



RIPE NCC

RIPE NETWORK COORDINATION CENTRE

RIPE NCC and Sanctions

Athina Fragkouli | Roundtable Meeting | 20 February 2024

Legal Background



- The RIPE NCC must comply with EU sanctions
- Dutch authorities are responsible for enforcement
- EU sanctions relate to:
 - Providing specific products and services to a specific country (RIPE NCC services not included in this)
 - The provision of economic resources to *listed individuals/organisations* (registration of Internet number resources is considered an “economic resource”)
- Failure to comply is an offence under criminal law



Executive Board Resolution (2014)



*"The Executive Board of the RIPE NCC believes that the means of communication **should not be affected by political discussions or disputes**. This includes the provision of correctly registered Internet numbering resources.*

*The Executive Board of the RIPE NCC is committed to taking all lawful steps available to ensure that the RIPE NCC can provide **undisrupted services to all members across our service region.**"*

Communication with Dutch Authorities



- 2012 - Confirmation from Dutch authorities that our services are not subject to country-specific sanctions
- 2020 - Confirmation that the registration of IP addresses are “economic resources” under EU sanctions regulations
 - Sanctioned entities must be prevented from registering new resources and existing resources must be frozen (preventing transfers)
 - De-registration of resources not required
- 2020 - Requested exemption from the Dutch authorities
 - Reply: no legal basis for exemption

2022 - EU exemption provision



'Article 6c

Article 2 shall not apply to funds or economic resources that are strictly necessary for the provision of electronic communication services by Union telecommunication operators, for the provision of associated facilities and services necessary for the operation, maintenance and security of such electronic communication services, in Russia, in Ukraine, in the Union, between Russia and the Union, and between Ukraine and the Union, and for data centre services in the Union.';

- Confirmed by the Dutch authorities that Internet number resources fall within the scope
- ***Relevant to Russian sanctions, not Iranian or Syrian***

Legal Liability Risks



- Disproportional compliance to avoid liability
 - Unwanted side effects
- Eg. Difficult to identify sanctioned persons
 - Common names without further specifications (eg ID number)
 - When in doubt we have two options:
 - Either we consider the sanctions not applicable - which may expose us to liability
 - Or we consider everyone with the same name as sanctioned - which is disproportional

Financial Risks



- We cannot receive funds from a large part of our membership
 - Banks consider Iran and Syria as Ultra High Risk Countries
 - Banks apply also OFAC sanctions

Internet Operations Risks



- Sanctions restrict transfers of *registration*
- Actual transfers may take place without being registered
- Discrepancy between registry information and reality
- Threat to integrity and security of the global Internet

Internet Governance Risks



- Impression that western countries “politicise” the Internet
 - Syria telecom submitted a complaint to the ITU Arab regional office
 - Russia complained in ITU that RIPE NCC’s implementation threatens critical infrastructure
- Risk for the global Internet

Applicable Sanctions Overview



	Iran	Syria	Russia	(future?)
Restriction of making available resources	Applicable No legal basis for exemption	Applicable No legal basis for exemption	Applicable but legal basis for exemption → Exemption confirmed	?



Questions



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