

RIPE NCC
RIPE NETWORK COORDINATION CENTRE

Alexandr Fedienko
Chairman of the Executive Board
Internet Association of Ukraine

Reference: No 203

Amsterdam, December 13, 2018

Dear Mr Fedienko,

We have received your letter dated November 29, 2018 on which you request that the RIPE NCC:

1. Terminate its relationship with and deny any DPR entity or person that has been sanctioned-designated by the United States, the European Union and/or the United Nations access to and revoke previously assigned internet number resources, including Internet Protocol ("IP") addresses and Autonomous System Numbers ("ASNs");
2. Terminate its relationship and deny RIPE NCC access and membership to all sanction-designated entities and persons, including DPR based entities, and;
3. Terminate its relationship and deny database services, technical services and information services to sanction-designated DPR entities and persons and registrants that services sanction-designated DPR entities and persons.

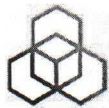
We are not able to comply with your request for the following reasoning.

The RIPE NCC, as an association under Dutch Law, has to comply with sanctions imposed by the Netherlands and the EU. Accordingly, we follow developments regarding sanctions and reviews whether they restrict the provision of services to network operators in certain regions or from having a contractual relationship with them.

The RIPE NCC is aware of the sanctions imposed by the Council Decision 2014/145/CFSP [1] as well as of the Council Decision (CFSP) 2018/392 [2] amending Decision 2014/145/CFSP. The sanctions require the freezing of "funds" or "economic resources" belonging to, owned, held or controlled by natural or legal persons listed in the decisions, and the non-provision of "funds" or "economic resources" to natural or legal persons listed in the decisions [3].

The RIPE NCC is a membership-based, not-for-profit association and has the mandate to operate as one of the five Regional Internet Registries (RIRs). As part of its RIR function, the RIPE NCC is responsible for the registration of Internet number resources (IP addresses and AS numbers) to its Members. However, the registration of Internet number resources or any other of the related RIPE NCC services do not constitute "funds" or "economic resources".

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In particular Internet number resources are not property and they do not belong to the entities we distribute them to. This is explicit in Article 10.2 of our SSA:

"The Member acknowledges and agrees that the registration of Internet Number Resources does not constitute property and the registration of Internet Number Resources in the name of the Member or a third party does not confer upon the Member or the third party any rights of ownership. The Member acknowledges that any Internet Number Resources deregistered by the RIPE NCC may be re-registered to another party according to the RIPE Policies."

I hope to have informed you sufficiently, for further information please do not hesitate to contact us or look at our website.

Kind regards,

Christian Kaufmann
Chairman of the RIPE NCC Executive Board

[1] <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:078:0016:0021:EN:PDF>

[2] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2018.069.01.0048.01.ENG#ntr2-L_2018069EN.01004801-E0002

[3] Article 2

1. All funds and economic resources belonging to, owned, held or controlled by natural persons responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, and natural or legal persons, entities or bodies associated with them, as listed in the Annex, shall be frozen.