



PDWG APPEAL COMMITTEE

REPORT ON APPEAL AGAINST THE NON-CONSENSUS DETERMINATION ON PROPOSAL AFPUB-2020-GEN-001-DRAFT01 (Policy Compliance Dashboard – Draft1)

I. Appeal Committee Formation

The PDWG Appeal Committee (Committee) is constituted under the AFRINIC Policy Development Process (PDP) Policy which gives the mandate for creation of such a committee. The AFRINIC PDP is published at the following URL:

<https://afrinic.net/policy> The Terms of Reference (ToR) of the Appeal Committee are published at the following URL: <https://afrinic.net/policy/appeal-committee#tor>

II. Members – Chairperson – Secretariat

The AFRINIC Policy Development Appeal Committee members are:

- i. WafaDahmani*[elected – resigned]*
- ii. Jean-Robert Hountomey*[elected – resigned]*
- iii. Luc Missidimbazi*[elected]*
- iv. Adam Nelson*[appointed]*
- v. Paulos Nyirenda*[appointed]*

Having received a number of appeals in quick succession that included this one. The Committee held its first meeting on these appeals on 15 October 2020, which was chaired by Dr Paulos Nyirenda.

The Committee, at that first meeting, elected Wafa Dahmani as its Chairperson on these appeals.

Guyline Laiyra, a staff member of AFRINIC, acts as the Secretary to the Committee.

Receipt of the APPEAL AGAINST THE NON-CONSENSUS DETERMINATION ON PROPOSAL AFPUB-2020-GEN-001-DRAFT01 (Policy Compliance Dashboard – Draft1)

The Committee received an “Appeal against the non-consensus determination on proposal AFPUB-2020-GEN-001-DRAFT01” Policy Compliance Dashboard – Draft 1 proposal which is published at the following URL:

<https://afrinic.net/policy/appeal-committee#appeals>.

The Committee reviewed and confirmed that the Appeal filed is in accordance with the ToR of the Appeal Committee.

IV. Timeline

At its first meeting on 15 October 2020, the Committee discussed a timeline as required by its ToR for dealing with the received appeals which was updated on 02 November 2020 and the timeline is published at the following

https://afrinic.net/ast/pdf/policy/appeals_timeline_20201112.pdf

On 12 November 2020, the Chairperson informed the AFRINIC community of publication of the timeline through the RPD mailing list.

V. Documents

The Committee requested the AFRINIC secretariat to provide documents related to the appeal including the following:

- a) Recordings (video and chat) during the face-to-face public policy meeting (PPM)
- b) E-mails from the RPD mailing list relating to the appeal that occurred during the PPM

The Committee agreed to work based on the materials available.

VI. Meetings and discussions of the Appeals Committee

The Committee scheduled and met online using the *Zoom* online conferencing facility supported by the Secretariat as follows:

- i. 21 January 2021
- ii. 02 February 2021
- iii. 04 February 2021
- iv. 09 February 2021
- v. 11 February 2021
- vi. 18 February 2021

The Committee also used its mailing list at the e-mail address:
pdwg-appeal-committee@afrinic.net to carry out discussions online.

The minutes of the Committee meetings will be published at the following URL
<https://afrinic.net/policy/appeal-committee#appeals>.

VIII. Policy discussing and Co-chairs' declaring non consensus' during the face-to-face meeting of 17 September 2020 during the AFRINIC32 virtual meeting

The committee noted that declaration of consensus under consideration in this appeal is guided by the AFRINIC PDP in Section 3.4.2 of the AFRINIC Consolidated Policy Manual (CPM) as published at the following URL: <https://afrinic.net/cpm-1-3?view=article&id=1606&lang=en#PDP>

The committee noted that in this section the PDP states that “The Chair(s) determine(s) whether rough consensus has been achieved during the Public Policy Meeting.”

The Committee, therefore, watched the videos of the face-to-face Public Policy Meeting (PPM) that discussed version **AFPUB-2020-GEN-001-DRAFT01** of the Compliance Dashboard policy proposal. The video of the PPM discussion is available at the following URL:

<https://www.youtube.com/watch?v=5hkmHzyLf2U&t=1061s> and the video of the PPM co-chairs conclusion is available at the following link:
<https://www.youtube.com/watch?v=Wt6-fYwKhxs&t=254s>

IX. Committee assessment on Co-chairs' declaration on non-consensus

After reviewing the documents covering the PPM, the Committee observed that, while there is some support for the policy, there was significant opposition to this policy during the PPM where community members made a number of objections a few of which remain unaddressed including the following:

- a) The policy seems to be trying to or aiming to resolve issues that are administrative or operational and which are already currently being done by staff without any problems and there appear to have been no complaints, so, staff are already doing this well. So, there is no problem that this policy is trying to resolve and some community members have called it “redundant”. Even while automation has been said to be good in trying to address the issue, many community members have raised this as an issue that remains unresolved and unaddressed.

The Committee observes that AFRINIC staff have in the past administratively automated some AFRINIC operations like MyAfrinic and have planned additional automation like MyAfrinic v2 as reported in the Staff Assessment on this policy without requiring such a policy.

- b) The policy is trying to over-complicate staff operations by requiring implementation of a costly and complicated system to something that staff are already doing well, so far. The authors tried to address this by saying that the system or dashboard does not have to be implemented at one go, by saying that it can be done in stages. The Committee observes that addressing the issue this way would violate Section 3.2.3 of the PDP on Fairness since the membership would then be subjected to two different systems, one manual as is being done now by staff and one automated by the proposed partial dashboard. This also contradicts the last sentence in the problem section of this policy draft which emphasizes the need to have “equal opportunities for any member”
- c) The AFRINIC staff have made recommendations that need to be considered further in the policy and have requested clarifications that need to be made in the policy to avoid conflicts with the current manual administration and operation. The authors need to have these addressed.
- d) It has been raised that in order to construct a good dashboard there is a need to scan through all the policies in the CPM, identify all the possible areas of required compliance and their respective penalties and then build them into this policy for the dashboard to implement. The Committee observes that this

is a valid observation even though the authors tried to address the issue by saying that every policy has a section on compliance.

The Committee observation is, therefore, that the opposition raised by the community members including the above unresolved issues indicate that there was no consensus on this policy during the PPM

XII. Final assessment of Appeal Committee on the Appeal

The quorate Committee unanimously resolves that there was no consensus on this policy during the PPM and hence the appeal fails.