

MINUTES OF THE GOVERNANCE COMMITTEE HELD 30 MARCH 2021 AND 7 APRIL 2021 VIA ONLINE CONFERENCING SYSTEM

Present:

Mr Laurent Ntumbi (LK)	Member
Mr Eddy Lareine (EL)	Member
Mr Daniel Nanghaka (DN)	Member
Mr Seun Ojedeji (SO)	Board Liaison
Mr Ashok Radhakisson (AR)	Legal Counsel
Mr Kishna Dhondee (KD)	Legal Officer
Mrs Guylaine Laiyra	Secretariat

Apologies:

Mr Ali Hussein (AH)	Member
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Absent:

Dr Alioune Traore (AT)	Member
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Agenda

1. Welcome and Roll Call
2. Quorum
3. Review of Previous Minutes
 - 3.1 dated 26 October 2020
 - 3.2 dated 16 March 2020
4. Word from Chair
5. Review of the Mandate of the GovCom - Kishna/Ashok
6. Action Items from Previous Meeting Held - Kishna
 - a. Code of Conduct
7. Emerging issues and Updates from the Board - Seun
8. Workplan for the Year and Meeting Calendar
9. Consensus on how GovCom gives feedback to the Community

BUSINESS OF THE DAY

1. Welcome and Roll Call

The Chair welcomed the members present online and opened the meeting at 11:06 UTC.

2. Quorum

A roll call was conducted by the Secretariat to confirm quorum.

3. Review of Previous Minutes

3.1 dated 26 October 2020

The Committee approved the minutes held on 26 October 2020 as presented by the Secretariat, Proposed DK. Seconded LN.

3.2 dated 16 March 2021

The Committee approved the minutes held on 16 March 2021 as presented by the Secretariat, Proposed LN. Seconded EL.

4. Word from Chair

The Chair welcomed the members for the second meeting of the GovCom for the present year. He emphasised that it is very good for the Committee to meet regularly and update the community members of the progress of the committee.

The Chair opened the floor on discussion with regards to attendance to meetings. It is noted that Art 8. Of the ToR stipulated that any member can be removed is absent from two consecutive meetings with no valid reasons can be removed from the Committee and confirmed by a 2/3 majority vote.

The Chair provided an update on the working session held on the 26 March 2021 with the Legal Counsel, Vice-Chair and Board Liaison. There are a number of issues identified and to be worked out namely on how to improve the deliberations, working on a calendar for the meeting and to conclude deliberations on outstanding items like the Code of Conduct.

The Agenda was approved as circulated. Proposed EL. Seconded LN.

5. Review of the Mandate of the GovCom - Kishna/Ashok

The Legal Team explained the mandate of the GovCom as per the ToR. The GovCom acts as a general advisory capacity when asked upon request by the CEO or Board, or provide advice on its own on specific matters. There are limitations on areas and

subjects that the GovCom may work. It may not get involved in the PDP process or specific policy proposal . It is meant to advise on governance matters AFRINIC as a whole but cannot give advice on staff operational matters which are under the premise of the management. The Legal counsel reminded that the GovCom was appointed by the Board upon request from the community, to look at governance issues. The Board decided to make it a standing committee appointed by the Board.

6. Action Items from Previous Meeting Held - Kishna

a. Breach of the Code of Conduct

The Committee was apprised of the outstanding request from the CEO with regards to the breach of the Code of Conduct by AT Jane and R Guilmette.

The Legal Officer briefed the Committee on the chronology of events of the case against A.T. Jane and R,. Guilmette. Both individuals were given an opportunity to explain their posts on the mailing lists as a matter of natural justice, they were given 10 days to respond. A.T. Jane did not respond and R. Guilmette responded via the community discuss publicly.

As matters stand, time is of essence. There is a timeframe to deal with matters referred to the GovCom and the GovCom has to take stock of the responses and decide on the best course of actions.

It was noted that if no explanation is received from one of the subjects then, the conclusion is unanswered and a breach of the code of conduct has been proved.

The Chair opened the floor to the members for their opinions.

After discussion, the Committee acknowledged that R Guilmette has replied to the committee.

The Chair decided for the committee to review the response , the Code of Conduct and allow time to take a decision in the next meeting on the 7th April 2021.

b. Review of the Code of Conduct

In the working session, it was agreed that there is the need to to have a proper consultation with the community. The Code of Conduct applies to anyone that interacts with AFRINIC on mailing list rpd or meetings. As such, the committee agreed to do a consultation phase of one month to gather community feedback and then the committee to review and amend the Code of Conduct.

The Secretariat to send a communique to the community members for inputs on the Code of Conduct.

7. Emerging issues and Updates from the Board - Seun

The Board Liaison conveyed his congratulations and that of the Board to the new Chairman and Vice Chairman of the Committee. He also reiterated his support in the work of the GovCom. The Board would like the Committee to conclude the outstanding requests on the Code of Conduct the soonest possible.

The Chair adjourned the meeting at 12:49 UTC and the meeting to be resumed on 7th April 2021. Proposed DN. Seconded LN.

CONTINUATION MEETING DATED 7 APRIL 2021.

Present:

Mr Laurent Ntumbi (LK)	Member
Mr Eddy Lareine (EL)	Member
Mr Daniel Nanghaka (DN)	Member
Dr Alioune Traore (AT)	Member
Mr Seun Ojedeji (SO)	Board Liaison
Mr Ashok Radhakissoo (AR)	Legal Counsel
Mr Kishna Dhondee (KD)	Legal Officer
Mrs Guylaine Laiyra	Secretariat

Apologies:

Mr Ali Hussein (AH)	Member
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The Chair opened the meeting at 11:07 UTC and welcomed the members present for the continuation of the meeting held on 30 March 2021.

A roll call was conducted by the Secretariat to confirm quorum.

6. Breach of Code of Conduct [Ctd]

The Committee took note of the response of R. Guilmette with regards to the allegations made on the management of AFRINIC.

After discussion, the Committee agreed that there has been a breach of the Code of Conduct namely Section no 3, 4 & 8.

8. Workplan for the Year and Meeting Calendar

Defer for discussion on the mailing list. The Chair proposed to have a meeting after the close of the comment period no the Code of Conduct, i.e after the 30th April 2021.

9. Consensus on how GovCom gives feedback to the Community

Defer for discussion on the mailing list. The Chair proposed to have a communique to be written and shared with the community in terms of feedback and/or status of work at the Governance Committee. The communique could be done every quarterly.

The Chair will work on a draft for review.

10. Closure

The Chair moved to close the meeting at 12:17 UTC. Proposed DN. Seconded EL.