

**DRAFT MINUTES OF THE APPEAL COMMITTEE HELD ON FRIDAY 16 February 2018  
AT 15:00 UTC VIA ONLINE CONFERENCING SYSTEM**

**Present:**

Mrs Wafa Dahmani (WD)	Member - Chairman
Dr Paulos Nyirenda (PN)	Member
Mr Adam Nelson (AN)	Member
Mr Lala Andriamampianina (LA)	Member
Mr Ayitey Bulley (AB)	Member

**BUSINESS OF THE DAY**

The Chair, WD, welcomed the Members present online and opened the meeting at 14:00 UTC.

The Chair WD invited the Members to debate on the framework by which the Committee will assess the appeal.

WD was of the opinions that

- (i) the Committee is to be careful with respect to the ToR of the Appeal Committee and the PDP;
- (ii) the Committee is to ask the Co-Chairs proof of the discussion that was held between the Appellant and the Co-Chairs; and to verify that the people who supported the Appeal filed by Andrew Alston have participated in the discussion of the policy.

LA and AB agreed to WD.

AB added that there is the need to have the views or a report from the Co-Chairs on the process that they went through to have consensus on the Appeal, and the mediation between the Appellant and the Co-Chairs including their point of views.

WD stated that the Appeal Committee has the obligations to check everything and ask for proof, if required.

PN pointed out that Section 3.5 of the PDP supersede the ToR of the Appeal Co. PDP mentions the Appellant shall discuss with the Co-Chairs or the PDWG whereas ToR mentioned the Co-Chairs only. AB agreed that if the ToR conflicts on the PDP, then the PDP has precedence and the PDP should be followed. Supported by LA.

The Committee noted that the ToR emphasised a point that the PDP does not, and the Committee will follow the PDP.

The Committee debated on whether there is the need to request additional information and proof from the Co-Chairs.

PN was of the view that the Appeal cannot ask for new evidence and has to work with the information that has been submitted in the Appeal only. Appeal Committee does not investigate and look for new information. PN stated his disagreement and informed that if there is any resolution to request further information, he will abstain.

AB agreed with WD that the Appeal contains only a letter from one person to another person and no discussion on the public.

AN highlighted that if the Committee is in agreement to request more information from the Co-Chairs then the Committee should write to the Committee.

WD proposed that if there is no agreement for requesting new documentation, then the Committee cannot go through the appeal because it missed information.

PN reminded the members that the Committee acknowledged the Appeal and said it was valid. It will be out of order to reject the appeal now.

The Committee noted that there is no agreement in requesting further information from the Co-Chairs and decided to move forward with the discussion.

The Committee further discussed on the understanding of the declaration of consensus.

It is noted that during the public policy meeting there was consensus but in the rpd mailing list prior to the meeting, there were disputes and according to the Appellant those disputes were not addressed. The Appellant mentioned that they are appealing against the declaration of consensus made on the 26 december 2017 which is after the last call. The Appeal is about the declaration of consensus.

The Committee brainstormed as to whether the Committee has to consider whether the pdp process was followed or to discuss that there was a consensus or not.

The Committee is to understand the declaration of consensus and the definition of consensus in order to make a judgement. The committee has to have a common understanding of consensus; and whether the declaration of consensus was done properly or not.

The Committee noted that there is no definition of consensus in the AFRINIC policies and the only definition for declaring consensus is within the RFC in the IETF.

The job of the Co-Chairs is to assess what happens in the room during the public policy meeting and then they declared consensus or not.

The Committee brainstormed on how to tackle the appeal. The Chairperson WD proposed that each member to send his own definition of the consensus on the mailing list and then to decide on how to go through with the appeal.

The Committee agreed that the next meeting is scheduled on Tuesday 20 February 2018 at 14:00 UTC

The meeting was adjourned at 15:20 UTC.