

2.3. Adopted Proposal for the establishment of an African Regional Network Information Centre (AfriNIC)

Cotonou, December 17th 1998

Participants at plénière

1. Status of this Document

This proposal was adopted by a resolution at the African Regional Conference on Internet Governance, in Cotonou, Benin, on 17 December 1998. Section 10 contains more details about the adoption process.

2. Background

The IANA (Internet Assigned Numbers Authority) has overall responsibility for the allocation of IP address space, but this responsibility is in the process of being transferred to the Address Supporting Organization of the Internet Corporation for Assigned Names and Numbers (ICANN). As described in RFC 2050, the IANA grants a few regional registries the authority to allocate IP address space within their respective geographical areas (which are of continental scope).

Internet Service Providers (ISPs) and certain other organisations that satisfy certain criteria listed in RFC 2050 obtain IP address space from the regional registry that serves their area. In order to encourage topological address space assignment, other organisations should ordinarily obtain their IP address space from their ISP.

At present, there are three regional IP registries: the RIPE NCC (serving Europe and surrounding areas, including parts of Africa), APNIC (serving the Asia and Pacific Rim region), and ARIN (serving the rest of the world, including parts of Africa). All the existing regional IP registries are funded by membership fees or fees for services provided, or both.

This document proposes that an African regional registry called AfriNIC be formed, along similar lines to the existing regional registries. It is expected that African organisations that presently obtain IP address space from RIPE or ARIN will in future obtain IP address space from AfriNIC.

Such an African regional registry will allocate IP address space, autonomous system numbers, and other identifiers that might from time to time be appropriate, maintain databases of registry information, make appropriate views of the databases (for example, DNS and WHOIS) available for queries from the public (for example, via WHOIS and DNS queries), and generally perform the tasks expected of a registry.

3. Guiding Principles

The authors of this proposal have been guided by the following principles.

An African regional IP address registry should operate as a neutral, transparent, impartial, non-profit organisation, and should act in the long term best interests of the entire community which it serves, managing scarce resources such as IP address space in the public trust. In particular, it will not sell address space, but will transparently manage it according to widely supported guidelines.

In order to make good decisions about the long term best interests of its community, and to ensure that its policies are adapted in a timely manner to meet changing circumstances, an African regional registry should liaise with the IANA or the ICANN Address Supporting Organization, with other regional registries, and with any other entities that may from time to time be appropriate.

The management of the IP address space should be under the control and administration of those that depend upon it. Those that depend upon IP address space are end users such as ISPs, corporate entities, universities and individuals.

A non-profit organisation, acting as a regional registry serving the African region, is an appropriate vehicle to allow end users to exercise their control over allocation of IP address space in the African region.

4. Objectives

The objectives of AfriNIC are:

- To provide the service of allocating and registering Internet resources for the purpose of enabling communications via open system network protocols and to assist in the development and growth of the Internet in the African region;
- To assist the African community in the development of procedures, mechanisms, and standards to efficiently allocate Internet resources as a service to the community as a whole;
- To provide educational opportunities to increase understanding within the African community of Internet technical and policy issues;
- To develop public policies and public positions in the best interest of the Members and to seek legislative and regulatory consideration of issues of general benefit to the Members, where and when appropriate.

5. Management Structure

AfriNIC shall be composed of the following:

- Members;
- General Assembly;
- Board of Trustees;
- Executive staff.

5.1. Members

Membership will be open to any natural person or legal entity in Africa wishing to participate in the affairs of AfriNIC. Members will pay an annual membership fee, and must abide by the rules and regulations. All members will be entitled to attend membership meetings, to vote (in person, by proxy, or by appropriately authenticated postal or electronic means) in elections (such as the election of the Board of Trustees) and to enjoy any other Member benefits that might apply.

Membership will be optional. AfriNIC will allocate IP address space to Members and non-Members following the same policies and guidelines for each. Both Members and non-Members will pay appropriate fees for services that they obtain from AfriNIC.

Wherever mention is made of Members being elected or appointed to positions of office within AfriNIC, it shall be understood that only natural persons may be so elected or appointed. Where a Member of AfriNIC is a legal entity other than a natural person, then the Member shall appoint a person as their representative to AfriNIC, and that person shall be eligible for election or appointment in the Member's stead, and shall be eligible to attend and vote at meetings in the Member's stead.

5.2. General Assembly

A General Assembly of the Members shall be empowered to amend the Articles of Association, dissolve the association, appoint or dismiss members of the Board of Trustees, vote on any matters that are legally required to be voted on by the Members, and adopt the charging scheme upon proposal from the Board of Trustees.

5.3. Board of Trustees

The Board of Trustees will have the ultimate legal responsibility for the business affairs and financial wellbeing of AfriNIC. The Board of Trustees will manage the affairs of AfriNIC in a manner consistent with guidance that they receive from the Members, and consistent with stewardship of a limited

public resource. The Board of Trustees is also expected to liaise with and seek guidance from appropriate external entities, and to set up and seek guidance from task forces or committees of experts, whenever appropriate.

There shall be seven voting members of the Board of Trustees, and each shall have an equal vote. The Board of Trustees will elect a Chairman from among themselves. One Trustee shall be an expert appointed by the ICANN Address Supporting Organisation every year, and need not reside within the geographical region served by AfriNIC. The remaining six Trustees shall be elected by the Members of AfriNIC and shall represent the following six sub-regions of Africa:

Northern Africa,
Eastern Africa,
Western Africa,
Central Africa,
Southern Africa,
Indian Ocean.

In addition, an alternate Trustee for each of the six sub-regions shall be elected by the Members of AfriNIC. Alternate Trustees may attend meetings but shall have a vote only if the primary Trustee for their region is unavailable. Where feasible, the primary and the alternate Trustee for each subregion will come from different language groups.

Trustees will be elected to three-year terms of office, and may serve no more than two consecutive terms.

Trustees may but need not be Members of AfriNIC. Trustees will not be paid for their service.

The Executive Director shall act as the Secretary of the Board of Trustees, but shall have no voting rights.

5.4. Executive Staff

The Board of Trustees shall appoint an Executive Director, who will be responsible to the Board of Trustees for the day to day operations of AfriNIC. The Executive Director will be an employee of AfriNIC, and will be responsible for hiring and supervising all other employees; however, the Board of Trustees shall have the power to approve or veto the appointment of senior staff.

6. Legal Status of AfriNIC

AfriNIC will be registered in an appropriate jurisdiction as a non-profit organisation. Income or dividends will not be distributed to members, trustees or other officers.

7. Office Location

The day to day registration business of AfriNIC will be conducted out of an office in an appropriate location chosen by the Board of Trustees. The chosen location must offer good Internet connectivity, good general telecommunications infrastructure, good general economic conditions, safety for equipment and personnel, and must be in a jurisdiction with an appropriate legal and regulatory environment.

Certain information (such as WHOIS service, DNS service, and documents) should be mirrored in other locations, to increase robustness and performance.

8. Funding Model

The following funding model is proposed to recover the costs incurred by AfriNIC while performing management and administration of IP address space. This model is based on the ARIN model, which in turn is patterned after the RIPE and APNIC funding models. The fees are intended to provide the funding needed to operate AfriNIC in an effective and efficient manner and to allow AfriNIC's operations to keep pace with demand. AfriNIC will be a non-profit entity, and the membership, registration, and maintenance fees proposed in this funding model are to function solely as a cost-recovery mechanism to ensure the continued operation of AfriNIC.

It is important to note that AfriNIC will not be selling address space, but will charge for the services of allocating address space and maintaining databases. Entities that apply for allocation of address space from AfriNIC must satisfy the guidelines determined from time to time by the Board of Trustees (who will consider the advice of appropriate external entities). Initially, the guidelines made by the IANA and documented in RFC 2050 will be followed.

The following sources of fees are proposed as cost recovery mechanisms for AfriNIC:

- Membership fee for those interested in participating in AfriNIC;
- Subscription fee for bulk registration services (for ISPs);
- Registration fee for individual address space assignments;
- Maintenance fee for non-contiguous non-ISP address space assignments;
- Registration fee for individual address space transfers;
- Registration fee for autonomous system number (ASN) allocations;
- Maintenance fee for ASN allocations.

The fee model, as with all other aspects of AfriNIC's operations, will continue to be reviewed by the Members and the Board of Trustees for its ability to meet the operational needs of AfriNIC, and for fairness to Members and other users of AfriNIC services. For example, if it transpires that AfriNIC is receiving more income than necessary, then the fees will be reduced.

9. Auditors

A reputable international firm shall be appointed by the General Assembly as AfriNIC's auditors.

10. Acknowledgements and Authors

Earlier versions of this proposal were prepared in the first half of 1997 by the following authors:

Alan Barrett, South Africa
Nii Quaynor, Ghana
Sana Bellamine, Tunisia
Nashwa Abdel-Baki, Egypt

The above authors used or adapted many of the words in this proposal from various RIPE, APNIC and ARIN documents.

In 1997, useful comments were provided by the following people:

Jon Postel
Randy Bush
Kim Hubbard
David R. Conrad
F. Jacot Guillarmod
Russell Vincent
Mark Elkins
Andras Salamon

In December 1998, some amendments were made following the Francophone workshop hosted by the ACCT, the AIG and the UNDP.

Finally, the delegates to the African Regional Conference on Internet Governance, held in Cotonou, Benin, 15 to 17 December 1998, requested the following eleven authors to prepare a version for presentation at the conference:

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Eberhard Lisse, Namibia
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Nii Quaynor, Ghana

11. Adoption

On 17 December 1998, at a plenary session of the African Regional Conference on Internet Governance, a few modifications were made to the previous version of the proposal, and the proposal in its present form was adopted. In addition, a provisional Board of Trustees was elected and given a mandate.

11.1. Provisional Board of Trustees

The following people were elected to the Provisional Board of Trustees:

Northern Africa

Tarek Kamel, Egypt

Zakaria Ould Amar, Mauritania (alternate)

Eastern Africa

Charles Musisi, Uganda

Ibrahim Ahmed, Djibouti (alternate)

Western Africa

Nii Quaynor, Ghana

Pierre Dandjinou, Benin (alternate)

Central Africa

Samuel Nogha, Cameroon

Kouma Cyriaque Didier, Gabon (alternate)

Southern Africa
Alan Barrett, South Africa
Silvio Almada, Angola (alternate)

Indian Ocean
Yann Kwok Kem Yen, Mauritius
Haja Ramboasalama, Madagascar (alternate)

11.2. Mandate for the Provisional Board of Trustees

The Provisional Board of Trustees was given a mandate to do the following:

- Announce the creation of AfriNIC to ICANN;
- Finalise the legal documents relating to the formation of AfriNIC;
- Prepare terms of reference for the choice of the host country;
- Make a public call for proposals for host locations;
- Select the host location;
- Register AfriNIC;
- Organise the first General Assembly of Members.

11.3. Tasks of the First General Assembly

The first General Assembly will need to perform the following tasks:

- Adopt the statutes and internal regulations of AfriNIC;
- Adopt an action plan for the forthcoming year;
- Approve the operating budget;
- Elect the Board of Trustees.