Change in the criteria for the recognition of NIRs in the APNIC region

Prop-060-v001
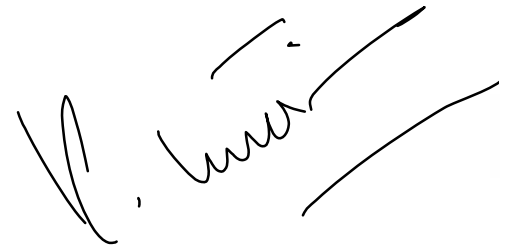
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My sincere apology for NOT being able to present the Policy Proposal Personally, since, I had to cancel my trip to NZ due to a Emergency situation.

Greetings,

Kusumba S

Executive Council, APNIC

Proposal to update the criteria for recognising new (NIRs) in the APNIC region.

- The existing Policy frame work was last published on 1st December 2002

- There has been significant change in the Political, Economic and Operational situations in various economies, especially the growing economies.

- The very structure of Internet and its Resources has changed in several economies.

- In such a situation, it is important that the very industry decides the future and applicability of the Internet resources and also controls them through a community friendly environment.

- The Government, while taking a neutral position, is required to support such resources but must refrain from "Controlling" or "manning" the same.

Proposal to update the criteria for recognising new (NIRs) in the APNIC region.

- The current NIR recognizing criteria requires any Industry representation to have endorsement of the proposal from the Government agency (Section 3.1) that is responsible for Internet related activities including issuing licenses to ISPs etc in a respective country. APNIC considers any application without such endorsement as "in-complete" proposal and will not forward to the Executive Council for processing or approving a NIR.

- However, in a situation where such proposal is originated by a unit or division or department of the Government, such proposal could go through since the Government endorsement is easily or sometimes automatically available to them. This is also applicable for National Information Centers, Internet Exchanges etc., that are largely and many times fully controlled and manned by the Government.

Issues arising out of such situation

- Government represented agencies will have control on Internet Resource allocation in the economy, if such NIR is formed by Government controlled agency.

- Policy only indicates but may not restrict Government to enforce rules to obtain resources from NIR and not APNIC directly

- Government under the ambit of National Security may demonstrate the need for the Service Providers to only obtain resources from regional NIR and not from APNIC despite the policy indication.

- Member or User community may loose opportunity to grow the networks largely due to very reason that they may need to obtain Internet resources only from such NIR and the regulator who is also directly associated with such NIRs or Policy makers, may dismiss or delay such allocation requests against any pending issue or matter concerned to that Service provider and the government or Regulator.

- Despite NIR proposal being sent through a Government controlled agency, the EC may have right to reject such proposal if it has noticed suitable objections from members. However, in the current policy criteria, the scope of such objections is only "external" and not within the policy framework or work flow.

Proposed Changes in the Policy

- Any NIR application must be put on voting process, both through Online Voting and Voting at AMM and must achieve support.

OR

- Any NIR application must be put on voting process, both through Online Voting and Voting at AMM and must achieve atleast 75% support from the members within that Economy. In such a case, voting is open only for members from that Economy.

- Section 3.2.2 must mention that the Board composition of the NIR must have majority representation from Members, followed by Academic or Research Organizations etc., The Government or its participating agencies must have minor role compared to other representations on the Board of NIR.

Effect on APNIC

APNIC members would be benefited by such policy since they don't have to fear for undergoing conditional allocations of resources. At the same time, membership communities in several countries, if eligible by this policy, will be able to form NIR that is community controlled rather than any incumbent or Government controlled NIR.

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THANK YOU