustion space must use more than half of their IPv4 space in the AfriNIC region. In determining what fraction of v4 space is in use in the region, all relevant address space shall be taken in account, including legacy space, space received from AfriNIC or other RIRs before or after the beginning of the exhaustion phase. All such use of address space outside the region must be in support of connectivity back to the region."

This text proposal was supported by Trevor Mwangi (through the chat room).

S. Moonesamy asked whether AfriNIC Ltd had any comments about the proposed text. In response, Alain Aina (Acting CEO) said AfriNIC could not comment on any proposed text and declined to make any pronouncements on the spot about legal or other implications.

Beida suggested that the second paragraph of 3.8 be changed to "AfrinIC resources are used for the AfrinIC region and any other use outside the region shall be solely to support connectivity back to the region."

Andrew Alston voiced support for both proposals (with preference for the second) and also asked whether the community could modify the proposal (in the absence of the author) to get consensus or if we'll have to wait till the author makes the revisions. In response, Alain Aina (as AfrinIC Acting CEO) stated that submitted policy proposals are community documents and as such the community can modify it. S. Moonesamy also supported this. Alan Barrett also stated that he had no objections to the second proposal text even though he preferred his version.

Ashok observed that the according to the RSA, legacy space has never been the concern of AfrinIC and so Badru Ntege proposed that all references to legacy space be eliminated in order not to complicate the issue further. Andrew Alston (declaring that he works for an organisation that has legacy space) said that explicitly mentioning legacy space was dangerous even though the inclusion of legacy space in the calculation is the only way organisations with legacy space would qualify for further allocations under the Soft Landing policy.

In the absence of further comments, S. Moonesamy adjourned the session for the next day - 9th June 2011.

The proposal discussions resumed on 9th June at 14:38 local time and Alan Barrett put the following options to the community:

- a) If we could agree on 3.8, then there is nothing wrong with finding consensus on the policy. The general response (show of hands) was affirmative
- b) For first half of 3.8, when you apply for more space, you must have used 90% space. Should this space include legacy space? Three people from the audience said that legacy space should be excluded. Alan announced there was no consensus for including legacy space and there was consensus for keeping the wording as it was in the published text.
- c) For second part of 3.8 (the 10% limit on out-of-region use), Alan presented the options as follows:
 - Option a: Keep existing text
 - Option b: No more than 1%
 - Option c: No more than 50% outside of Africa (including legacy space)
- d) Option d: No number, just a statement "AfrinIC resources are for the AfrinIC geographical region and any use outside should be solely in support for connectivity back to the region."
- e) Option e: Internet resources allocated by AfrinIC may be used solely within the AfrinIC region or to support connectivity back to the region.

Alan called for a show of hands (both for and against) each of these options and based upon that, the co-chairs declared that options (d) and (e) had consensus but the others did not. He further called for a show of hands to choose between these two options. There was more support (show of hands) for option (d) but with "geographic region" changed into "service region" as proposed by S. Moonesamy.

(g) Transfer of IPv4 Addresses to Any Entity (AFPUB-2011-v4-001-draft-01)

In the absence of the author, Mukom Akong from AfriNIC presented the proposal whose objective is to provide a legitimate way for ISPs to acquire IPv4 addresses from existing AfriNIC members (legacy or not) who wish to give away some addresses (with some consideration or otherwise). The proposal has generally been rejected on the mailing list based on the fact that (i) the current IPv4 Allocations policy REQUIRES transferred space to be registered, (ii) the proposal violates principle of needs-based allocation and (iii) it provides ability for v4 space to be stripped from Africa for short-term monetary gains.

Arturo Servin from LACNIC clarified that Transfer policy at LACNIC was different from this one as the LACNIC one was needs-based, the transfer must be approved by LACNIC and an agreement must be signed with LACNIC. All other commenters opposed the proposal and there was no support for it when S. Moonesamy (as co-chair) explicitly asked for a show of hands for those who support it.

The chairs declared that there was no consensus

(h) Reclamation of Allocated but Un-routed IPv4 Addresses (AFPUB-2011-v4-002-draft-01)

In the absence of the author, Mukom Akong from AfriNIC presented the proposal whose objective is to reclaim free allocated but un-routed IPv4 space so that it can be issued to ISPs that have a real use for it.

The proposal was generally opposed on the mailing lists for the following reasons viz, there are valid reasons for prefixes not appearing in routing table, and visibility in routing table doesn't mean it is being used.

All comments from the floor expressed their opposition to the proposal.

Alan Barrett declared that there was no consensus.

[3] AoB/Open Mic

Andrew Alston asked what the process was to change the PDP to allow for outright rejection of a proposal. Alan Barrett replied that the PDP would be used to propose a new PDP. Andrew said he would be making a proposal soon to that effect.

The policy discussions were declared closed by Alan Barrett.

[4] **References**

- a) The Policy Development Process
<<http://www.afrinic.net/docs/policies/AFPUB-2010-GEN-005.htm>>
- b) Global Policy for Post Exhaustion IPv4 Allocation Mechanisms by the IANA
<<http://www.afrinic.net/docs/policies/AFPUB-2011-v4-004-draft-01.htm>>
- c) Global Policy for IPv4 Allocations by the IANA Post Exhaustion
<<http://www.afrinic.net/docs/policies/AFPUB-2010-v4-003-draft-02.htm>>
- d) Limited Out of Region Allocation of IPv4 Resources
<<http://www.afrinic.net/docs/policies/AFPUB-2011-v4-003-draft-02.htm>>
- e) Addition of Real Contact Email into ASN Whois Bulk Data
<<http://www.afrinic.net/docs/policies/AFPUB-2010-GEN-007.htm>>
- f) IPv4 Soft Landing Policy
<<http://www.afrinic.net/docs/policies/AFPUB-2010-v4-005-draft-04.htm>>
- g) Transfer of IPv4 Addresses to Any Entity
<<http://www.afrinic.net/docs/policies/AFPUB-2011-v4-001-draft-01.htm>>
- h) Reclamation of Allocated but Un-routed IPv4 Addresses
<<http://www.afrinic.net/docs/policies/AFPUB-2011-v4-002-draft-01.htm>>
- i) AfriNIC-14 Meeting Agenda
<<http://meeting.afrinic.net/afrinic-14/index.php/the-meeting/agenda/1238>>
- j) Post Meeting Policy Report by interim PDWG co-chairs
<<https://lists.afrinic.net/pipermail/rpd/2011/001759.html> >