

**APPEAL AGAINST AN IESG DECISION
DENYING ME IANA LANGUAGE REGISTRATION PROCESS BY WAY OF PR-ACTION**

Dear IESG Members,

This is a formal appeal to the IESG against the IESG decision below. This does not appeal the matter of the decision, which will be addressed by the market, since the case is widely accepted as being commercial and political.

It only considers the salient procedural and ethical aspects, and the political and commercial aspects through results of the published decision.

The IESG decision

At 06:17 19/03/2006, IESG Secretary wrote:

The IESG has evaluated a request for an RFC 3683 PR-Action for JFC (Jefsey) Morfin. Please see the following URL for the corresponding Last Call message and associated information:

<http://www1.ietf.org/mail-archive/web/ietf/current/msg40011.html>

There was extensive discussion on the IETF list, and the IESG received additional feedback directly. After a careful evaluation of the feedback, mail archives, IESG minutes, and RFC 3683, the IESG has concluded that there is sufficient evidence that Mr. Morfin has engaged in behavior that is not acceptable on IETF mailing lists.

Therefore, the IESG has decided to approve the request for an RFC 3683 PR-Action for JFC (Jefsey) Morfin. The administrators of the LTRU working group and ietf-languages mailing lists are authorized to suspend his posting privileges under the terms described in Section 2 of RFC 3683. The administrators of other IETF mailing lists may suspend his posting privileges under the same terms at their discretion.

The IESG

This decision is invalid

The decision to consider the concerned PR-action is subject to a not yet addressed appeal.
<http://www.ietf.org/IESG/APPEALS/morfin-appeal-against-appeal.txt>.

This appeal stipulates:

- that PR-actions as per RFC 3683 are a violation of the most elementary rules of rights
- that the most elementary defence rights have not been supported
- that the entire process is using defamatory documents in turn engaging the personal responsibility of some IETF participants and the common responsibility of the IETF/IESG/IAB.
- why it is that particular PR-action is technically invalid.

In addition, this PR-action is based on the ietf-languages@alvestrand.no suspension.

<http://www.alvestrand.no/pipermail/ietf-languages/2005-November/003811.html>

that has been voided by the IAB: <http://www.iab.org/appeals/2006-01-31-jefsey-response.html>

Other elements could have been utilised to show the IESG bias through the IESG response to a similar appeal in a similar case where the IESG disregards the IAB above-mentioned positions.

<http://www.ietf.org/IESGAPPEALS/response-morfin-appeal-ietf-languages-list.txt>

This decision publication is invalid

<http://www.ietf.org/IESG/Narrative/narrative-telechat-2006-03-16.html> reports that the decision was voted on, but that it was not the result of a consensus. This seems to be an ad hominem way in which to proceed, and is strictly opposed.

The reports states that *"This decision passed and will be published with who voted which way »*, which was not the case. Until the text is published with the list of voters and the way in which they voted, the publication and its results are void.

This decision is out of the scope of RFC 3683 (1)

RFC 3683 concerns cases where: *"if a working group is unable to reach consensus, this is an acceptable, albeit unfortunate, outcome; however, if that working group fails to achieve consensus because it is being continuously disrupted, then the disruption constitutes an abuse of the consensus-driven process."*

The point brought forth by the decision in turn makes it rather difficult to understand as to which consensus was impeached. Two could tangibly be considered from the confuse text of the PR-action. Neither one was impeached.

1. Private list ietf-languages@alvestrand.no

Matters involving this list have been discussed by the IAB. Action by the IESG was requested by the IAB. That action has not been undertaken, in which the IESG even chose to repeat a similar position. This was in a subsequent similar case, used as an alibi (some reported it as a "joke") to trigger the long pending PR-action <http://www.ietf.org/IESG/APPEALS/response-morfin-appeal-ietf-languages-list.txt>) showing

- its disregard of the IAB decision.
- its disregard for the RFC 3683, which is not to retroactively address a long passed situation.

Anyway, this mailing list is not concerned by RFC 3683 since it does not proceed by consensus but by comments made to a Reviewer. The PR-action, which was called for by the owner of that private list, is therefore void as far as his claims are concerned since RFC 3683 does not apply in the case of the modus operandi of his list.

2. WG-LTRU

The RFC 3066 Bis document was approved by the IESG. It substantially differs on several key points with the initial text supported by the PR-action requesters. This results from consensus that I obtained to clarify a confuse text.

Being initially denied consensus access through an abuse of the consensus driven process by way of an identified affinity group, I obtained it in adopting a weak to strong strategy. I insisted on the deficiencies of the text to be positively documented so the project that I conduct (MDRS and its Langroot system – cf. <http://www.itu.int/ITU-T/worksem/multilingual/papers/s1paper-morfin.pdf>) could benefit from them. It was in this way that I obtained the negative consensual text of which I wanted to reduce its deficiencies. This was a boring process, but it delivered the consensual clarifications that I needed, together with those that I expected and obtained from my IESG appeal, from the US Congress, and from the Tunis World Summit agreement reached only a few hours prior to the IESG approval of the RFC 3066 Bis text.

This means that no consensus failed to be achieved, in spite of the attitude of my opponents. I accept that some parts of the achieved consensus may not be what they desired. I can only assume such from the way the IESG disrespects the RFC 3066 Bis consensus.

This decision is out of the scope of RFC 3683 (2)

RFC says:

"In many cases, applying those guidelines will produce the desired modification in behaviour. However, when those guidelines fail to provide the desired modification in behaviour, more drastic measures should be available to reduce or eliminate these attacks' impact on the IETF process." This implies - as has been repeated many times - that RFC 3683 is not about justice but rather protection management.

However, this decision is about what is "unacceptable", not about "disruptive" or "abusive" behaviour.

- unacceptable behaviour can be defined in considering that "political speech is given more leeway than commercial speech, and some forms of speech (e.g., egregious libel or incitement to violence) are considered unacceptable."
- RFC 3683 is about situations where desired modifications in disruptive and abusive behaviour cannot be executed. It is not about past disagreements concerning the way that a denied consensus was reached.

The situation at the time of the IESG decision was:

- "disruptions" concerning the RFC 3066 Bis if they ever existed were well over, since it had been approved (with the consensus I obtained) by the IESG four months prior.
- the WG-LTRU had found a "non-disrupted consensus" concerning one other accepted Draft (Registry) and was on its way to obtain another one (Filter). I had just provided a review of that Draft (which was personally thanked by the Chair) a few days prior to the IESG decision and...my subsequent suspension.
- I left the private ietf-languages@alvestrand.no mailing list a month prior to the IESG decision (this list was closed if the RFC 3066 Bis was to be respected).
- I had de facto left the WG-LTRU list after having obtained everything I needed from the WG-LTRU and entered a last comment a few days prior to the IESG decision.

Could there have ever been "unacceptable" behaviour: one way or another the Chairs still found a way to modify it. Therefore, RFC 3683 does not apply.

IESG violation of the RFC 3066 Bis consensus

I took the time to appeal in order to allot everyone sufficient time to observe that:

- the IESG did not address the IAB decision quoted above.
- they repeated a further response with a position and situation that was similar to the one opposed by IAB where the matter was my support of the European Union English (Eurospeak) with the "en-EU" tag, the indication that the MDRS Langroot would support it, and the need to preserve interoperability for the world leading economic language.

- this IESG document included a decision opposing the RFC 3066 Bis consensus on the point that gives a leading commercial and political unfair advantage to Unicode over every other proposition like ours: “To clarify two additional points raised by this appeal, the IESG confirms that the list ietf-languages@iana.org and the ietf-languages@alvestrand.no are equivalent, as one is simply redirected to the other. This mailing list practice does not affect the role that the list plays in the IETF. We also confirm that the IETF language reviewer remains Michael Everson.”
- the only practical result of the PR-action is to permit its requester (a Member of the Unicode BoD) to ban me from his “ietf-languages@alvestrand.no”, denying the Manager of a competing project access to the RFC 3066 Bis IANA Language Subtag and Extension Registries. This would not be the case if RFC 3066 Bis was respected and the IANA Registries entries were discussed on the ietf-languages@iana.org.
- this decision permits the Language Tags Reviewer, a Unicode consultant appointed by the PR-action requester, to gain control of those IANA Registries without the proper IESG selection decided by the RFC 3066 Bis consensus. It is noteworthy that the former Language Tag Registry reviewing is a substantially different task in the scope and responsibilities involved from the new Language Subtags and Extension Registries review.
- the way the decision was made (as discussed above) casts suspicion on the decision as no one involved removed his/herself. Some may think it odd that by chance the R&D Manager of a language project is denied equal access to IANA resources while one can count among the people involved:
 - a BoD Member (PR-action requester),
 - the President (Author),
 - Members (Reviewer, WG-Co-Chair, Author),
 - Employees of Members (AD and PR-shepherd, IESG Chair conducting the case, IESG Members, Author),

of its main commercial and political competitor.

Therefore, any IESG Member that had a COI in this case should not have participated in any debate or decision that is related to this case.

General comment

The debate over RFC 3066 Bis may have seemed an apparent waste of time imposed on me by a disloyal competition. It however led to adverse results for them in which:

- many discovered the project in order to use the IANA to impose globalization and the CLDR project as well as to limit the number of languages in cyberspace to less than 150.
- it is generally accepted that the PR-action is a childish addition of defamations and Denial of Access to the IANA Registries action. This does not serve the IETF image well.
- it helped advertising and studying the need to deploy the multitechnology, multilingual, multi-authoritative, and referential system that we are working on to replace the mono-authoritative IANA.

This appeal is mostly to permit the IESG to restore the IETF image, and to clarify the confusion that some created. It also demands an IESG comment (silence would be perceived as a comment) about its current disrespect of the RFC 3066 Bis IETF consensus regarding the ietf-languages@iana.org mailing list, the IANA Language Subtags and Extensions Registries, and its technical and strategic consequences.

The Tunis WSIS agreement set forth as an imperative by the US Congress has made the Internet to be coordinated by ICANN and IANA as an “Internationalized US Internet”, under the control of the US Government. This has also initiated the Multinational Internet under IGF governance.

The world now needs to know which of them the IETF would like to influence the design, use, and management (cf. RFC 3935). This is necessary in order to properly organise their stable, secure, and scalable interoperability. This is also necessary to know if the IETF doctrine in the multilingualization and globalization areas is subject to the IETF consensus or rather to an industry consortium.