

**Number: 2020-01**

**Policy Proposal Name:** Ensure Neutrality of PDP Appeals Procedure

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**Proposal Version:** 1.0

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**Suggested WG for Discussion and Publication:** RIPE Discussion List

**Proposal Type:** Modify

**Policy Term:** Permanent

**Summary of Proposal:**

When preparing a recent appeal, I discovered that the PDP Appeals procedure is handled by the Working Group Chairs Collective (WGCC). Also, at the time this proposal is being submitted, it looks like this procedure was never been used, or at least, I couldn't find information about previous appeals on the RIPE NCC website.

In the current procedure, members of the WGCC who are deciding on the appeal are also WG co-Chairs. However, an appeal is always an action against WG co-Chairs. This poses a transparency and impartiality issue. This is why the appeal's decision should be made by a group of people that is not related to the previous decision.

In other Regional Internet Registries (RIRs), appeals are handled by different groups of people (e.g. Board or alternative Appeal Committee).

Consequently, this proposal suggests a small change in the PDP Appeals Procedure (ripe-710, Section 4) to address this issue.

If a dispute can't be resolved by the Appeal Committee, I'm proposing to bring it to the RIPE Chair Team (Chair and Vice Chair). Assuming that the RIPE Chair Team is not involved in policy discussions.

Of course, the community could also suggest other solutions during the policy proposal discussion.

Policy Text:

Current Policy text (ripe-710):	New Policy text:
<p><b>4. Appeals Procedure</b></p> <p>If a grievance cannot be resolved with the chair of the WG the matter can be brought to the attention of the Working Group Chairs Collective (WGCC).</p> <p>...</p> <p>The WGCC will decide by consensus whether to uphold or reject appeals which have been submitted. The decision of the WGCC should be reached no later than four weeks of an appeal being made. Interested parties shall recuse themselves from any discussion or decision within the WGCC relating to the appeal.</p> <p>If the dispute cannot be resolved by the decision of the WGCC, the issue should be brought to the RIPE Chair. The decision of the RIPE Chair will be final.</p>	<p><b>4. Appeals Procedure</b></p> <p>If a grievance cannot be resolved with the chair of the WG the matter can be brought to the attention of the Appeal Committee.</p> <p>...</p> <p>The Appeal Committee will decide by consensus whether to uphold or reject appeals which have been submitted. The decision of the Appeal Committee should be reached no later than five weeks after an appeal has been made.</p> <p>If the dispute cannot be resolved by the decision of the Appeal Committee, the issue should be brought within one week to the RIPE Chair Team. The Appeal Committee will also provide a detailed justification for the lack of decision to the community.</p> <p>The decision of the RIPE Chair Team will be final and delivered within two weeks.</p>
	<p><b>4.1. Appeal Committee</b></p> <p>The Appeal Committee will be constituted for each appeal by five randomly selected and unpaid community volunteers among a pre-existing pool of volunteers.</p> <p>The RIPE NCC will assist in the setup of the pool, which always be open to new applications with a public web page showing their name, profession, biography, motivation and declaration of interest.</p> <p>Volunteers which have participated in the related PDP discussions, are part of the WGCC or the RIPE NCC Executive Board, declared a conflict of interest, or are recused</p>

	<p>by the appellant will be pre-excluded or randomly re-selected.</p> <p>This process will take a maximum of one week, including a confirmation of the selected volunteers regarding their availability for participating in the assigned appeal during the following four weeks.</p>
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**Rationale:**

a. Arguments Supporting the Proposal

This proposal increases the transparency of the appeals' handling and ensures impartiality.

b. Arguments Opposing the Proposal

Involves other people.

Response: That's the purpose, it should be a totally different group to ensure neutrality.

c. Situation in other RIRs

- AFRINIC uses a committee appointed by the AFRINIC Board of Directors.
- APNIC doesn't have an Appeals Procedure (as of now).
- ARIN uses something similar, named as "Petition Process", which is resolved by their Board.
- In LACNIC, appeals are handled by the LACNIC Board of Directors, which have voluntarily announced that they will not participate in the PDP to avoid impartiality issues.