



Ref: dotafrica/2012/08/16 Africa's map in the digital inclusion!

16 August 2012

The Board of Directors
Internet Corporation for Assigned Names & Numbers (ICANN)
4676 Admiralty Way, Suite 330
Marina Del Rey, CA 90292-6601,
United States of America

Copy to: Dr. Steven Crocker, Chairman of the ICANN Board of Directors

Dear Sirs,

Subject: *An Objection to the "Africa Strategy" proposed by a select African Grouping and a request for the immediate removal of the associated press release appearing on ICANN website providing an advantage to a particular community group in the .Africa gTLD bid process*

We write on behalf of DotConnectAfrica Trust's (DCA Trust's) global African constituency. DCA Trust has applied to ICANN for the '.AFRICA' (DotAfrica) geographic name (Application ID: 1-1165-42560). Most of all, DCA has been an active supporter of the ICANN new gTLD process, and is a global stakeholder in actively promoting and campaigning for the introduction of the new gTLDs and Internationalized Domain Names (IDNs), whilst using the same opportunity to champion the DotAfrica Initiative. DCA has already performed considerable promotional work for the DotAfrica initiative on a global basis.

The stakeholder and leadership grouping of DCA is represented by some of our Global Advisory Leadership Group below, well respected members of the African and Global Internet Technical and Business Constituency. **They support our work in Africa and would like to express to the ICANN leadership their great concern with respect to ICANN's recently announced African Strategy.**

This was announced as a result of the ICANN 44 Prague meeting. We believe the strategy is problematic and will negatively impact the ongoing ICANN gTLD bid process.

Naturally, as Africans we are in support of any strategy that supports increased African's participation at ICANN. However we believe that the group that has now been constituted lacks any wide mandate from the various African constituencies. It reflects a narrow view of those present in Prague who were invited to participate in a meeting that apparently they themselves initiated.

DCA – Not included in Meeting

It must be understood that **despite having a team in Prague**, DCA was not invited to the meeting. DCA attended other Africa focused sessions during which an announcement or invitation could have been made but none was. It is clear that those calling the meeting did not want DCA to be present. DCA inquired and made its verbal complaint to senior ICANN officials during the Prague meeting, and was told that **it was exclusively an AU meeting, and a follow-up to Dakar activities.**

Undue Influence on Bid Process

DCA has written to inform ICANN Executives that an AU sponsored meetings would be inappropriate as the AU has mainstreamed itself in the .AFRICA application submitted by UniForum ZA (<http://www.africainonespace.org>). The AU may use any opportunity to lobby on behalf of this group in order to unduly influence the outcome of the .AFRICA new gTLD application. In the present competitive climate such meetings create room for suspicion. It is clear that the same vested group present at the meeting under the AU umbrella have now self nominated and organized under a working group and announced an initiative for Africa. **(Letter attached)**

Concerns raised and ignored

It's not just DCA and its team, as complaints regarding a lack of wide consultation were made by other members of AfriCANN email list. However a rear-guard effort was made by the nominated parties to explain and reconstruct the purpose of the meeting. Additionally, the intent expressed was that **they would publish the final working group for review and consultation**. Thus it was a surprise, when a press release was made by ICANN on the nominated group using the Prague meeting as justification. Link here: <http://www.icann.org/en/news/announcements/announcement-10aug12-en.htm>

Prague Meeting - No substitute for broad participation

DCA and its stakeholders are now very concerned that ICANN Executive Management rushed to approve of an "African Strategy" without considering the objections to the nomination process and the fact that it was not participatory. **There was no consensus by all Africans and particularly a Key African stakeholder group of ICANN like DCA** on the process that took place.

Letter to ICANN Board from Nii Quaynor et al - Conflict of Interest

We refer to a certain letter sent to the ICANN Board in March 2012 by Nii Quaynor (**Vice Chair of AU DotAfrica Taskforce**, which represents the interest of a proposed .Africa bid) and a few other actors including the **Chair of AU DotAfrica Taskforce. (Letter attached)**. This letter was requesting the board to take some actions that led to the proposed "African Strategy". To our knowledge **the letter was not published widely and did not receive approval by a wide group of Africans before it was sent** – and there were no calls for comments on the matter. DCA and its stakeholders consider this letter more damaging than constructive since it was not acknowledged by all Africans - the signatories who called themselves 'leaders' are 'self appointed'. ICANN therefore, should be reading this letter as an opinion of 'thinkers' and not as representative views of the African Community.

Secondly, the **letter had suggested something that only the ICANN Board could do with wide consultation** - DCA and its stakeholders do not think that ICANN should take such a suggestion to "delay any process of Africa" stated in the letter based on the **opinion of a small group of 'thinkers'** who have overstepped their mandate, **and position themselves in the Policy Development Structure of ICANN**. Now that the letter is written and the signatories have declared their 'personal interests', they **should also not take part in decision making process regarding the issue at hand**.

Thirdly, the letter is carefully crafted to allow a broad interpretation. It creates an impression of authority by referring to the AU ministerial meeting in Senegal without elaborating on the actual representation or objections raised at that meeting. It then implies a need for action by referring to **"major decisions on Africa"** – this will be interpreted by some to mean ".Africa". It's a small step to take this letter to the board and the board subsequent announcement **to create a de facto endorsement of one group over another**.

Recruitment – Look "far and wide"

A comment is also warranted on the recruitment process – **"Several of us have been approached"** - alluded to in the letter. Is it appropriate for candidates for a position to discuss this amongst themselves or proclaim to a wider audience that they are under consideration? Indeed if several have been approached from within this narrow grouping then how wide has the recruitment process gone? This is precisely the kind of action that **perpetuates the "insiders" culture** that pervades ICANN meetings. The recent appointment of a CEO from outside the ICANN community was done to open up ICANN so please let's ensure the same logic applies to Africa.

An inclusive ICANN African Strategy plan - lacking

All in all, the Strategy for Africa should be a component of the ICANN Strategic Plan in which all of us can participate in its formulation. ICANN should not allow and recognize a small group of **'self-appointed leaders'** to come up with a strategy **which is not in the mainstream without consulting all stake holders that will be impacted**. This is not good for ICANN either. This act could be interpreted as abuse of affiliation or official privileges that may result in a breach of code of conduct.

Avoid Unintended Consequences

The grave consequence is that ICANN through its press release **for this particular internet community group** has publicized an unfettered and complimentary open support for one **".Africa" bidder over another. ICANN cannot and should not be seen as openly supporting one group of community over another, while presiding over the new gTLD program**. We need not emphasize that the press report issued by ICANN has already been interpreted by the public as ICANN's open support and validation to Nii Quaynor and his community groupings in the public domain. The publicity provides for unbalanced and unfair action by ICANN to the bidding.

Final Request – Supporting the Voice of Multi-Stakeholder

Our final request to ICANN Board is to **postpone** this expeditiously constituted so-called "African Strategy" until the final winner of the ".Africa" DotAfrica bid is determined. It is **gravely inappropriate to conduct it while ICANN is presiding over a bid process** in which **both parties have an interest**. This postponement will also give an opportunity for wider consultation.

In addition, even if ICANN has approved any community initiative proposed by an alternate bidding group, any announcement should have been done on the group's website and not ICANNs. Otherwise it will prejudice ICANN's neutrality in the eyes of the global public. This is, particularly the case as ICANN is presiding on the New gTLD process. Therefore, **we request ICANN to immediately remove the press release that is prejudicial to DCA and its wider Stakeholder's group**. Alternatively we request that ICANN publish our group's position declared by this letter, on its website in a form of press release titled **"DCA Calls for a Inclusive ICANN Africa Strategy"**. **This will** assure the African and global public that ICANN is always balanced and not prejudicial.

We are confident that ICANN as we have known and supported it will continue to adhere to the canons of transparency, equity and neutrality. That is the ethos of the multi-stakeholder processes that all of us cherish and actively participate at our great expense and commitment.

Please see attached letter at the end of list of names posted below.

Thanking you in anticipation, as we remain,

Most respectfully yours,

Sbekele

Ms. Sophia Bekele, B.S., M.B.A., C.I.S.A, C.C.S, CGEIT

On Behalf of DCA Global Strategic Advisory Group

For DCA Trust (An Applicant for the DotAfrica (.AFRICA) gTLD, Application ID: 1-1165-42560

- Sophia Bekele, Exec Director, DCA Trust; CEO CBS Intl; Founder ISOC-SF; Ex Advisor to UNECA, Ex. ICANN gNSO Advisor, Ethiopia
- Sammy Buruchera, Ex Chair/Current CEO of Kenic; CEO, Nairobi Net; Director, Kenya ICT Board; Advisor to PM Office- Govt of Kenya
- Dr. Yassin Mansha, Former ICANN - ccNSO Councilor, International Consultant; Sierra Lion
- Chima Onyekwere, CEO of Linkserve, "Father of Nigerian Internet", Nigeria
- Antoine Bigirimana, Intl. Consultant; Rwanda ICT Association (R.I.C.T.A) Advisor, Rwanda
- Michael Macharia, Founder & CEO, SevenSeas Technologies, Kenya
- Anita Soni, Ex MD, World Space ;Chairperson, International Marketing Council; Trustee of "Brand SouthAfrica", South Africa
- James Sirleaf, Former CitiBank; GM Corporate Banking - FiBank Ltd; Banker and Member of the first family of Liberia
- Salim Amin, Founder & Chairman of A24 Media group, Kenya
- Eugene Nyagahene, CEO, Tele 10 Holding Group, Rwanda
- Justin Chinyanta, Chairman & Exec Director, Loita Group Africa Investment, South Africa
- Thiemo- Habib Hann, Partner, FineCAP Partners; Ex, VP Goldman Sachs; Office of the President, Strategic advisor, Govt of Guinea
- Ephrem Beyene, Sr. Technical IT Consultant Information Technology and Services, Ethiopia
- W. G. Barry Ryan, is CEO Of Fintech International Ltd , Kenya
- Dave Teklet, Vice President Group Director, Information Technology Infrastructure and Operations, UAE
- John Bosely, Former Speaker of the House, Canada; Sr. Legal Reform Advisor, Rwanda
- Harry Hary, Executive Director at African eDevelopment Resource Center; Managing Editor CIO, Kenya
- Yang Yu, Director, International Relations, China Organizational Name Administration Center (CONAC), China
- Dr. Tan Tin Wee, Ass. Prof, National University of Singapore; Co-Inventor of IDN; Inductee Internet Hall of Fame, Singapore
- Yoav Karen, CEO DomainTheNet; EX- ICANN President Advisory Mem-IDN; ICANN gNSO Advisor (2012); Ex Sr. Advisor to M-PM Off, Israel
- Prof. S. Subbiah Subramanian; EX ICANN-IDN Advisor; Chairman and Co-Founder of IDN, Singapore
- Nebiyu Yosef, Sr, System Architect, AT&T Telecom, USA
- David Fick, Author of *African Entrepreneurs in the 21st Century, Their Stories of Success, USA*
- Hailu Mengiste, Director-Product Engineering, NEC, USA
- Zaid Ali, Principle Engineer at Linked-in; ISOC-SF President, USA
- Phillip Corwin, Founding Principal at VirtuaLaw LLC; Legal counsel for the Internet Commerce Association (ICA) , USA
- Marakinesh Kassaye, Ex Acct Manager, World Space; International specialist USAID, Africa bureau, USA
- Tibebegebriel Goshu, Sr. Consultant, UNFCCC, Infrastructure and Support Services at United Nations, Germany

Attach: Letter to CEO, Akram Atallah regarding ICANN Prague Meeting

Letter from Nii Quaynor to ICANN Board, March 2012