



PDWG APPEAL COMMITTEE

REPORT ON WAY FORWARD FOLLOWING AFRINIC BOARD RESOLUTION 202104.606

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

Following the resignation of two members as listed above, the AFRINIC Board chairperson wrote the remaining members to suspend activities of the Committee which resulted in considerable discussion by the AFRINIC community.

The AFRINIC Board then passed Resolution 202104.606 which states: <https://afrinic.net/board/meeting/2021#r606>

Board Resolution 202104.606

Despite the provisions of the current Appeal Committee's Terms of Reference and in view of 2 members of the Appeal Committee having resigned, the Board resolves that

- 1. pending the review of the Appeal Committee's Terms of Reference, the Appeal Committee be exceptionally allowed to proceed as a committee of 3 members, and***
- 2. the remaining 3 members of the Appeal Committee is considered sufficient to constitute the Appeal Committee's quorum until the 2 vacancies are filled.***

It is following this resolution and the letters that the Board Chairperson again wrote to each Committee member on this resolution. The Appeal Committee with the remaining 3 members agreed on the mailing list to produce this report.

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

III. Assessment of Appeal Committee on Resolution 202104.606 of the Board

The Committee notes that the suspension by the Board Chairperson of the activities of the Committee created significant uncertainty on the standing, mandate, and functionality of the Appeal Committee in the AFRINIC community.

The Committee notes that while the Board has the mandate, as stated in the PDP and in the Committee terms of reference, to constitute the Committee, the Committee believes that, once the Committee is properly constituted by the Board, it is not within the mandate of the Board to grant or deny permission for the Committee to carry out its activities as stated in Section 1 of the resolution of the Board.

The Committee therefore observes that the resolution of the Board places undue burden and undue uncertainty on the Committee as it currently stands with its three members

The assessment of the Committee is then that the Committee, as constituted now with 3 members as stated in the Board resolution, is unwilling and will not proceed with the remaining appeals until it is reconstituted in full with 5 members as in its terms of reference.

IV. Appeals in progress

The Committee would like to note that there are still 2 appeals remaining in progress as listed at:

https://afrinic.net/ast/pdf/policy/appeals_timeline_20201112.pdf being appeals on the following policy drafts;

1. AFPUB-2019-GEN-002-DRAFT02(Resource Transfer Policy) and
2. AFPUB-2019-V4-003-DRAFT04 (Resource Transfer Policy)

The Committee notes that a new appeal has been filed by Emem William <dwizard65@gmail.com> on 21 April 2021 as “APPEAL AGAINST THE CONFIRMATION OF CONSENSUS DECLARED BY THE POLICY LIAISON TEAM AND THE BOARD ON THE SELECTION OF PDWG CO-CHAIRS”

Following the above assessment, the Committee leaves these appeals to be handled by the Appeal Committee when it is fully constituted.

V. Conclusion

The Appeal Committee, as currently constituted, resolves not to proceed as directed by Resolution 202104.606 of the Board.