

Frequently Asked Questions about the ASO MoU

The Memorandum of Understanding between ICANN and the NRO was signed on 21 October 2004, at ARIN XIV in Reston, Virginia.

More information about this, is available at:
<http://www.nro.net/archive/press-releases/aso-mou.html>

The Memorandum of Understanding is available at:
<http://www.nro.net/documents/aso-mou.html>

The draft of the proposed Memorandum of Understanding between ICANN and the NRO was posted by the NRO and the individual RIRs for open review and comment. Comments were received from a number of sources over the period of open review of the MoU.

The Boards of the RIRs would like to thank those individuals who reviewed this document and submitted comments. These comments have been assembled into a series of FAQs.

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Can the ICANN Board initiate policy?

Attachment A, Section 16 states the following with respect to ICANN-initiated policy proposals:

"... the ICANN Board has the ability to request that the ASO Address Council initiate a policy development process through the RIRs, using the policy development procedure described above..."

The ICANN board can not make number resource policy outside of the bottom up policy development process. However, like any individual or organization anywhere, the ICANN Board can initiate a global policy proposal. In the case of ICANN Board, it is specified that this proposal be submitted to the Address Council from where it will be distributed amongst the RIRs as provided for in Attachment A, Section 1.

How does the ASO select ICANN Board members?

Section 3.b. originally made reference to ICANN bodies and did not explicitly mention the ICANN Board of Directors. This paragraph has been revised to explicitly mention the ICANN Board. Section 3.b. leaves the development of the selection procedure to the Address Council. It is a reasonable expectation that the Address Council will consult with the broader community of interest by calling for open comment on its proposed procedures before their adoption, allowing for specific comment such as that provided here, to be integrated into the Address Council's considerations on this matter.

How come there is no plan for transition to the new ASO/NRO structure?

The omission of such a plan in the original draft has been rectified. The plan will appear in the revised draft as Attachment B. The text is below:

"Attachment B Address Council Transition

In order to maximize stability and minimize disruption, the following method for transition from the current to the new Address Council is agreed.

1. The two shortest serving Address Council members from each region will be appointed to the NRO Number Council.
2. Upon expiration in 2004 of the position of the longest serving Address Council member in each region, the respective RIR board will appoint a third member of the NRO Number Council, by a method of its own choosing."

There is no provision for an ASO General Assembly. Why?

The MoU was drafted so as to avoid being overly prescriptive as to how the Address Council should conduct its business, and allow the Address Council to define, and subsequently refine, its procedures in order to work most effectively. The General Assembly is not per se a function of the Address Council but rather a means for the Address Council to obtain information that it needs to conduct its business. To that end the current conduct of the General Assembly does not serve the purpose well. At best it is a regional activity which rotates amongst the RIR regions, the net result of which is that the community in a particular region will only have its best opportunity for regional participation once every four (4) years. With the emergence of AfriNIC this will increase to once every five (5) years. A viable option for the Address Council to pursue in its development of operating procedures as envisaged in the MoU, Section 3, part b, sub-section 5 would be the development of Address Council activity such as an Open Forum at least annually at each of the RIR public policy meetings.

Shouldn't "Global Policy" be defined as a policy that the RIRs and ICANN agree on?

Actually the definition of "Global Policy" has been agreed upon by the RIRs and ICANN. This matter was discussed over a period of several months by the RIRs and the ICANN Reform Committee. The conclusion that was reached was that "Global Number Resource Policies" were those policies that required some action or commitment on the part of ICANN or some other ICANN-related body and were mutually agreed to by all of the RIR communities and ICANN. The MoU reflects this agreement by the definition stated in Section 5.

How is a person selected to be the Chair of the Address Council?

The draft MoU did not define this. Accordingly Section 3.b.5 has been amended to incorporate this as a responsibility of the Address Council. The revised draft will include the following text:

"5. developing procedures for conducting business in support of their responsibilities, in particular for the appointment of an Address Council Chair and definition of the Chair's responsibilities, and submitting these procedures to the Executive Council of the NRO for approval."

Can liaisons appointed to the Address Council vote on matters under consideration by the Address Council?

In general any liaison is intended to facilitate coordination of activity and information sharing among groups. In this regard liaisons have a potentially valuable role within the Address Council. Decision making responsibility and accountability rest with the members of the Address Council, thus the liaisons do not vote. To clarify this, the following text has been added to Section 3.c.

"All Liaison positions will be non-voting."

Why create another organization to be the ASO?

The ICANN by laws describe the ASO. The MoU proposes that the NRO fulfill the role, duties, and functions of the ASO. No additional organization is being created; however, under the MoU the Numbers Council of the NRO takes some additional roles and responsibilities. The ASO name is assumed to indicate those differences and to preclude a change to the ICANN by laws to change the name of the ASO.

Why are the operational procedures for the Address Council being approved by the Executive Council?

The NRO is intended to operate in a manner that has visible and responsible governance. The body responsible for the NRO's actions is the Executive Council, and actions that impact on the NRO, particularly relating to the procedures used by NRO bodies, fall within the scope of actions where the NRO is responsible. Since the Address Council is such a body the approval process ensures that its actions and processes are consistent with the objective of responsible governance.

Will the NRO receive funds from the ICANN budget to support the ASO?

No. In fact the opposite is the case. As under the current system, all funding for the ASO will be provided by the RIRs.

What is the meaning of the term RIR in the policy development process

as it is used in Section 5?

The text is within the context of policies, and therefore the meaning of agreement of all RIRs is a reference to a common policy position reached by all RIRs according to their individual adopted policy development processes. It is not the intent of this MoU to impose on each regional community a single procedure as to how each RIR arrives at a policy position, as it is up to the RIR's regional community to determine the processes used to arrive at a policy position.

The first paragraph of section 5 has been changed to clarify this. It now reads:

"Global policies are defined within the scope of this agreement as Internet number resource policies that have the agreement of all RIRs according to their policy development processes and ICANN, and require specific actions or outcomes on the part of IANA or any other external ICANN-related body in order to be implemented."

Can the MoU be clearer on what is an RIR Service Region?

An RIR Service Region is the area that is serviced by a particular RIR. These regions have been defined by the various RIR communities. The manner in which each community has defined its area is not within the scope of this MoU. However, it is reasonable for the NRO to ensure that there is comprehensive service coverage between all the RIRs.

Will the RIR Boards meet collectively to ratify global policy proposals?

Attachment A, Section 4 states:

"This common text will be ratified by the Boards of the RIRs as a consensus position of the RIRs. "

It is not the intent of the MoU for the RIR Boards to meet collectively as a part of the policy development process. It is the intent of the MoU that each RIR must ratify a policy in order for it to be forwarded to the ICANN Board as a proposed global policy. Attachment A, Section 4 has been changed in the revised draft MoU to read:

"This common text will be ratified by each RIR, by methods of its own choosing."

What is the role of the NRO Executive Council in the Policy Development Process?

The NRO Executive Council is a messenger in the Policy Development Process. It makes no considerations or judgments regarding any policy proposal. The NRO Executive Council is an endpoint in a communication with ICANN. It is not a policy determination body. RIR agreement on a policy matter invokes processes in each RIR that are determined by each RIR.