



August 19, 2013

The President/Chief Executive Officer  
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:** *Official Notification of our intention to commence Independent Review Process (IRP) Panel Proceedings with ICANN following recent ICANN Board NGPC Decision accepting the BGC Recommendation not to approve our Reconsideration Request 13-4: DotConnectAfrica Trust*

We hereby write to officially communicate our intentions to seek accountability through the mechanism of an Independent Review Process (IRP) Panel proceedings with the Internet Corporation for Assigned Names and Numbers (ICANN).

As you are aware, DotConnectAfrica Trust had applied for the .Africa generic Top-Level Domain name (Application ID: 1-1165-42560) under the auspices of the ICANN new gTLD Program. Our application had received a GAC Objection Advice that was contained in the Beijing GAC Advice of 11<sup>th</sup> April 2013. The GAC Advice was considered and accepted by the ICANN Board NGPC via its 4<sup>th</sup> June 2013 Resolution (No. 2013.06.04.NG01) that was publicly communicated on 6<sup>th</sup> June 2013. The NGPC Response indicated that DCA's application would not be approved, and mentioned that (omit the) *"the applicant may withdraw (pursuant to AGB Section 1.5.1) or seek relief according to ICANN's accountability mechanisms (See ICANN Bylaws, Articles IV and V) subject to the appropriate standing and procedural requirements."*

DCA Trust had communicated its decision of not intending to withdraw from the new gTLD Program and had instead, submitted a reconsideration request dated 19<sup>th</sup> June 2013 asking for the ICANN Board NGPC decision to be reconsidered as per the stipulations contained in the ICANN By-laws, Article IV, Section 2 (Reconsideration).

We understand that our reconsideration request was not recommended for approval by the ICANN Board Governance Committee (BGC) based on its written report dated 1<sup>st</sup> August 2013 (available at <http://www.icann.org/en/groups/board/governance/reconsideration/recommendation-dca-trust-01aug13-en.pdf>) and the BGC recommendation was subsequently adopted by the ICANN Board NGPC on 13<sup>th</sup> August 2013. The NGPC action to adopt the BGC recommendation is available at <http://www.icann.org/en/groups/board/documents/resolutions-new-gtld-13aug13-en.htm#1.c>

We wish to officially state our position that we do not agree with the BGC Recommendation, and we believe that so far, the ICANN Board decision regarding our application has not been subjected to proper accountability since a wide gulf already exists (and continues to exist) between our understanding and the understanding of ICANN on this matter.



We also understand there is a possibility to resolve such through arbitration by a third-party that is jointly empowered to independently review and adjudicate on the ICANN Board decision that we have continued to question.

Accordingly, we hereby wish to notify you of our intention to commence Independent Review of your Board action. This will be done pursuant to Article IV, Section 3 – Independent Review of Board Actions - as stipulated in the ICANN Bylaws-

Yours sincerely,

*For & On Behalf of DotConnectAfrica Trust*

*Sbekele*

Ms. Sophia Bekele, B.S., M.B.A., C.I.S.A, C.C.S, CGEIT  
DotConnectAfrica Trust (Applicant for the .Africa gTLD) Application ID: 1-1165-42560

cc: Cherine Chalaby, Chair, New gTLD Program Committee  
cc: John Jeffrey, ICANN General Counsel & Secretary  
cc: Susanna Bennett, ICANN Chief Operating Officer