

**DRAFT MINUTES OF THE APPEAL COMMITTEE HELD ON TUESDAY 20 FEBRUARY 2018  
AT 14:05 UTC VIA ONLINE CONFERENCING SYSTEM**

**Present:**

Dr Paulos Nyirenda (PN)	Member - Acting Chairman
Mr Adam Nelson (AN)	Member
Mr Lala Andriamampianina (LA)	Member
Mr Ayitey Bulley (AB)	Member

**Apologies:**

Mrs Wafa Dahmani (WD)	Member
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**AGENDA**

1. Welcome
2. Review of process and steps in PDP for declaring a consensus on a policy proposal – quote relevant section of the PDP where consensus is mentioned - such as section 3.4.2 Public Policy Meeting, 3.4.3 Last Call ... etc
3. Review of co-chair actions on the steps for declaring consensus as observed by the Appeals Committee
4. Opinion of Appeals Committee on each consensus step in the PDP including
5. Adjournment

**BUSINESS OF THE DAY**

**1. Welcome**

The Committee noted the apologies of the Chairperson, WD to attend the meeting and her request for PD to act as Chairman for the present meeting. PD welcomed the members present online and opened the meeting at 14:05 UTC.

The Committee agreed to have the proposed Points 7, 8 and 9 of the 'Outline document' shared by PD on 19 February 2018 as the Agenda Items for the meeting. The Agenda adopted by the Committee unanimously.

**2. Review of process and steps in PDP for declaring a consensus on a policy proposal – quote relevant section of the PDP where consensus is mentioned - such as section 3.4.2 Public Policy Meeting, 3.4.3 Last Call ... etc**

The Committee went through the Policy Development Process and steps that the Co-Chairs have to undergo for declaring consensus on a policy proposal.

The Committee noted that the draft policy was on the agenda of an open public policy meeting as per Section 3.4.2; and acknowledged having watch the video of that face to face meeting.

The Co-Chairs followed the processes as per Section 3.4.2; the agenda was announced, the minutes were published one week after the meeting and that the changes were frozen ?. (AN to verify and confirm the related publishing dates on the rpd list).

The Committee debated on whether there is a difference between the Committee saying consensus was reached and saying that the Co-Chairs declared consensus. It was agreed that the Committee has to make sure that all the issues raised on the rpd mailing list was brought in the public policy meeting.

The Committee also considered as whether to seek for additional information / documents from the Co-Chairs.

PN explained that the Appeal Committee is not mandated to investigate into other elements than the appeal filed; and the Appeal Committee has to work with the document that they already have. If additional information is requested from the Co-Chairs, the Committee will have to inform the Appellant and then counter-check information being provided by both parties and may end up in a long process never ended circle.

AB was of the opinions that if there is the need for asking additional information / documents, the Committee should do so; that the Committee may ask the Co-Chairs' opinions, whether they were engaged and went through the processes as per the Section 5.1.c of the Terms of Reference of the Appeal Committee, whereby the Appellant should have discussed with the Co-Chairs. AB pointed out that if the Committee cannot ask the Co-Chairs, then it should ask the information through the Board and explaining the reasons why such information is needed. LA supported AB.

The Committee has noted the difference views with regards to request for additional information and continued the review.

The Committee debated on Section 3.4.3 with respect to Last Call as a critical part of the overall consensus including the responses on the rpd list during the last call period. The Committee reached the following two positions;

1<sup>st</sup> position - the last call is to determine whether consensus was achieved by getting input from the community.

2<sup>nd</sup> position - to determine whether the consensus has been achieved by talking retrospectively during that two weeks' period.

*AB lost connection at 14:10 UTC*

The Committee noted that the Co-Chairs' declared that the policy achieved rough consensus at the public policy meeting as per the letter they sent to the AFRINIC Board of Directors.

The Committee noted that there is a need to determine whether the last call period is meant to clarify issues and objections during public policy meeting or the last call is a period to note objections raised generally.

**3. Review of co-chairs' actions on the steps for declaring consensus as observed by the Appeals Committee**

Discussion as per above Agenda Item no 1.

Outstanding items for the Committee to consider is about the last call, and whether the Committee is investigating consensus per say or just a process around which consensus was reached by the Co-Chairs. It was agreed to defer the discussion in the next meeting when the full committee's members will be available.

**4. Opinion of Appeals Committee on each consensus step in the PDP including**

Discussion on the above deferred to next meeting. There is still a debate on issues raised under the Agenda Item no 8.

**5. Adjournment**

The next meeting is scheduled for Friday 23 February 2018 at 14:00 UTC.

Decision is to be taken on who will write the report of the assessment of the Appeal in the next meeting due for end of February based on the 'Outlines document'.

The meeting was adjourned at 15:00 UTC.