

# LACNIC's Policy Development Process

Version 2.0

## Scope

This document describes the process whereby LACNIC's policies are developed. It includes the participation of the different organisms that participate in the process, as well as the decision making involved.

## Aim of LACNIC's Policy Development Process

The aim of this document is to offer the community a clear description of what policy development means in relation to Internet resource allocation within the region of Latin America and the Caribbean. This document offers an explanation of the process flow that must be followed and those considerations relevant to policy development.

## Procedure for LACNIC's Policy Development

The process for policy development within the region of Latin America and the Caribbean goes through different stages that aim to justify and, above all, to validate policy development within the region. The process shall be based mainly on the analysis and discussion on the part of the Latin American and Caribbean Internet community. Analysis of each proposal for the improvement, elimination or creation of new policies for the region shall be carried out in five stages that will ensure the evaluation of relevant considerations and impact of the development of a particular policy.

The five stages through which the process is carried out are the following:

1. Public policy mailing list.
2. Work groups
3. Public Policy Forum (attendance required)
4. LACNIC Board of Directors
5. LACNIC Member Assembly.

## Public Policy Mailing List

The Policy Mailing List is a completely open mailing list where anyone interested in the development of policies on which LACNIC shall base its operation can participate, whether they belong to the Latin American region or not.

The Policy mailing list is regulated by rules of etiquette, courtesy and respect for the opinion of others. No insults, disqualifying arguments or expressions of intolerance based on prejudice are allowed.

The public mailing list created for Policy discussion has different roles depending on the development stage of a policy.

### - Proposing ideas

This list is the perfect place to present ideas and initiatives relating to the modification of existing policies or suggesting a new policy.

An idea or suggestion may be presented in full text form or it may be simply suggested that it is necessary to discuss a new policy on a specific subject.

- Discussing an idea that has already been presented  
List members may present their views and opinions on suggestions presented by other members.
- Creating work groups  
The policy mailing list may take the initiative of creating a work group. For this to be possible it is necessary that a proposal be supported by at least five list members in addition to the proponent.
- Discussing work group results  
Work group results are submitted for their discussion by the policy mailing list prior to each LACNIC Public Forum, as will be described later in this document. Comments and suggestions received through the list shall be put forth by the Chair of the corresponding work group or by the person representing the work group, for the consideration of the Public Forum
- Presenting candidates for Public Forum Chair, discussing merits and expressing support  
The Chair of the public forum shall be elected at the Public Forum, as we will discuss later, but the entire process shall be conducted basically through the Policy mailing list.

## **Work Groups**

### Creation of a Work Group

There are three different ways in which a work group may be created:

- a.- On the initiative of a Policy mailing list member, with the support of five additional list members.
- b.- At the request of LACNIC's Board of Directors, decided by simple majority of Board members.
- c.- At the request of LACNIC's Public Forum, decided by simple majority of those in attendance.

Work groups shall not have more than seven members nor less than three. Each work group must select from among its members a moderator who shall be in charge of directing the discussion via e-mail. Likewise, the work group shall choose an editing committee made up of three members, the moderator and two more elected from within the group.

The moderator shall have the following responsibilities:

1. To direct work group discussions.
2. To call for consensus whenever consensus is required.
3. To be a part of the editing committee.
4. To e-mail LACNIC's public mailing lists informing the consensus reached by the work group and the proposed changes.

The editing committee shall carry out the following tasks:

1. Preparing the document of the proposal to be published on LACNIC's public mailing lists.
2. Analyzing, together with the staff of LACNIC, the impact of these proposals on other LACNIC policies and documents.
3. Electing from among its members (members of the editing committee) the person who shall make the presentation before the general assembly. This person shall be in charge of preparing the presentation.

The document containing the policy modification proposal shall be based on consensus reached by the group. LACNIC's staff may participate in work group discussions; however, they shall not be considered members and therefore shall not have the right to vote at the time consensus is called for on a specific subject.

Through LACNIC's Policy mailing list, the Public Policy Forum Chair shall summon work group members to participate in the areas of their interest. The number of work groups in which a volunteer may participate is unlimited; however, a person may only be the moderator of one work group.

In case more than one Work Group is summoned and the number of participants exceeds the established limits, the work groups' final composition shall be determined on the basis of the following criteria:

1. Higher priority applications.
2. Date of application.

Every time the number of people interested in a work group is greater than the established limits, a waiting list shall be created. It shall be the responsibility of the Chair to conduct the group formation process according to the aforementioned criteria and maintain the waiting list.

Should the Chair consider that it is necessary for a better representation of the existing points of view, he/she may exceptionally decide that a work group may have more members than the number initially established.

When sending the summons, among other information included, deadlines, groups to be created, group objectives and e-mail address where the intention to join the work groups should be sent shall be specified. If after reaching the summons deadline the number of members of a work group is less than the established minimum, said work group shall be declared void and the subject shall not be discussed during the following policy discussion forum. The Chair shall be responsible for notifying this occurrence to LACNIC's public mailing lists.

#### Decision-making

Work groups shall discuss only the subject that was the aim of their creation. The moderator shall be in charge of directing discussions and calling for consensus once all positions have been stated. Group decisions shall be made through simple majority (fifty percent plus one vote); in the event of a tie the Chair shall cast the deciding vote. The moderator shall also be in charge of complying with the time limits and deadlines established in this document.

#### Time limits

Summons shall be made through LACNIC's mailing lists with an anticipation of at least twenty weeks before the date set for the following Public Forum meeting. The summons shall be kept open for two weeks. After this two-week period, the Public Policy Forum Chair shall analyze the e-mails that have been received and the work groups shall be created according to the criteria established in previous paragraphs. The creation of the groups' mailing lists shall be the joint responsibility of LACNIC's staff and the Chair.

A group created on the initiative of members of the Policy mailing list may be formed at any time, but its decisions may only be submitted for discussion at the following Public Forum if they have been discussed for a minimum of two weeks prior to the date set for publishing the results of the work group on the Policy mailing list.

The moderator of a work group must be elected during the first week following its creation. As in the case of decision-making, simple majority shall decide the election. Self-nominations shall be acceptable. Once the moderator has been elected, discussions may begin.

Work groups must reach a decision not more than four weeks before the date of the Public Forum. This leaves a maximum time frame of thirteen weeks for a subject to be discussed.

Once consensus is reached, the moderator shall prepare an e-mail to be sent to LACNIC's public mailing lists in order to report what consensus the work group has reached. This means that the community will have public access to this information at least four weeks prior to the public policy discussion forum. This

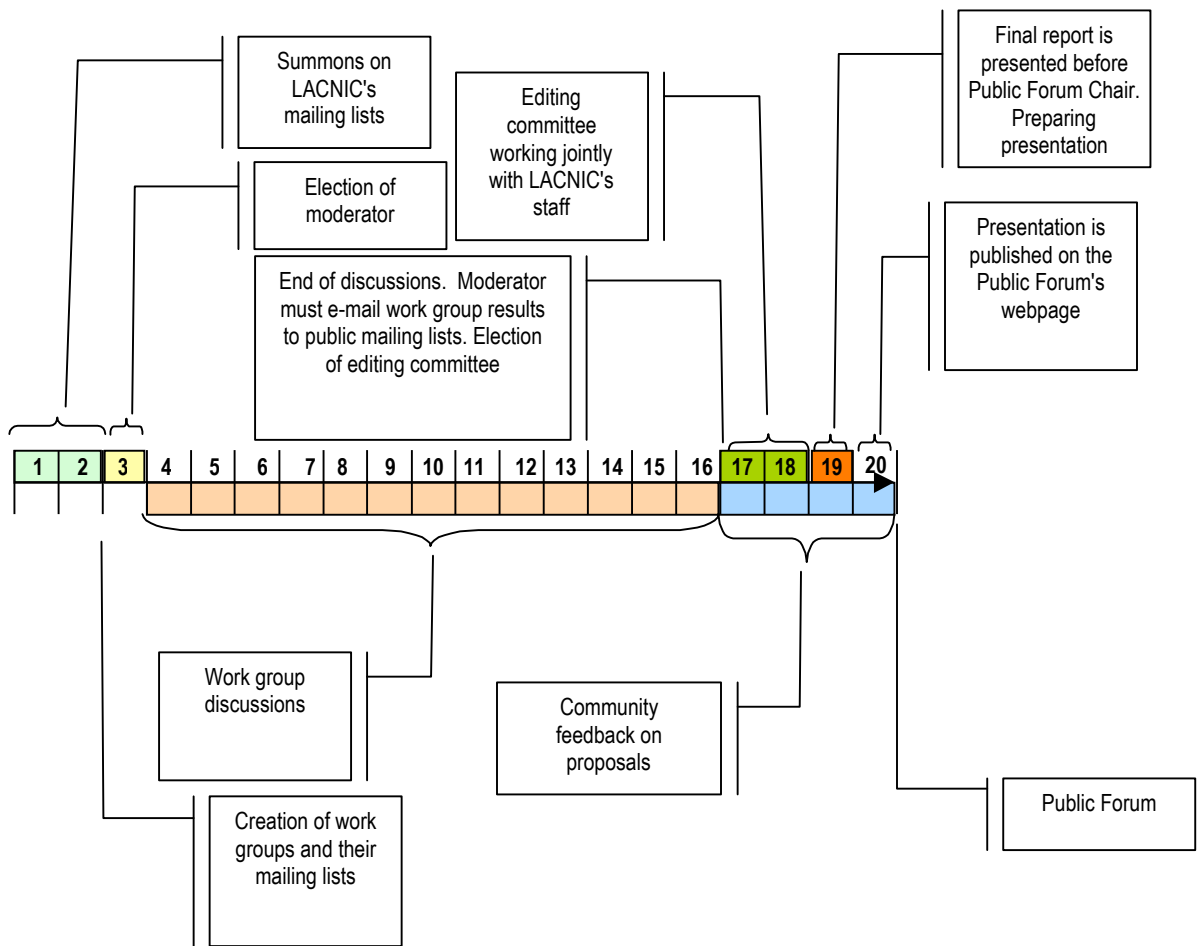
will also be the time frame the community in general shall have for sending feedback on the consensus reached by the group through public mailing lists before the date set for the Public Forum.

During this discussion period the Staff shall send its report to the Policy mailing list, together with an impact and implementation feasibility analysis for the proposed policies. This report shall not contain personal opinions, only an objective analysis.

One week prior to the Public Forum, each group's editing committee must submit its final report to the Public Policy Forum Chair, together with considerations on those comments received during the discussion period, including commentaries received from LACNIC's staff. In addition, the committee shall prepare the presentation to be given during the Public Forum and send it to LACNIC's staff so that it may be published at the event's website.

It is important to mention that Work Groups are not obliged to comply with this program. If the discussion process does not result in consensus within the group, the group can postpone its recommendations until the following Public Forum. In this case recommendations can be presented to the public mailing lists at any moment before four weeks prior to the following Public Forum.

The following diagram is valid for Work Groups summoned through the Public Forum and at the request of LACNIC's Board of Directors. Groups summoned through public mailing lists must begin discussions not later than the beginning of week fifteen, in order to comply with the minimum two-week discussion period prior to the following Public Forum held by LACNIC.



### Work group life cycle

A work group shall cease its functions once the Public Forum meeting has ended. A work group may only continue functioning if one of the following scenarios arises:

1. The Public Forums deems it is necessary for the group to continue working.
2. The Board of Directors requests reconsideration of any of the proposals.

In any one of the above mentioned scenarios the work group shall be requested to continue working. Should one or more members decide not to continue in the group, the waiting list shall be used to complete the established number. Should the number of members be reduced below three and the waiting list contain no volunteers, during the next summons volunteers for this work group shall be requested.

### Public Policy Forum

The Public Forum shall consider the attendants to the public policy discussion meeting. Any member of the Internet community may participate in the Public Forum. The Public Forum, through consensus processes, shall decide whether a policy shall be implemented or not.

Only those proposals that have been recommended and presented by Work Groups with a consensual basis and finally published on LACNIC's public e-mailing lists can be called to consensus at the Public

Forum. However, the groups that have not reached consensus shall also present their partial conclusions. The Forum may also decide on those cases where a work group presents more than one options in one or more of the items of its proposal.

The Public Forum shall allow the possibility of discussing any subject of interest to those present.

The Chair of the Public Forum shall call for consensus once the discussion of a policy is deemed complete. At this point one of the following scenarios may occur:

1. If there is consensus in favor of or against the policy, the Forum Chair shall pass on to LACNIC's Board of Directors the proposal prepared by the Work Group for its final consideration plus possible modifications that may have arisen during the Public Forum. In any event, the Forum must have reached consensus on these modifications. In later paragraphs the options available to the Board of LACNIC shall be described.
2. If there is no consensus, the Chair of the Public Forum shall request that the Work Group continue the discussion and analysis process until the following Public Forum.

#### Chair of the Public Policy Forum

The Chair of the Public Policy Forum shall not be part of LACNIC's staff. His/her work shall be honorary. LACNIC shall cover the expenses relating to his/her functions.

The Chair shall be elected at the Public Forum. Candidacies shall be presented at the Policy mailing list, where expressions of support shall be received and the candidates' merits shall be discussed.

In order to be eligible as Public Forum Chair it is necessary to be a member of LACNIC and/or be supported by a member of LACNIC.

The Board of Directors, who shall be in charge of defining the electoral procedures, shall make the summons.

Once elected, the Chair shall be in duties at the forum during which he/she was elected and for three more consecutive Public Forums plus the periods between those Forums, until the new Chair substitutes him/her.

The Chair's functions at the Public Forum shall be:

- To conduct Public Forum discussions.
- To conduct Policy development processes.
- To ensure compliance with group creation procedures, summons procedures, submission of communications to mailing lists.
- To assist LACNIC's staff and Board of Directors, together with work group coordinators, with the details of the final draft and implementation of policies approved by the Public Forum.

#### **LACNIC's Board of Directors**

LACNIC's Board of Directors shall be responsible for receiving the Public Forum's decision in order to make the necessary decisions during its first meeting following the Forum.

The possible scenarios LACNIC's Board of Directors may face once it has received the Public Forum's decision through the meeting's Chair are the following:

1. The Board of Directors receives a consensus in favor of the policy. In this case the Board of Directors may:
  - a. Accept the favorable consensus. Study, together with LACNIC's staff, an implementation date and publish the decision on the public mailing lists. This policy would be of a provisional nature, until LACNIC's following general member assembly. The Work Group is considered to have reached its conclusion.
  - b. Reject the favorable consensus and request that the Work Group further its analysis and present a new recommendation at the following Public Forum.
2. The Board of Directors receives a consensus against the policy. In this case the Board of Directors may:
  - a. Accept the consensus against the policy and consider the work group to have reached its conclusion.
  - b. Reject the consensus against the policy and request that the Work Group further its analysis and present a new recommendation at the following Public Forum.

### **LACNIC Member Assembly**

The assembly holds the final decision over a policy approved by LACNIC's Board of Directors. The Member Assembly shall be made up by those entities that have received IP address blocks from LACNIC or have requested membership through other means established in LACNIC's bylaws.

Once LACNIC's Board of Directors has accepted a policy and has provisionally implemented this policy together with LACNIC's staff, it is the responsibility of the Assembly to ratify the Board's decision or cancel the policy's application.

To a great extent, this last option shall depend on the report on the results of the policy's implementation that the staff presents before the Assembly. Therefore, once LACNIC's staff has made its presentation, the assembly may:

1. Grant the policy final approval.
2. Cancel the policy's implementation definitely, or else cancel the implementation and request the Board of Directors to summon a new Work Group.

In general terms, Policy Development Procedure shall be carried out according to the following flow chart:

