

# Policy Development Process

## 1. Rationale

The Policy Development Process is an essential part of the services provided by the Regional Internet Registry. It is through this process that the creation and modification of the policies that the RIR will apply within its region are validated.

This document describes the two options considered by the LACNIC policy development process (normal and expedited), the mechanisms that allow its operation, and the appeal system.

## 2. Definition of 'Consensus'

Achieving 'consensus' does not mean that proposals are voted for and against, nor that the number of 'yes's', 'no's' and 'abstentions' – or even participants – are counted, but that the proposal has been discussed not only by its author(s) but also by other members of the community, regardless of their number, and that, after a period of discussion, all critical technical objections have been resolved.

In general, this might coincide with a majority of members of the community in favor of the proposal, and with those who are against the proposal basing their objections on technical reasons as opposed to 'subjective' reasons. In other words, low participation or participants who disagree for reasons that are not openly explained should not be considered a lack of consensus.

Objections should not be measured by their number, but instead by their nature and quality within the context of a given proposal. For example, a member of the community whose opinion is against a proposal might receive many 'emails' (virtual or real) in their support, yet the chairs might consider that the opinion has already been addressed and technically refuted during the debate; in this case, the chairs would ignore those expressions of support against the proposal.

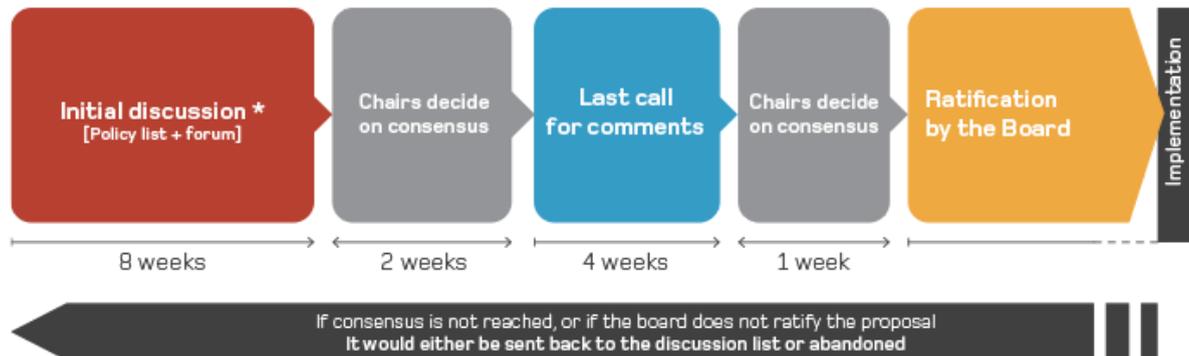
For information purposes, the definition of 'consensus' used by the RIRs and the IETF is actually that of 'rough consensus', which allows better clarifying the goal in this context, given that 'consensus' (Latin for agreement) might be interpreted as 'agreed by all' (unanimity). More specifically, RFC7282, explains that "Rough consensus is achieved when all issues are addressed, but not necessarily accommodated."

Consequently, in this document 'consensus' should be interpreted as 'rough consensus'. As an 'abridged' definition for the remainder of the document, a proposal is considered to have reached consensus when it is supported by meaningful opinions, after broad discussion, and when there are no irrefutable technical objections.

### 3. LACNIC's Policy Development Process

The Policy Development Process may involve the following instances:

- Public Policy List
- PDP Chairs
- Working Groups
- Public Policy Forum
- LACNIC Board of Directors



\* At least 8 weeks and at most the time required for the proposal to be presented at the PPF. This period would be restarted if a new version is submitted.

#### 3.1. Public Policy List

- Only those subscribed to the Policy mailing list may submit a proposal.
- Open mailing list.
- Formal starting point and end point for policy discussions.
- Policy proposals may be received at any time.
- Proposals must be submitted using the online form available at <https://politiclas.lacnic.net/politiclas/>. Once it has been reviewed, an identification code will be assigned, and the proposal will be sent to the discussion list. The maximum time allowed for reviewing and publishing the proposal on the Public List must not exceed two weeks. This review will only address the text itself, not the merit of the proposal.
- Working Groups may only be summoned through this list.
- Every call for the creation of a working group must be supported by at least five (5) members of the Public Policy List.
- The call for the nomination of candidates to serve as PDP Chairs must be summoned through this list alternately every two years.
- Only topics and items discussed on the Public Policy List at least 1 week prior to the Public Policy Forum will be discussed at the Forum.

## **3.2. PDP Chairs**

LACNIC's PDP will have two chairs, both of whom will perform the same functions.

### **3.2.1. Functions of the PDP Chairs**

- To lead and prepare Public Policy Forum discussions. Discussions will be moderated by one of the two Chairs, who may alternate in this function during the course of the event.
- To moderate the Public Policy List and the Policy Development Process in general.
- To evaluate and suggest minor changes to proposed texts before the corresponding call for consensus.
- To evaluate and suggest consensus in policy discussions.
- To suggest the finalization of the discussions on a specific issue on the Public Policy List.
- To decide to abandon a policy.
- To summon the creation of Working Groups on the Public Policy List.
- To receive comments from LACNIC's Staff in relation to different aspects of a policy proposal. These comments may include, among others, comments on the wording of a proposal, cost of implementing a proposal, legal aspects, and where to include a proposal within the LACNIC Policy Manual.

### **3.2.2. About the PDP Chairs**

- PDP Chairs may not be LACNIC staff.
- These positions will be honorary.
- PDP Chairs must be members of LACNIC or supported by a member of LACNIC.
- PDP Chairs will each serve a 2-year term, with one position up for renewal each year. Unlimited reelection is allowed.

### **3.2.3. About the election of the Chairs**

- Calls for nominations will be announced through the Public Policy List.
- Anyone subscribed to the Public Policy List may participate.
- The election will be conducted immediately before the Public Policy Forum.
- Voting will be conducted electronically, applying mechanisms to ensure that each subscriber to the list can cast only one vote.
- The winner of the electronic voting process must be ratified at the Public Policy Forum. The acting chairs will ask those in attendance whether they have any objections to the electronic voting process. If any objections are raised, the chairs will evaluate whether such objections are significant. If no objections are raised, or if the chairs consider that such objections are not significant, they will proceed to ratify the winning candidate. Any chair who ran in the election must abstain from participating as chair during the ratification process.

- Elected chairs will begin their term immediately after the closing of the Public Policy Forum during which they were ratified.
- If a winner is not ratified, the LACNIC Board will appoint a chair to fill the vacant position until the following Public Policy Forum. The next time an election and ratification process can be conducted, the person elected will only fill the position for the remainder of the original term.

### **3.2.4. Responsibilities and obligations of the Chairs**

- To publish the agenda of the upcoming Public Policy Forum on the Public Policy List at least 1 week before the start of the Forum, specifying, among other information, which policy proposals will be presented and discussed.
- To prepare a report on the Public Policy Forum and submit it to the Policy list not more than one week after the end of the Forum.
- To submit a call for the discussion of any proposal presented by the community on the Public Policy List, including a reminder of the duration of the discussion period, which will be at least 8 weeks and at most the time required for its presentation at the Public Policy Forum. Consensus may not be called for any proposal that has not been presented and debated at least at one Public Policy Forum.
- At any time during the discussion period, to decide together with the author(s) whether it is advisable to review a proposal and, if so, whether it is necessary to restart the discussion period or whether the changes are minor and/or consensus is expected and therefore allow the same discussion period to continue.
- To announce whether consensus has been reached within a maximum of 2 weeks after the discussion period has ended.
- If consensus is not reached, to decide together with the author(s) whether they would like to continue to discuss the proposal (either the same version or a new version) or to abandon the proposal. If the decision is to continue to discuss the proposal, the 8-week discussion period must be restarted.
- To publish a 4-week last call for comments for any proposal that reaches consensus.
- Within 1 week of the end of the last call for comments, to confirm whether consensus is maintained (in which case the proposal is sent to the LACNIC Board for ratification) or decide together with the author(s) if they wish to submit an updated version of the proposal to the Public Policy List and restart the discussion period.
- To communicate through the Policy List the results of the ratification by the LACNIC Board of those policies that reached consensus and received no observations during the last call for comments, not more than one week after the publication of the minutes of the Board meeting during which the ratification was decided.

### **3.3. Working Groups**

- Working Groups will be optional. Their goal will be to facilitate the discussion of a specific topic.
- Unlimited number of participants.
- Created at the summons of the PDP Chairs, the LACNIC Board, or the LACNIC Member Assembly.
- Working Group results must be published on the Public Policy List four weeks before the Public Policy Forum. These results will be considered recommendations for the Public Policy List.

### **3.4. Public Policy Forum**

- Open to anyone who is interested in participating.
- Analysis of the discussions held on the Public Policy List.
- Presentation and discussion of policies currently undergoing the PDP.
- Opportunities will be offered to present topics that are of interest to the Public Policy Forum.

### **3.5. LACNIC Board of Directors**

During its first meeting after the 4-week last call for comments, the LACNIC Board may:

- Ratify the proposal. Analyze its implementation in communication with the staff and make the corresponding announcement.
- Reject the proposal and, through the PDP Chairs, request that the Public Policy List continue their analysis and submit a new proposal.
- Decide the removal of one or both PDP Chairs if failure to comply with their responsibilities were to affect the policy development process. The Board will be responsible for presenting the interim chair(s) within a maximum two weeks, and these interim chairs will serve until the next election.

In addition:

- The Board may summon the creation of Working Groups on the Public Policy List.
- They will be responsible for the election process to appoint the PDP Chairs.
- If a decision of the chairs is appealed, the Board must decide the appeal within a maximum of 4 weeks.

#### **4. Responsibilities and obligations of LACNIC**

- To act as the secretariat for the Policy Development Process and provide support to the Public Policy List and the Public Policy Forum by maintaining the mailing list and its archives; providing a space for the Public Policy Forum to meet during LACNIC events; providing assistance to Forum chairs during the Public Policy Forum; updating its website with information on the policy development process, proposals that are under discussion, and those previously submitted, along with their current status; maintaining and updating the Policy Manual and changelog; and providing assistance for conducting the election of the chairs.
- To notify the implementation of proposals ratified by the Board on the Policy List as soon as this occurs.

#### **5. Appeals process**

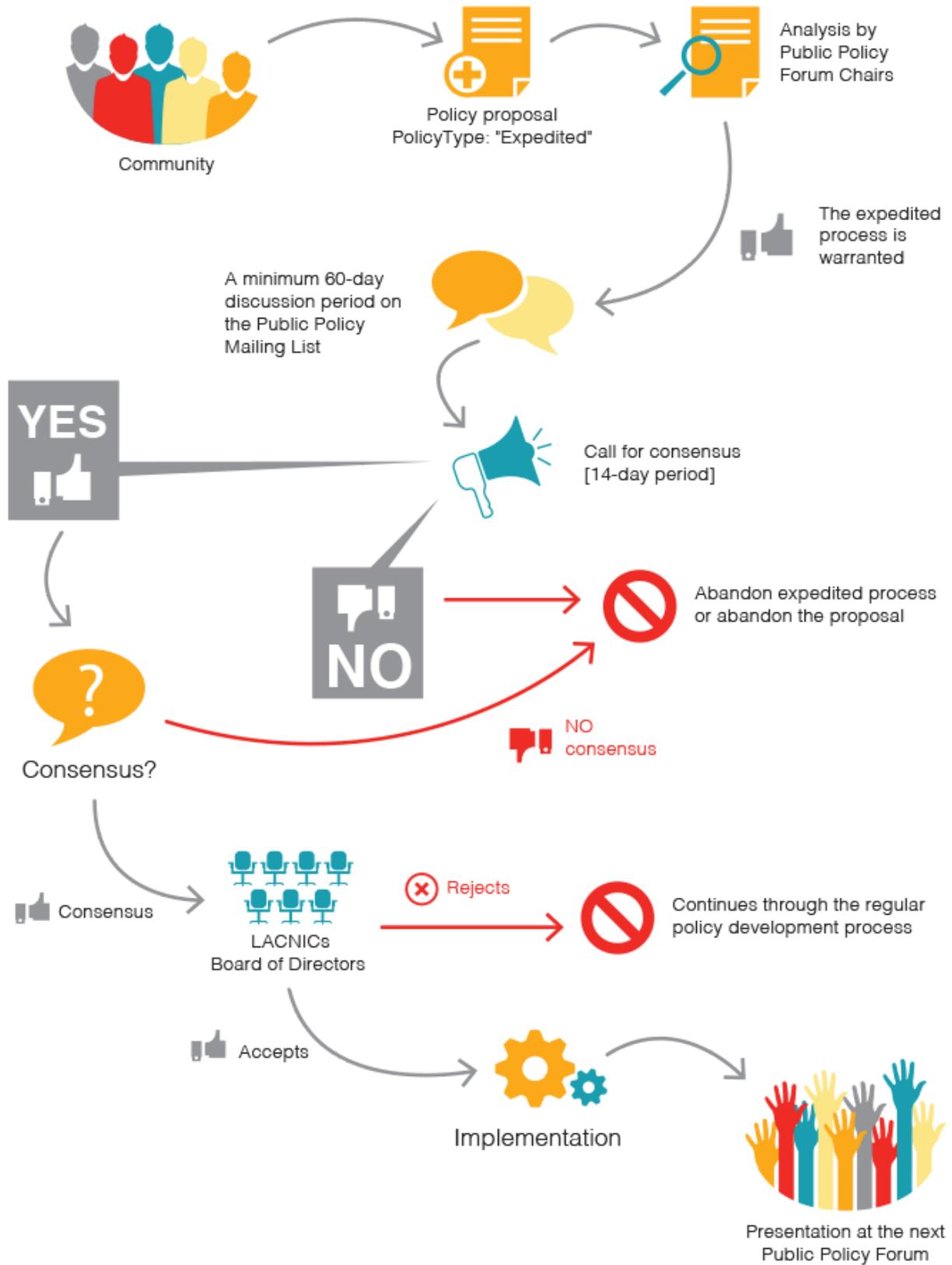
In case of disagreement during the process, any member of the community must initially bring the matter to the Public Policy List for consideration by the Chairs.

Alternately, if any member considers that the Chairs have violated the process or erred in their judgement, they may appeal their decision through the Board, which must decide the matter within a period of four weeks.

#### **6. Last call**

The purpose of the 'last call' is to provide the community with a brief and final opportunity to comment on the proposal, especially to those who didn't do so earlier. Consequently, during this period editorial comments may be submitted and, exceptionally, objections if any aspect is discovered that was not considered in the discussion prior to determining consensus. Any new objections must also be substantiated and must therefore not be based on opinions lacking a technical justification.

## 7. Expedited Policy Approval Process



In exceptional cases, a policy proposal may follow an Expedited Process according to which it is not necessary to present the policy proposal before LACNIC's Public Policy Forum. In order for a policy proposal to qualify for this Expedited Process it must be analyzed by both Public Policy Forum Chairs, who must agree that said proposal justifies the Expedited Process.

After completing this instance, the policy will be presented in the Public Policy List. At least 60 days after being presented on the list, the Public Policy Forum Chairs will evaluate whether the discussion that was generated merits a call for consensus or to abandon the Expedited Process.

If both Chairs agree that the policy proposal warrants a call for consensus on the Public Policy List, the call will give at least 14 days in order to receive comments.

Once the period to receive comments is closed, the Public Policy Forum Chairs shall communicate whether or not consensus was attained. If it was, they shall submit the proposal to LACNIC's Board of Directors. If it was not, they may choose between abandoning the Expedited Process and continuing the discussion on the Public Policy List or abandon the proposal completely.

After attaining consensus on the Public Policy List, LACNIC's Board of Directors may:

- Accept the proposal. Analyze its implementation jointly with the staff and make the corresponding announcement.
- Reject the consensus and, through the Public Policy Forum Chairs, request that the Public Policy List continue their analysis and present a new proposal at the following Public Policy Forum.
- All policy proposals approved through the Expedited Process must be presented at the following Public Policy Forum in order to inform the community of its implementation.