

# EXHIBIT 1

**From:** sara@bnslawgroup.com  
**Sent:** March 01, 2016 11:12 PM  
**To:** jlevee@JonesDay.com  
**Cc:** 'Ethan Brown'; kete@bnslawgroup.com; rzernik@jonesday.com; kwallace@jonesday.com  
**Subject:** DCA v. ICANN

**Importance:** High

Counsel,

Please be advised that tomorrow (March 2, 2016) DCA will file an *ex parte* application for a temporary restraining order if you do not confirm in writing to us by tomorrow at 10.30 a.m. that ICANN will refrain from doing anything with respect to delegating the rights to .Africa until the Court has ruled on DCA's preliminary injunction motion.

Best,

Sara Colón  
*Partner*



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11766 Wilshire Blvd., Suite 1670  
Los Angeles, CA 90025  
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Tel. (310) 593 9890  
[sara@bnslawgroup.com](mailto:sara@bnslawgroup.com)

# EXHIBIT 2

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 2 *dkesselman@kbslaw.com*  
 3 Amy T. Brantly (SBN 210893)  
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 6 1230 Rosecrans Ave., Suite 690  
 7 Manhattan Beach, CA 90266  
 8 Telephone: (310) 307-4555  
 9 Facsimile: (310) 307-4570  
 10 *Attorneys for Defendant*  
 11 **ZA Central Registry, NPC**

12 **UNITED STATES DISTRICT COURT**  
 13 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

14 DOTCONNECTAFRICA TRUST, a  
 15 Mauritius Charitable Trust,

16 Plaintiff,

17 v.

18 INTERNET CORPORATION FOR  
 19 ASSIGNED NAMES AND  
 20 NUMBERS; a California corporation;  
 21 ZA Central Registry, a South African  
 22 non-profit company; DOES 1 through  
 23 50, inclusive,

24 Defendants.

CASE NO. 2:16-cv-00862 RGK (JCx)

*Assigned for all purposes to the  
 Honorable R. Gary Klausner*

**DECLARATION OF MOKGABUDI  
 LUCKY MASILELA IN SUPPORT  
 OF DEFENDANT ZACR’S MOTION  
 TO RECONSIDER AND VACATE  
 PRELIMINARY INJUNCTION  
 RULING**

[Notice of Motion and Motion to  
 Reconsider and Vacate Preliminary  
 Injunction Ruling; Memorandum of  
 Points and Authorities; Declaration of  
 David W. Kesselman; and [Proposed]  
 Order Filed Concurrently Herewith]

Date: June 6, 2016  
 Time: 9:00 a.m.  
 Location: Courtroom 850



1 things, ICANN made clear that because the .Africa gTLD represented the name of  
2 a geographic region, an applicant would need to provide documentation showing  
3 support from at least 60% of the governments in the region. Further, ICANN  
4 criteria provided that no more than one objection from a government or public  
5 entity associated with the geographic region would be permitted. These criteria  
6 are set forth in ICANN Application Guidebook Module 2, and available online at:  
7 <http://newgtlds.icann.org/en/applicants/agb> par 2.2.1.4.2.4.

8 6. ZACR submitted its application to ICANN with the full support of  
9 African Union member states via the African Union Commission (“AUC”)  
10 endorsement. Specifically, the AUC, which serves as the Secretariat of the  
11 African Union, provided a letter supporting ZACR’s application. A true and  
12 correct copy of the July 2, 2013 AUC letter is attached as **Exhibit A**. In addition,  
13 the only nonmember, Morocco, separately provided a letter supporting ZACR’s  
14 application. A true and correct copy of the March 28, 2012 Moroccan letter of  
15 support is attached as **Exhibit B**.

16 7. ZACR received the support of the African Union only after the AUC  
17 publicized a request for proposal (“RFP”). This was an open bid process. The  
18 AUC made clear that it was only going to support one applicant. By way of  
19 background, the AUC RFP process began because it was well known that ICANN  
20 was considering a new gTLD program, including .Africa. It was in anticipation of  
21 this new gTLD program that the AUC decided to hold an RFP to support a single,  
22 qualified applicant for the African Union. This is because the AUC was  
23 specifically mandated by member states to set up the structures and modalities for  
24 the implementation of the dotAfrica (.Africa) gTLD. Details of the process are  
25 set forth in the September 29, 2015 AUC letter attached hereto as **Exhibit C**. This  
26 letter is also available at: <http://africainonespace.org/downloads/GNP.PDF>  
27  
28

1           8.     I was informed by AUC officials that Plaintiff DotConnectAfrica  
2 Trust (“Plaintiff”) chose not to participate in the RFP. Ultimately, ZACR  
3 prevailed in the RFP process and received the support of the AUC in its  
4 application for the .Africa gTLD.

5           9.     Attached as **Exhibit D** are the 17 “Early Warning Notices” from  
6 individual African countries to Plaintiff’s application. These “Early Warning  
7 Notices” are also available online at:  
8 <http://africainonespace.org/content.php?tag=13&title=Resources>

9           10.    The Registry Agreement between ICANN and ZACR was effective  
10 on March 24, 2014 and runs for ten years. Yet, over two years into the  
11 Agreement, the .Africa gTLD has still not been delegated to ZACR. In effect,  
12 20% of the period of the Agreement has already lapsed without any benefit to  
13 ZACR. This delay has resulted in unforeseen and mounting costs, as well as lost  
14 opportunities, for the .Africa project.

15           11.    ZACR has incurred considerable expenses both prior to and after  
16 entering into the Registry Agreement. The current and continuing cost due to the  
17 delay in the delegation is running at approximately \$20,000 per month. This is  
18 based upon a review of the monthly costs incurred during the last 10 months for  
19 the .Africa project, including the ongoing costs related to consultants, marketing,  
20 sponsorships and related expenses. The importance of maintaining visibility for  
21 the .Africa project, coupled with the ongoing need to interface with government  
22 officials throughout the African continent, makes clear that these ongoing  
23 expenses will continue during the course of this litigation. In determining these  
24 figures, we averaged the monthly expenses for the .Africa project and where  
25 necessary converted expenditures from South African Rand to U.S. dollars.

26           12.    The Loss of Net Income after Tax (opportunity costs) suffered by  
27 ZACR from the date of the planned delegation following the Registry Agreement  
28

1 through May 1, 2016, are now estimated to be approximately \$15 million (U.S.  
2 dollars). Of that amount, approximately \$5.5 million would have been donated to  
3 the dotAfrica Foundation for African online development. Until such time as  
4 delegation takes place, the .Africa gTLD in effect stagnates and generates no  
5 income and no value in the marketplace. The ongoing delay is also prejudicial to  
6 the gTLD itself (no matter who the operator is) in that the initial interest  
7 surrounding the launch of this domain name will have faded, and persons who  
8 may have sought to register will have lost interest.

9 13. Once a gTLD is delegated it starts increasing in value. The gTLD is  
10 at its lowest value prior to delegation and increases as the number of second level  
11 domain delegations (for example: xyz.africa) increases. If Plaintiff is redelegated  
12 the .Africa gTLD, it will suffer no irreparable harm as it will inherit a more  
13 valuable gTLD without incurring the cost to develop it.

14 14. In my role as ZACR's CEO, and based upon my numerous and  
15 ongoing discussions with political, business and civic leaders from throughout the  
16 African Union, it is my firm understanding and belief that the ongoing delay in the  
17 delegation of .Africa is depriving the people of the Africa continent of an  
18 important opportunity to expand internet domain name capabilities. The .Africa  
19 domain name would add brand value to the continent and would provide a  
20 platform that connects products, businesses and individuals that have interests in  
21 Africa. The African people are further harmed because the agreement between  
22 ZACR and the AUC required that a foundation be created upon delegation and  
23 that a significant portion of the revenues received from second level domain  
24 delegations (for example: xyz.africa) be directed to the "dotAfrica Foundation."  
25 The Foundation would use the revenues to fund various African domain name and  
26 Internet related developmental projects which are now delayed as a result of the  
27 preliminary injunction.  
28



1           15. I am aware that ICANN builds in time limits in its gTLD registry  
2 agreements. I am further informed, based upon my experience in the industry and  
3 discussions with technical personnel within ZACR, that a re-delegation of a gTLD  
4 is entirely feasible. In fact, ICANN has prepared for this precise eventuality and  
5 issued a manual in 2013 providing step-by-step instructions for how to redelegate  
6 a gTLD. The manual, titled “User Documentation on Delegating and  
7 Redelegating a Generic Top Level Domain (gTLD),” makes clear that the process  
8 is available and feasible if necessary. A true and correct copy of the manual is  
9 attached hereto as **Exhibit E**. It is also available on ICANN’s website:  
10 <https://www.icann.org/en/system/files/files/gtld-drd-ui-10sep13-en.pdf>

11           16. ZACR has never operated in California. ZACR has no personnel, no  
12 offices, no bank accounts, and maintains no operations in California. ZACR has  
13 no telephone listings or mailing addresses in California.

14           17. I have read Plaintiff’s First Amended Complaint, including the  
15 allegations against ZACR. Contrary to what is asserted in the First Amended  
16 Complaint, there was no fraud or conspiracy between ZACR and ICANN. Nor  
17 was there any fraud or conspiracy with the AUC. Similarly, there was no  
18 interference with Plaintiff’s application to ICANN. At all times, ZACR competed  
19 fairly and abided ICANN’s procedures in seeking the award for the generic top  
20 level domain .Africa.

21           I declare under penalty of perjury under the laws of the United States of  
22 America that the foregoing is true and correct.

23 Executed this 6 day of May 2016 at Georgetown DC.

24 

25 \_\_\_\_\_  
26 MOKGABUDI LUCKY MASILELA

27  
28

# **EXHIBIT A**

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Ref.: CIE/L/20/237.13

Date: 2<sup>nd</sup> July 2013

Mr. Fadi Chehade,  
President and CEO  
Internet Corporation  
For Assigned Names and Numbers (ICANN)  
Tel: +1 310 301 5800  
Fax: +1 310 823 8649  
Email: [Chehade@icann.org](mailto:Chehade@icann.org)

Subject: Letter for support for the .Africa (dotAfrica) TLD application, (ID 1-1243-89583) submitted by the UniForum SA (NPC) t/a Registry.Africa.

Dear Mr. President and CEO,

This letter serves to confirm that the African Union Commission (AUC) fully supports and endorses the application for the .Africa (dotAfrica) TLD string (Application ID 1-1243-89583) submitted to ICANN by UniForum SA (NPC) trading as Registry .Africa in the New gTLD Program. Furthermore as the relevant government authority for the purpose of the above application, the AUC hereby confirms that it represents the interests and support of 54 African governments

As you may be aware, the AUC is comprised of various Portfolios, namely Peace and Security; Political Affairs; Infrastructure and Energy; Social Affairs; Trade and Industry; Rural Economy and Agriculture; Human Resources, Science and Technology; and Economic Affairs.

As the Commissioner, I confirm that I have the authority of the African Union Commission and African member states to be writing to you on this matter. The African Union Commission is the Secretariat of the African Union entrusted with executive functions. The AUC represents the African Union and protects its interest under the auspices of the Assembly of the Heads of States and Government.

In terms of the .Africa (dotAfrica) TLD, the AUC operates under a specific mandate from African Member States as outlined in the Abuja Declaration (Third Conference of African Ministers in Charge of Communications and Information Technologies, held in Abuja, Nigeria in August 2010).

In terms of the above ministerial declaration the AUC has been requested to "set up the structure and modalities for the Implementation of the dotAfrica project". This has in turn commenced an extensive and on-going governmental engagement process by the AUC concerning the .Africa (dotAfrica) TLD, as is evidenced by, amongst others:

- The individual government letters of support and endorsement for the AUC initiated application process; and

**ARISE!**

**1 AFRICA 2063**  
PROSPERITY & PEACE

Addis Ababa, Ethiopia, P.O. Box: 3243, Tel.: (251-11) 5182402 Fax: (251-11) 5182400 Web: [www.au.int](http://www.au.int)

A handwritten signature in blue ink, appearing to be 'SC'.

- The overwhelming government support and participation in the GAC (Government Advisory Committee) processes concerning Early Warnings and Advice.

The primary objective of the .Africa (dotAfrica) gTLD string is: "to establish a world class domain name registry operation for the .Africa Top Level Domain (TLD) by engaging and utilising African technology, know-how and funding; for the benefit and pride of Africans; in partnership with African governments and other ICT stakeholder groups."

Our collective mission is to establish the .Africa (dotAfrica) TLD as a proud identifier of Africa's online identity fairly reflecting the continent's rich cultural, social and economic diversity and potential. In essence we will strive to develop and position the .Africa (dotAfrica) TLD as the preferred option for individuals and business either based in Africa or with strong associations with the continent and its people.

The .Africa (dotAfrica) TLD represents a unique opportunity for Africa to develop and enhance its domain name and Internet eco-systems and communities by collaborating with each other to:

- Identify, engage and develop African-based specialist skills and resources
- Share knowledge and develop DNS thought-leadership; and
- Implement world class registry standards and contribute towards their continued development.

The AUC has worked closely with the applicant, UniForum SA t/a Registry.Africa), concerning the preparation and lodgment of the TLD application and will continue to do so throughout the launch and regular administration of the .Africa (dotAfrica) TLD.

The AUC supports this application, and in doing so, understands that in the event that the application is successful, UniForum SA (NPC) trading as Registry .Africa will be required to enter into a Registry Agreement with ICANN. In doing so, they will be required to pay fees to ICANN and comply with consensus policies developed through the ICANN multi-stakeholder policy processes.

The AUC further understands that, in the event of a dispute between the African Union Commission and applicant, ICANN will comply with a legally binding order from a court in the jurisdiction of the AUC.

The AUC understands that the Geographic Names Panel (GNP) engaged by ICANN, will, among others, conduct a due diligence on the authenticity of this documentation. I would request that if any additional information is required during this process, the GNP to contact my office in the first instance.

Thank you for the opportunity to support this application.

**Dr. Elham M.A. IBRAHIM (Mrs)**  
Commissioner  
Infrastructure and Energy

**ARISE!**

**1 AFRICA 2063**  
PROSPERITY & PEACE

# **EXHIBIT B**



Royaume du Maroc  
Ministère de l'Industrie,  
du Commerce et des  
Nouvelles Technologies



#3506 المملكة المغربية  
وزارة الصناعة  
والتجارة  
والتكنولوجيات الحديثة

28 MARS 2012

(Courtesy Translation)

To : Mr. Rod BECKSTROM  
CEO of ICANN  
Marina Del Rey, CA, USA

**Subject:** ICANN / allocation of the new gTLD extension dotAfrica.

I have the honor to inform you that the Kingdom of Morocco has taken note of the launch process for new gTLD extensions by the Internet Corporation for Assigned Names and Numbers (ICANN) and commends its efforts for the success of this new initiative that shall expand the scope of the Internet for the promotion of economy, trade and culture in the world.

In this context, the allocation of dotAfrica represents an opportunity for the African continent to have a new gTLD extension, to serve as a tool for developing the industry of domain names in Africa, promoting economic, commercial and cultural interests among African governments with the participation of communities of Internet users in Africa.

The Kingdom of Morocco attaches great importance to the establishment of good governance of the Internet in Africa, based on the principles of transparency, neutrality, and solidarity, away from any political bidding or instrumentalization against the interests of the African member states of the United Nations Organization.

The Kingdom of Morocco is willing to contribute to the success of the new gTLD extension "dotAfrica", provided that the rules and procedures for registering domain names under the new extension subscribe to the principles defended by ICANN, and respect the sovereignty and territorial integrity of the African member states of the United Nations Organization, in accordance with the relevant GAC communiqués.

In this context, the Kingdom of Morocco supports the establishment of a steering committee, whose methods of operation and decision making should be based on collegiality and consensus. Further, the responsibilities of the steering committee shall include the establishment of a "Terms of use" of this domain name, provided that this Committee shall include representatives from Morocco.

Considering the above, and after examining the support request by the company UNIFORM ZACR, consistent with the principles mentioned above, the Government of the Kingdom of Morocco supports the application of this company concerning the gTLD "dotAfrica".

Best regards.

Le Directeur de l'Economie  
Numérique

Signé : Boubker Seddik BADR

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الهاتف : +212 5 37 66 96 00 / 76 52 27  
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# **EXHIBIT C**



AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Ref.: CIE/L/02/360.15.15

Date: 29 September 2015

**Attention: Geographic Names Panel (GNP)**

**ICANN, New gTLD Application Program**

12025 Waterfront Drive, Suite 300

Los Angeles, CA 90094-2536

USA

[newgtld@icann.org](mailto:newgtld@icann.org)

**Subject: Clarification of the position of the African Union Commission (AUC) and the United Nations Economic Commission for Africa (UNECA) on the matter concerning the application of the dotAFRICA (.AFRICA) Top Level Domain and how this relates to support from relevant governments in terms of the new gTLD Applicant Guidebook.**

Dear Sirs,

The African Heads of States, through the Oliver Tambo Declaration of 5<sup>th</sup> November 2009, expressed the need to prioritise the delegation of a new continental geographic Top Level Domain Name, dotAFRICA (.Africa).

In addition, African ICT Ministers issued a directive to the African Union Commission (AUC), contained in the Third Ordinary Session Abuja Declaration 2010, to '*set up the structures and modalities for the implementation of the DotAfrica (.AFRICA) Project*'.

In order to fulfil this mandate by African governments, the AUC in an open and transparent process, on 12 May 2011, called for all interested parties to submit 'Expression(s) of Interest' (EOI) to manage the .Africa TLD. This process was then followed by a call for proposals (RFP), which culminated in the appointment of UniForum SA (now referred to as the ZA Central Registry 'ZACR') as the successful applicant to carry the endorsement and support of the AUC during the new gTLD process to apply for the dotAFRICA (.Africa) TLD.

To be clear, the application submitted by ZA Central Registry (ZACR) trading as Registry. Africa [1-1243-89583] is the only application officially endorsed and supported by the AUC and hence African member states. The AUC officially endorsed the ZACR application in our letter dated 4 April 2012, which was followed by our letter of support dated 2 July 2013.


We have also written to ICANN on numerous occasions confirming our official position on this matter. Our position has also regularly been communicated to our colleagues within the Government Advisory Committee (GAC), which ultimately resulted in 17 (seventeen) Early Warning notices and Consensus GAC Advice being issued against a competing application submitted by DotConnectAfrica Trust (DCA) [application ID: 1-1165-42560].



As you are aware, according to the Applicant Guidebook, the process of submitting applications to ICANN for geographic TLDs requires written support from over 60% of the relevant governments and/or governmental authorities. The purpose of this letter is to clarify the issue of government support for the dotAFRICA (.Africa) TLD application in terms of ICANN new gTLD application process. This is particularly relevant in your evaluation of the DCA application and whether it meets the minimum requirements for government support.

1. Any reliance by DCA in its application [application ID: 1-1165-42560], proclaiming support or endorsement by the AUC, must be dismissed. The AUC does not support the DCA application and, if any such support was initially provided, it has subsequently been withdrawn with the full knowledge of DCA even prior to the commencement of ICANN's new gTLD application process. My office stands ready to engage with the GNP to clarify and affirm this position if this is required.
2. Any reliance by DCA in its application [application ID: 1-1165-42560], proclaiming support or endorsement by the United Nations Economic Commission for Africa (UNECA), must be dismissed. The UNECA, by its own acknowledgement, does not have the mandate or authority to represent the support of African governments on this matter. Please refer to the attached letter from the UNECA, signed by Ms. Sandra Baffoe-Bonnie (Secretary of the Commission and Legal Advisor) confirming this position.
3. Any reliance by DCA in its application [application ID: 1-1165-42560], proclaiming support or endorsement from any individual African member state, must be treated with utmost caution and sensitivity. Member states are signatories to the Oliver Tambo Declaration and the ICTs Ministers Abuja Declaration and as such they support the position of the AUC on this matter as outlined above. We urge the GNP to carefully test the veracity and relevance of any such letter of support from an African member state before placing reliance thereon. My office stands ready to assist the GNP to clarify and affirm the validity and relevance of any such letter with the applicable member state.
4. To further amplify the position of African member states, as represented by the AUC, on the matter of the dotAFRICA (.Africa) TLD, I attach the latest Declaration issued by African ICT Ministers in Addis Ababa during September 2015.

Please accept, Dear Sirs, the assurance of my highest consideration

  
**Dr. Elham M.A. IBRAHIM (Mrs)**  
Commissioner for  
Infrastructure and Energy



**AFRICAN UNION**

**الاتحاد الأفريقي**



**UNION AFRICAINE**

**UNIÃO AFRICANA**

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**FIRST ORDINARY SESSION OF THE AFRICAN UNION  
SPECIALIZED TECHNICAL COMMITTEE ON  
COMMUNICATION AND INFORMATION TECHNOLOGIES (STC-CICT)  
ADDIS ABABA, ETHIOPIA,  
31 AUGUST – 4 SEPTEMBER 2015**

**AU/STC-CICT-1/MIN/Decl.(I)Rev 1**

**2015 ADDIS ABABA DECLARATION  
STC - CICT 1**

## 2015 ADDIS ABABA DECLARATION STC CICT 1

### PREAMBLE

**We, the Ministers in charge of** Communication and Information and Communication Technology (CICT) and Postal Services meeting in our First Ordinary Session of the Specialized Technical Committee on Communication and Information & Communication Technologies (**STC-CICT-1**) in Addis Ababa, Federal Democratic Republic of Ethiopia, from 3 to 4 September 2015;

**Guided by** the Constitutive Act of the African Union (AU);

**Recalling** the Assembly Decisions Assembly/AU/Dec.227 (XII) and Assembly/AU/Dec.365 (XIVI) adopted in January 2009 and July 2011 respectively on the configuration of the Specialized Technical Committees (STCs) and the modalities for their operationalization;

**Bearing in mind** the Declaration Assembly/AU/Decl.1 (XIV) adopted by the 14<sup>th</sup> Ordinary Session of the Assembly of the African Union on Information and Communication Technologies in Africa, Challenges and Prospects for Development, held in Addis Ababa, Ethiopia, in February 2010;

**Considering** the Assembly Declaration, Assembly/AU/Decl.2 (XVIII) adopted by the 18<sup>th</sup> Ordinary Session of the Assembly of the African Union held in Addis Ababa, Ethiopia, in January 2012, on the Programme for Infrastructure Development in Africa (PIDA);

**Recalling** the decision Assembly /AU/Dec.508 (XXII) of the African Union held in January 2014, Addis Ababa, Ethiopia, endorsing the SMART Africa Manifesto and its implementing framework;

**Recalling** the Decision Assembly /AU/Dec. 533 of the XX III Assembly of the African Union held in June 2014, in Malabo, Equatorial Guinea, which requested the creation of an African Technical Committee for the Information and Media Society to guide Member States in their transition towards the full digital broadcasting;

**Recalling** the decision Assembly/AU/Dec.558 (XXIV), Assembly of the African Union held in January 2015 in Addis Ababa, Ethiopia on the creation of an African Center for Information Technologies;

**Considering** the decision Assembly /AU/Dec.563 (XXIV) of the African Union Assembly held in January 2015 in Addis Ababa, Ethiopia, welcoming the One Africa Network Initiative and recommending Member States to adopt and roll out this initiative;

**Considering** the decision of the 5<sup>th</sup> Session of the Assembly of Heads of State and Government held in July 2005, in Sirte, Libya on the establishment of a Pan-African Radio and Television Channel - Doc. EX.CL/205 (VII);

**Considering** the Decision of the Executive Council on the AU Conference Of Ministers Of Information and Communication towards the Establishment of the Pan African Radio and TV Channels - EX.CL/ Dec.296 (IX) - Doc. Ex. CL / 266 (IX), Banjul, Gambia June 2006;

**Recalling** the Decision of the Executive Council (EX.CL/Dec.505 (XV), Sirte, Libya July 2009 on the set up of a Pan African Media Observatory;

**Noting** that the current situation of the Communication and ICT subsectors in Africa still face many challenges despite the very significant gains in some areas and in particular segments of the African Media landscape, Telecoms/ICT and postal services;

**Reaffirming** that Communication and ICT are key to Africa’s development and economic competitiveness and in the attainment of the African Union Vision and the goals of the Agenda 2063;

**Further noting** that Communication and ICT including cyber security and the issues of Internet Governance represent an opportunity to develop an Information Society and enhance right means to catch up with the rest of the developed world in several areas of the human and socio-economic development in Africa ;

**Considering** that Africa should have its own voice to speak to the world, tell its own story from its own perception and in its own words;

**Welcoming** the configuration and operationalization of the Specialized Technical Committee on Communication and ICT (STC-CICT);

**Taking note** of the Report of the Experts’ Session held in Addis Ababa, Ethiopia from 31<sup>st</sup> August to 2 September 2015;

**Having** elected the following bureau of the STC-CICT:

<b>WEST AFRICA</b>	
<b>Mali</b>	Chair of the Bureau
<b>EAST AFRICA</b>	
<b>Tanzania</b>	1 <sup>st</sup> Vice Chair of the Bureau
<b>CENTRAL AFRICA</b>	
<b>Gabon</b>	2 <sup>nd</sup> Vice Chair of the Bureau
<b>NORTHERN AFRICA</b>	
<b>Algeria</b>	3 <sup>rd</sup> Vice Chair of the Bureau
<b>SOUTHERN AFRICA</b>	
<b>South Africa</b>	Rapporteur of the Bureau

**HEREBY COMMIT OURSELVES TO:**

1. **CONTINUE** to promote the implementation of previous Decisions and Declarations adopted by the Assembly of the African Union, the Executive Council and the African Union Conference of Ministers in charge of Communication and Information & Communication Technologies, particularly those relating to the:



- Establishment of Pan African Radio and Television Channels;
  - AU Communication and advocacy Strategy 2014-2017;
  - AU Branding Campaign;
  - Agenda 2063 and its Communication Strategy;
  - African media development initiatives (Pan African Media Observatory, Pan African Media Network and Pan African Media Portal);
  - Safety and Protection of African Journalists;
  - Pan African Platform on Access to Information (APAI);
  - Program for Infrastructure Development in Africa (PIDA);
  - Implementation of Dot Africa;
  - African Internet Exchange Point (AXIS);
  - Harmonization of Policies and Regulation;
  - Action Plan for the Development of the Postal Sector in Africa notably the addressing and the postcodes system, the connectivity and electrification of Post offices in rural areas, and the financial inclusion of the low-income population;
  - Pan African e-Network for Tele medicine and Tele education (PAeN);
  - SMART Africa Manifesto;
  - One Africa Network Initiative;
2. **WORK** together towards adopting a common position and harmonized policies on the use common scarce resources such as orbital slots, spectrum, Domain Name Systems;
  3. **COMMIT** to collaborate with relevant local and international stakeholders on the Internet Governance, Cybersecurity and Cyber criminality;
  4. **WORK** with our counterparts Ministers in charge of transport and energy to ensure the deployment of ducts for fiber optic on national and regional infrastructure network roll-outs;
  5. **INTEGRATE** the Development of African local Content in all our strategies related to Communication and ICT;
  6. **DEVELOP** and implement policies on access to information, freedom of expression and the safety of journalists; strengthen the capacity of African media personnel and reinforce the Pan African media landscape;
  7. **JOIN** efforts to enforce the visibility of the symbols and image of the AU at national levels;
  8. **STRENGTHEN** the cooperation with the African private sector for mobilization of resources for Communication and ICT projects especially in rural and remote areas;
  9. **PROMOTE** and attract investment in communication and ICT sectors for localisation;
  10. **ENCOURAGE** development partners to fully support the implementation of the continental joint initiative for the connectivity of Post Offices;

**HEREBY REQUEST MEMBER STATES TO:**

11. **PROVIDE** all required support to the African Union Commission (AUC) as the only vehicle for the implementation of Dot Africa and withdraw all supports provided to competing applications to the one championed by AUC;
12. **COORDINATE** efforts in collaboration with the Regional Economic Communities (RECs) regarding the modalities of the establishment of the Pan African TV and Radio channels as well as the promotion of African content exchange platforms to develop local content;
13. **AUTHORISE** the establishment of a working group / follow-up Committee to examine the Study Report of the Pan African Radio and TV channels , discuss the modalities of its operationalization, including the funding models and agree on the proposed scheme of setting up, based on the Member States" inputs and comments;
14. **WORK** in consultation with AUC on the implementation and ownership of the AU communication and Advocacy strategy, and the AU branding campaign;
15. **WORK** together to own the AU Agenda 2063, to position it in the mind of all African citizen, and to contribute to its implementation and domesticate its communication strategy by mobilizing African citizens around its objectives and programmes ;
16. **ACCELERATE** the signature and the ratification of the AU Convention on Cyber Security and Personal Data Protection and the development of National Cyber-Security legislations and creation of national and regional Computer Emergency Response Team (CERT) and/or Computer Incident Response Team (CIRT);
17. **PREPARE** strategies and plans for the migration from IPv4 to IPv6;
18. **WELCOME** the creation of Network of Journalists for Peace and Security in Africa (NetPeace) and work towards the finalization of the draft strategy for African Journalists Safety and Protection;
19. **PROMOTE** national and regional Internet Governance Forum (IGFs) through provision of technical and financial resources and participation in their activities;
20. **CONTRIBUTE TO** the finalization of the draft proposed outer space policy and strategy;
21. **NOTE** the efforts made by AUC to ensure the sustainability of the Pan African e-Network for Tele Medicine and Tele Education (PAeN) and commend the Indian Government for the extension of its assistance to the PAeN;
22. **NOTE** the importance of the sustainability of the network (PAeN) and services upon its transfer to the African Party;
23. **CONSIDER** the Option 1 of the PAeN Sustainability Action Plan as viable option and exhort Member States notably those who have signed the PAeN agreements to contribute to the financing and participate in the implementation of the PAeN Sustainability Action Plan. The amount of the contribution of each participating

Member State should take into consideration the total budget and also the level of use of services by this Member, after further consultations on the matter through appropriate channels. Contributions should be made before the date of the transfer to the African Party.

24. **REQUEST** the AUC in collaboration with the STC-CICT Bureau to set up the structures of governance in charge of the management of the PAeN as per the Sustainable Action Plan,,s OPTION 1 after its hand over to the African Party;
25. **PROMOTE** and respect the principles in the declaration on the Pan African Platform on Access to Information (APAI) while not contradicting national sovereignty and celebrate the 28 September as “**African Right to Information Day**”
26. **SUPPORT** and accelerate the implementation of the local content exchange network MEMOS (**Multimedia Exchange Network Over Satellite**) on continent wide by facilitating access to financing sources to the African Union of Broadcasting and its Members;
27. **SUPPORT** the African Union of Broadcasting for the procurement at affordable price of broadcasting rights for sport events and take in charge the Memorandum established to that end by the African Union of Broadcasting;
28. **EXHORT** Member States to : (i) incorporate addressing and postcode systems project in national development plans and adopt and publish strategies for their smooth implementation, (ii) take ownership of the project on electrification and connectivity of Post offices in Africa with the view to leveraging postal networks for socio-economic development of rural and remote areas in Africa and, (iii) make required resources available through avenues such as national budget, universal service funds, public-private partnerships, international development partners, etc., to upgrade and improve postal infrastructure by ensuring post offices have access to stable energy supply and are connected to internet, so as to deliver social and financial inclusion;
29. **ENCOURAGE** Member States and the Pan African Postal Union (PAPU) to explore the utilization of the Regional African Satellite Communications Organization (RASCOM) solution in implementing the project on Electrification and Connectivity (ECP) of Post Offices in Africa;
30. **ACCELERATE** the implementation of the Smart Africa Manifesto (Decision Assembly AU//Dec/.508(XXII));

**ALSO REQUEST:**

31. **Member States** to consider the use of RASCOM’s solution in the implementation of national, regional and continental ICT development policies and projects;
32. **Member States** which have not yet sent a letter to the US State Department approving the amendment to article XII (c) (ii) of the International Telecommunication Satellite Organization (ITSO) Agreement, to do so;
33. **Member States** to participate in the rolling out the “One Africa Network” as per the

Decision of the AU Assembly (Assembly /AU/Dec.563 XXIV) adopted in January 2015;

34. **The African Telecommunication Union (ATU)** in collaboration with the Member States, RECs and AUC as well as other concerned stakeholders to:
  - Note that African Common Position discussion on the C Band are ongoing
  - Urge Member States to actively participate in World Radiocommunication Conference 2015 (WRC-15) and continue to support the African Common Position submitted to the International Telecommunication Union (ITU)
  - Pursuit studies related to C Band current (re)allocation until an alternative solution is found and adopted to fulfill the current need of satellites services;
35. **Member States** to support spectrum allocation at WRC-15 to enable Global Flight Tracking;
36. **The United Nations Economic Commission for Africa (UNECA)** to provide AUC with all required support for the implementation of Dot Africa including the withdrawal of all support provided earlier to any other entity on matters related to dot Africa;
37. **The Pan African Postal Union (PAPU)** in collaboration of the Member States, RECs and AUC to develop a continental project on addressing systems and mobilize the required resources to assist Member States with the implementation;

**FURTHER REQUEST THE AFRICAN UNION COMMISSION TO:**

38. **STUDY** practical modalities to create a structure for coordinating production/coproduction and exchange of contents among Member States Broadcasting channels;
39. **ENSURE** the follow up of the signing and ratification by Member States of the African Union Convention on Cyber-Security and Personal Data Protection;
40. **SUBMIT** ad hoc reports on: (i) the Addressing and postcode systems to other pertinent STCs namely to the Committee on Finance, Economic Planning and Integration and/or to the Committee on Public Services, Local Government Urban Development and Decentralization for further support and, (ii) the electrification and connectivity of Post offices to the Committee on Finance, Economic Planning and Integration, and to the Committee on Transport, Transcontinental and Interregional Infrastructures , Energy and Tourism;
41. **MONITOR AND REPORT** in collaboration with UNECA on the implementation of the resolution 924 (XLVII) of the joint AU and UNECA Conference of Ministers of Economy and Finances (CAMEF);
42. **PARTICIPATE** in the Regional IGF in collaboration with UNECA and the RECs;
43. **CONTRIBUTE** to implementing the “One Africa Network Initiative” by supporting the creation of a Working Group on the technical, legal and strategic details for the implementation of the initiative and submit in collaboration with the implementing



body a report to the next STC-CICT ordinary session;

44. **CONTINUE** to support the African Technology and Information Center initiated by the Republic of Chad (CATI) and accelerate the implementation of activities in collaboration with Chad according to the Decision Assembly/AU/Dec.558 (XXIV) held in Addis Ababa, January 2014,

**Done in Addis Ababa, Ethiopia, on 4<sup>th</sup> September 2015**

**The Ministers**

# **EXHIBIT D**

**GAC Early Warning – Submittal Africa-AUC-42560**

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<b>Application ID:</b>	<b>1-1165-42560</b>
<b>Entity/Applicant Name:</b>	<b>Dot Connect Africa</b>
<b>String:</b>	<b>dotAfrica</b>
<b>Early Warning Issue Date:</b>	<b>20 November 2012</b>

**Early Warning Description – This will be posted publicly:**

The African Union Commission wishes to express its objection to the application submitted by Dot Connect Africa (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) has the mandate of African governments to 'establish dotAfrica as a continental (geographic) To-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies' and 'to set up the structures and modalities for the implementation of dotAfrica project' as provided for in the Abuja Declaration. In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed as the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community for the benefit of the African region.

The application fails to meet the minimum requirements prescribed by ICANN in the gTLD Applicant Guidebook concerning geographic names.

- It is a geographic string application that does not have the requisite minimum support from African governments.
- DCA's application constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the Implementation of the dotAfrica (.Africa) project; and
- Its application does not adequately and substantively differentiate itself from the AUC's officially endorsed application for the dotAfrica (.Africa) geographic string and as such will likely result in public confusion with ensuing adverse affects on the goodwill and effectiveness of the African TLD space.
- Post-amendment, DCA's applied for string is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments that have submitted letters of support per the Applicants' Guide Book (Ref # 1-1234-89583).

**GAC Early Warning – Submittal Africa-AUC-42560**

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**Reason/Rationale for the Warning – This will be posted publicly:**

- DCA's Application lacks the requisite Government Support
  - Paragraph 2.2.1.4.2 (section 2-16) of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
  - Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The AUC is confident that the "geographic evaluation process" that this application is subject to provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
  - The issue as to whether DCA's application for the .dotAfrica string (1-1165-42560) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
  - According to the Applicant's Guidebook (section 2-17) "Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process."
  - DCA's amended application is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. It must consequently be subjected to the criteria and rules applicable to the evaluation of geographic names, including government support.
  - In particular we contend that the DCA's amended .Africa application does not sufficiently differentiate it from the AUC's endorsed dotAfrica (.Africa) geographic string application and will therefore confuse the public.
  - Being a Union of 54 (fifty four) African states and specifically being mandated by these states to "Set up the structure and modalities for the Implementation of the dotAfrica (.Africa) project" the AUC is in an authoritative position to declare African government support or opposition to any "Africa" geographic string application.
  - In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (1-1234-89583) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.
- Unwarranted Interference and Intrusion
  - DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely

**GAC Early Warning – Submittal Africa-AUC-42560**

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to have substantive political, economic and social repercussions in Africa.

3. Confusing Similarity

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which we clearly do not.

- In particular, we contend that the amended DCA's .Africa application does not sufficiently differentiate it from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-AUC-42560**

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**INFORMATION FOR APPLICANTS**

**About GAC Early Warning**

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**Instructions if you receive the Early Warning**

**ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.**

**Asking questions about your GAC Early Warning**

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**Continuing with your application**

If you choose to continue with the application, then the “Applicant’s Response” section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org). If your remediation steps involve submitting requests for changes to your application, see the change request process at <http://newgtlds.icann.org/en/applicants/customer-service/change-requests>.

In the absence of a response, ICANN will continue to process the application as submitted.

**Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

**For questions please contact: [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org)**

**GAC Early Warning – Submittal Africa-AUC-42560**

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**Applicant Response:**

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**GAC Early Warning – Submittal Africa-BJ-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Bénin wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**



**GAC Early Warning – Submittal Africa-BJ-42560**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Bénin therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

**GAC Early Warning – Submittal Africa-BJ-42560**

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-BJ-42560**

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In the absence of a response, ICANN will continue to process the application as submitted.

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**For questions please contact: [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org)**

**GAC Early Warning – Submittal Africa-BJ-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-BF-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of **BURKINA FASO** wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-BF-42560**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Egypt therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

**GAC Early Warning – Submittal Africa-BF-42560**

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-BF-42560**

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**INFORMATION FOR APPLICANTS**

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**Asking questions about your GAC Early Warning**

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**Continuing with your application**

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In the absence of a response, ICANN will continue to process the application as submitted.

**Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

**For questions please contact: [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org)**



**GAC Early Warning – Submittal Africa-BF-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-CM-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Cameroon wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-CM-42560**

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**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Egypt therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

**GAC Early Warning – Submittal Africa-CM-42560**

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-CM-42560**

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**INFORMATION FOR APPLICANTS**

**About GAC Early Warning**

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**Instructions if you receive the Early Warning**

**ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.**

**Asking questions about your GAC Early Warning**

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**Continuing with your application**

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In the absence of a response, ICANN will continue to process the application as submitted.

**Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

**For questions please contact: [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org)**

**GAC Early Warning – Submittal Africa-CM-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-KM-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Comoros wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-KM-42560**

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**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Comoros therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate



**GAC Early Warning – Submittal Africa-KM-42560**

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given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-KM-42560**

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**INFORMATION FOR APPLICANTS**

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**GAC Early Warning – Submittal Africa-KM-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-CD-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of DR of CONGO wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and

Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (Ref # 1-1243-89583).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-CD-42560**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of DR of CONGO therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number – of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for

**GAC Early Warning – Submittal Africa-CD-42560**

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Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.

In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant for the string tries to address the concerns raised by the Early Warning
- The applicant should withdraw their application based on the information provided above

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-CD-42560**

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**INFORMATION FOR APPLICANTS**

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In the absence of a response, ICANN will continue to process the application as submitted.

**GAC Early Warning – Submittal Africa-CD-42560**

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**Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

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**Applicant Response:**



**GAC Early Warning – Submittal – Africa-EG-1-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Egypt wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal – Africa-EG-1-42560**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Egypt therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate

**GAC Early Warning – Submittal – Africa-EG-1-42560**

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given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-GA-42560**

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Application ID:	(Ref# 1-1165-42560) 1-1165-42560
Entity/Applicant Name:	Dot Connect Africa (DCA)
String:	.Africa
Early Warning Issue Date:	20 November 2012

Early Warning Description - This will be posted publicly:

The Government of the Republic of Gabon wishes to express its objection to the application submitted by Dot Connect Africa (DCA) for the gTLD .Africa.

The DotConnectAfrica application as revised, does not meet the requirements for support from African governments as described in the new gTLD Applicant Guidebook.

This domain should be managed by the African Union Commission (AUC) as a geographic gTLD for the benefit of the Africa region as the administrative organ of the African Union, a union of all but one African government. The African Union Commission (AUC) has the mandate of African governments to 'establish dotAfrica as a continental To-Level Domain for use by African stakeholders including organisations, businesses, individuals and others with guidance from African Internet Agencies' and 'to set up the structures and modalities for the implementation of dotAfrica project' as provided for in the 2010 Abuja Declaration.

The DotConnectAfrica .Africa application (1-1165-42560) fails to meet the minimum requirements prescribed by ICANN in the gTLD Applicant Guidebook concerning geographic names. It is a geographic string application that does not have the requisite minimum support from African governments.

**GAC Early Warning – Submittal Africa-GA-42560**

Reason/Rationale for the Warning - This will be posted publicly:

GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.

1. DCA's Application lacks the requisite Government Support
  - a. Paragraph 2.2.1.4.2 (section 2-16) of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
  - b. Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list.
  - c. Being a Union of 54 (fifty four) African states and specifically being mandated by these states to "Set up the structure and modalities for the Implementation of the dotAfrica (.Africa) project" the AUC is in an authoritative position to declare African government support or opposition to any "Africa" geographic string application.

Supporting GAC Members (Optional):

I agree to include the supporting GAC members in the publication of this Early Warning


Possible Remediation steps for Applicant - This will be posted publicly:

- GAC Member(s) to identify possible remediation steps to be taken by the applicant
- The applicant for the string tries to address the concerns raised by the Early Warning
  - The applicant should withdraw their application based on the information provided above
  - The applicant should apply for another string.
  - The applicant should engage in a discussion with the AUC to agree on how her experience in the Internet field can be utilised to benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**GAC Early Warning – Submittal Africa-GA-42560**

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- The applicant should withdraw their application based on the information provided above.

Further Notes from GAC Member(s) (Optional) - This will be posted publicly:

INFORMATION FOR APPLICANTS

About GAC Early Warning

The GAC Early Warning is a notice only. It is not a formal objection, nor does it directly lead to a process that can result in rejection of the application. However, a GAC Early Warning should be taken seriously as it raises the likelihood that the application could be the subject of GAC Advice on New gTLDs or of a formal objection at a later stage in the process. Refer to section 1.1.2.4 of the Applicant Guidebook (<http://newgtlds.icann.org/en/applicants/agb>) for more information on GAC Early Warning.

Instructions if you receive the Early Warning

ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.

Asking questions about your GAC Early Warning

If you have questions or need clarification about your GAC Early Warning, please contact [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org). As highlighted above, ICANN strongly encourages you to contact [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org) as soon as practicable regarding the issues identified in the Early Warning.

Continuing with your application

If you choose to continue with the application, then the "Applicant's Response" section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org). If your remediation steps involve submitting requests for changes to your application, see the change request process at <http://newgtlds.icann.org/en/applicants/customer-service/change-requests>.

In the absence of a response, ICANN will continue to process the application as submitted.

**GAC Early Warning – Submittal Africa-GA-42560**

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Withdrawing your application

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org)

Applicant Response:

*In case of reply the **number** and **date** of this letter should be **quoted***

#:3556

**MINISTRY OF COMMUNICATIONS**  
**P. O. BOX M.38**  
**ACCRA**



Republic of Ghana

Tel No: +233-(0)30-266-6465

Fax No: +233-(0)30-266-7114

14 November 2012

My Ref. No:

Your Ref. No:

**EARLY WARNING AGAINST DOTCONNECTAFRICA'S (DCA)**  
**APPLICATION FOR (.AFRICA)**

The Ministry of Communications presents its compliments to the Commissioner, Infrastructure and Energy of the African Union Commission and conveys support for the AUC's mandate to apply for the DOTAFRICA (.AFRICA) generic top-level domain, and also the appointment of UniForum SA trading as the ZA Central Registry to manage the dot AFRICA domain registry.

In this regard, the Government of the Republic of Ghana wishes to express its objection to the application submitted by Dot Connect Africa (DCA) for the .Africa geographic Top Level Domain.

The enclosed GAC Early Warning Submittal is therefore being submitted outlining the basis of objection.

The Ministry of Communications avails itself of the opportunity to renew to the Commissioner, Infrastructure and Energy of AUC the assurance of its highest consideration.

  
**HARUNA IDDRISU (MP)**  
**MINISTER**

**DR. ELHAM M.A. IBRAHIM (Mrs)**  
**COMMISSIONER**  
**INFRASTRUCTURE AND ENERGY**  
**AFRICAN UNION**  
**P. O. BOX 3243**  
**ADDIS ABABA, ETHIOPIA**

Cc: Issah Yahaya, GAC Representative



GAC Early Warning Submittal                       
#3557

Application ID:	1-1165-42560
Entity/Applicant Name:	Dot Connect Africa
String:	dotAfrica
Early Warning Issue Date:	(this box to be filled in by GAC Secretariat only)

**Early Warning Description – This will be posted publicly:**

The Government of the **Republic of GHANA** wishes to express its objection to the application submitted by Dot Connect Africa (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) has the mandate of African governments to “*establish dotAfrica as a continental (geographic) To-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies*” and “*to set up the structures and modalities for the implementation of dotAfrica project*” as provided for in the Abuja Declaration. In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed as the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community for the benefit of the African region.

The Dot Connect Africa (DCA) application fails to meet the minimum requirements prescribed by ICANN in the gTLD Applicant Guidebook concerning geographic names.

- It is a geographic string application that does not have the requisite minimum support from African governments.
- DCA's application constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the Implementation of the dotAfrica (.Africa) project; and
- Its application does not adequately and substantively differentiate itself from the AUC's officially endorsed application for the dotAfrica (.Africa) geographic string and as such will likely result in public confusion with ensuing adverse affects on the goodwill and effectiveness of the African TLD space.
- Post-amendment, DCA's applied for string is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments that have submitted letters of support per the Applicants' Guide Book (Ref # 1-1234-89583).

**Reason/Rationale for the Warning – This will be posted publicly:**

- **DCA's Application lacks the requisite Government Support**
    - Paragraph 2.2.1.4.2 (section 2-16) of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
    - Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The AUC is confident that the "geographic evaluation process" that this application is subject to provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
    - The issue as to whether DCA's application for the .dotAfrica string (1-1165-42560) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
    - According to the Applicant's Guidebook (section 2-17) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process.*"
    - DCA's amended application is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. It must consequently be subjected to the criteria and rules applicable to the evaluation of geographic names, including government support.
    - In particular we contend that the DCA's amended .Africa application does not sufficiently differentiate it from the AUC's endorsed dotAfrica (.Africa) geographic string application and will therefore confuse the public.
    - Being a Union of 54 (fifty four) African states and specifically being mandated by these states to "*Set up the structure and modalities for the Implementation of the dotAfrica (.Africa) project*" the AUC is in an authoritative position to declare African government support or opposition to any "Africa" geographic string application.
    - In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (1-1234-89583) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.
  - **Unwarranted Interference and Intrusion**
    - DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely
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to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which we clearly do not.
- In particular, we contend that the amended DCA's .Africa application does not sufficiently differentiate it from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-KE-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of The Republic of Kenya wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

## GAC Early Warning – Submittal Africa-KE-42560

### GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Kenya therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

#### 1. DCA's Application lacks the requisite Government Support

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

#### 2. Unwarranted Interference and Intrusion

- DCA's application constitutes an unwarranted intrusion and interference with the mandate

**GAC Early Warning – Submittal Africa-KE-42560**

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given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**



**GAC Early Warning – Submittal Africa-KE-42560**

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**INFORMATION FOR APPLICANTS**

**About GAC Early Warning**

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**Instructions if you receive the Early Warning**

**ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.**

**Asking questions about your GAC Early Warning**

If you have questions or need clarification about your GAC Early Warning, please contact [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org). As highlighted above, ICANN strongly encourages you to contact [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org) as soon as practicable regarding the issues identified in the Early Warning.

**Continuing with your application**

If you choose to continue with the application, then the “Applicant’s Response” section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org). If your remediation steps involve submitting requests for changes to your application, see the change request process at <http://newgtlds.icann.org/en/applicants/customer-service/change-requests>.

In the absence of a response, ICANN will continue to process the application as submitted.

**Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

**For questions please contact: [gacearlywarning@gac.icann.org](mailto:gacearlywarning@gac.icann.org)**

**GAC Early Warning – Submittal Africa-KE-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal\_ Africa-ML-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Mali wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal\_ Africa-ML-42560**

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**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Mali therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

**GAC Early Warning – Submittal\_ Africa-ML-42560**

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

## **INFORMATION FOR APPLICANTS**

### **About GAC Early Warning**

The GAC Early Warning is a notice only. It is not a formal objection, nor does it directly lead to a process that can result in rejection of the application. However, a GAC Early Warning should be taken seriously as it raises the likelihood that the application could be the subject of GAC Advice on New gTLDs or of a formal objection at a later stage in the process. Refer to section 1.1.2.4 of the Applicant Guidebook (<http://newgtlds.icann.org/en/applicants/agb>) for more information on GAC Early Warning.

### **Instructions if you receive the Early Warning**

**ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.**

#### **Asking questions about your GAC Early Warning**

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#### **Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

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GAC Early Warning-Submittal

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Applicant Response:



**GAC Early Warning – Submittal Africa-MA-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

The Government of Kingdom of Morocco wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project". In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the Implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

## GAC Early Warning – Submittal Africa-MA-42560

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Kingdom of Morocco therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

### 1. DCA's Application lacks the requisite Government Support

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

### 2. Unwarranted Interference and Intrusion

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals

**GAC Early Warning – Submittal Africa-MA-42560**

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with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-MA-42560**

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**INFORMATION FOR APPLICANTS**

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In the absence of a response, ICANN will continue to process the application as submitted.

**Withdrawing your application**

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

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**GAC Early Warning – Submittal Africa-MA-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-NG-2-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of The Federal Republic of Nigeria wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

## GAC Early Warning – Submittal Africa-NG-2-42560

### GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Kenya therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

#### 1. DCA's Application lacks the requisite Government Support

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

#### 2. Unwarranted Interference and Intrusion

- DCA's application constitutes an unwarranted intrusion and interference with the mandate



**GAC Early Warning – Submittal Africa-NG-2-42560**

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given to the AUC by African Head of States and African Ministers responsible for Communication and Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

- The applicant should withdraw the application based on the information provided above.
- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-SN-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of the republic of Senegal wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (Ref # 1-1243-89583).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal \_\_\_\_\_**

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**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Senegal therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

**GAC Early Warning – Submittal\_\_\_\_\_**

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
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**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

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**GAC Early Warning – Submittal\_\_\_\_\_**

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GAC Early Warning-Submittal

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Applicant Response:

**GAC Early Warning – Submittal Africa-ZA-89583**

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<b>Application ID:</b>	Ref# 1-1243-89583
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of South Africa wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
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**Reason/Rationale for the Warning – This will be posted publicly:**



**GAC Early Warning – Submittal Africa-ZA-89583**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of South Africa therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
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- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

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- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-ZA-89583**

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**INFORMATION FOR APPLICANTS**

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In the absence of a response, ICANN will continue to process the application as submitted.

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**GAC Early Warning – Submittal Africa-ZA-89583**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-TZ-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Tanzania wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

The DotConnectAfrica application as revised,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned (African) governments;
- Constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the implementation of the dotAfrica (.Africa) project; and
- Is identical to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) and the 39 individual African governments who have submitted letters of support per the Applicants' Guide Book (**Ref # 1-1243-89583**).

**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-TZ-42560**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Tanzania therefore hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
- Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The "geographic evaluation process" that this application is subject to, provides sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- The issue as to whether DCA's application for the .dotAfrica string (**1-1165-42560**) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- According to the Applicant's Guidebook (section 2-18) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process*", which used to be the case of DCA's application before being amended. Now, after amendment, it is identical to the AUC-endorsed application and must be regarded as a geographic name for purposes of evaluation. Consequently, it must be subject to the criteria and rules applicable to the evaluation of geographic names, including government support.
- In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1243-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

**2. Unwarranted Interference and Intrusion**

- DCA's application constitutes an unwarranted intrusion and interference with the mandate given to the AUC by African Head of States and African Ministers responsible for Communication and

**GAC Early Warning – Submittal Africa-TZ-42560**

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Information Technologies. In this regard the AUC has been mandated to establish dotAfrica (.Africa) as a continental Top-Level Domain for use by organisations, businesses and individuals with guidance from African Internet Agencies; and in doing so to set up the structures and modalities for the implementation of the dotAfrica (.Africa) project. DCA's persistent interference in this process is likely to have substantive political, economic and social repercussions in Africa.

**3. Confusing Similarity**

- DCA's applied for string (.Africa) is identical to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which is clearly not the case.
- In particular, it is contended that the amended DCA's .Africa application does not sufficiently differentiate itself from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

**Possible Remediation steps for Applicant – This will be posted publicly:**

**GAC Member(s) to identify possible remediation steps to be taken by the applicant**

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- The applicant should engage in a discussion with the AUC to agree on how the applicant's experience in the Internet field can be utilized to further benefit the African continent in ways that will not conflict with positions taken by the African Governments.

**Further Notes from GAC Member(s) (Optional) – This will be posted publicly:**



**GAC Early Warning – Submittal Africa-TZ-42560**

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In the absence of a response, ICANN will continue to process the application as submitted.

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If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

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**GAC Early Warning – Submittal Africa-TZ-42560**

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**Applicant Response:**

**GAC Early Warning – Submittal Africa-UG-42560**

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<b>Application ID:</b>	Ref# 1-1165-42560
<b>Entity/Applicant Name:</b>	DotConnectAfrica (DCA)
<b>String:</b>	.Africa
<b>Early Warning Issue Date:</b>	20 November 2012

**Early Warning Description – This will be posted publicly:**

**GAC Member(s) to indicate a description of the Early Warning being filed**

The Government of Uganda wishes to express objection to the application submitted by DotConnectAfrica (DCA) for the .Africa geographic Top Level Domain.

The African Union Commission (AUC) is a Union of 54 (fifty four) African states and [has the mandate](#) of African governments for "establishment of dot Africa as a continental Top-Level Domain for use by organizations, businesses and individuals with guidance from African Internet Agencies" and "set up the structure and modalities for the implementation of the dotAfrica project" as provided for in the [2010 Abuja Declaration](#). In keeping with this mandate and following an open and transparent Request for Proposal process, UniForum SA, trading as the ZA Central Registry, was appointed the registry operator to manage and administer the dotAfrica gTLD on behalf of the African Community and for the benefit of the African region.

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**Reason/Rationale for the Warning – This will be posted publicly:**

**GAC Early Warning – Submittal Africa-UG-42560**

**GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.**

The African Union (AU) and several African countries have supported and endorsed the application by UniForum (**Ref # 1-1243-89583**), which was selected through a transparent process conducted by the African Union Commission, as directed by the AU CITMC (Communications and Information Technology Ministerial Conference). The African Union has taken steps to ensure that UniForum will operate .Africa for the public good of the people of Africa, and will put in place sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.

The Government of Uganda ,therefore, hereby records its objection to the DotConnectAfrica application which is competing with the UniForum application that has the support and endorsement of the African Union and an overwhelming number of African governments.

**1. DCA's Application lacks the requisite Government Support**

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.
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- DCA's application constitutes an unwarranted intrusion and interference with the mandate

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**GAC Early Warning – Submittal Africa-UG-42560**

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**Applicant Response:**



# **EXHIBIT E**

## User Documentation on Delegating and Redelegating a Generic Top-Level Domain (gTLD)

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## Delegating a generic top-level domain

This document provides a guide to the generic top-level domain (gTLD) delegation process.

### What is a delegation request?

As part of the responsibilities for managing the root zone, ICANN's IANA department is responsible for receiving requests to delegate domains in the DNS root zone. Note that this process is distinct from the process used to apply to be eligible for a new gTLD.

The delegation process results in the "NS" records being placed in the DNS root zone to make the domain active in the domain name system. This then facilitates the registry operator to commence the process to bring the registry service into production.

### Submitting a delegation request

At the conclusion of the evaluation process for a new gTLD, i.e. following contract execution and pre-delegation testing by ICANN, a the registry operator will be provided with a unique delegation token and URL to ICANN's IANA Root Zone Management (RZM) site for new gTLD delegations.

Registry operators that are ready to commence a request for delegation must visit the RZM site and enter their token in order to commence the procedure.

At the start of the procedure, the registry operator or its agent (requestor) is asked to provide an email address to serve as a contact point for the life of the request. This email address will be validated to ensure it works correctly.

Following this, the requestor will be asked to provide details on the sponsoring organisation (i.e. contracted party), its designated administrative and technical contacts, and its technical configuration. The requirements for these elements are the same as for [other types of root zone changes](#). The request will follow the routine change processing steps as defined below. In addition to following the routine steps, a delegation report will be sent to the ICANN Board and the Root Zone Administrator.

### Tracking status

Once a request has been lodged, an applicant can revisit the delegation page with their token in order to be provided with a view of the current status of their requests. Any questions regarding the process can be directed to [root-mgmt@iana.org](mailto:root-mgmt@iana.org).

### Review of Delegation Steps

Step 1	After Pre-Delegation testing has been successfully completed, the requester receives unique, secure credentials to initiate a request within the automated Root Zone Management (RZM) System.
Step 2	Requester uses provided credentials and URL to login to the RZM System.

Step 3	Requester provides a contact email address for use with the request. In order to confirm the email address works, a link will be emailed to it, and the requestor should follow the link to proceed.
Step 4	<p>Requester completes form in RZMS including the fields for the following:</p> <p>Manager: Also known as the “Registry” or “Sponsoring Organization”, this is the organization to which responsibility for the domain is delegated.</p> <p>Administrative and Technical Contacts: These are contact points for the domain, responsible for responding to public enquiries concerning the domain, and also for authorising routine updates to the domain.</p> <p>Name servers/DS Records: This is the list of authoritative name servers maintained by the registry to serve the top-level domain, along with the delegation signer records for DNSSEC.</p> <p>Registration Information: Additional information pertaining to the domain, such as the location of its WHOIS server, and a web address where registration can be found.</p>
Step 5	The request will go through the steps described in the “ <a href="#">Routine Root Zone Change Request</a> ” described below.

## Redelegating a generic top-level domain

This is a guide to the generic top-level domain (gTLD) redelegation process. This process is used when the IANA Root Zone Database must be updated to reflect a change in the management of a gTLD. The primary requirement of this process is to have an existing contract with ICANN, which reflects the changes related to the management of the gTLD.

To update the Root Zone Database to reflect a change to the registry operator for a gTLD, the registry must first secure an executed amendment to its Registry Agreement in accordance with its contractual obligations with ICANN. Once completed, a [root zone change request](#) should be filed according to the routine change process defined below.

During processing of the change request, ICANN’s IANA department will confirm with ICANN’s new gTLD team that the request accurately reflects the currently contracted party for the given gTLD. (Note that this process differs from the redelegation process for a country-code top-level domain.) The request will follow the routine change processing steps as defined below. In addition to following the routine steps, a delegation report will be sent to the ICANN Board and the Root Zone Administrator.

### Review of Redelegation Steps

Step 1	Complete necessary contract amendments reflecting the change with ICANN
Step 2	<p>Requester submits a root zone change request changing the relevant fields for the TLD in the Root Zone Database with new information. These include:</p> <p>Manager: Also known as the “Registry” or “Sponsoring Organization”, this is the organization to which responsibility for the domain is delegated.</p> <p>Administrative and Technical Contacts: These are contact points for the domain, responsible for responding to public inquiries concerning the domain, and also for authorising routine updates to the domain.</p> <p>Name servers/DS Records: This is the list of authoritative name servers maintained by the registry to serve the top-level domain, along with the delegation signer records for domains that are DNSSEC secured.</p> <p>Registration Information: Additional information pertaining to the domain, such as the location of its WHOIS server, and a web address where registration can be found, can also be listed for a top-level domain.</p> <p>The root zone change request can be initiated through the RZM System if the requester has credentials. If not, the Delegation Request Form (<a href="#">link to form in document</a>) can be used.</p>
Step 3	The request will go through the steps described in the “ <a href="#">Routine Root Zone Change Request</a> ” described below. During processing, Root Zone Management staff will verify that the proposed changes match the current contractual language for the TLD.

## Routine Root Zone Change Request Process

### Methods for submitting a routine request

An online interface is provided at <https://rzm.iana.org> for TLD managers to submit change requests. ICANN recommends that all TLD managers use this method if possible, as it will guide you through the process, provide immediate online feedback of potential issues, and offer the fastest processing time.

### Processing a routine request

Once a request is received, it will go through the following processing steps:

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Pre-review	The request is reviewed to ensure it is complete and clear. If it is not clear, clarification is sought from the requestor.
Technical testing	Any changes that are technical in nature will be validated against the relevant technical requirements. Any deficiencies are reported back to the requestor to fix. See: <a href="#">Technical requirements for root zone changes</a>
Contact confirmation	The contact persons for the domain will be asked to agree to the changes.
Manual review	ICANN staff will review the request to ensure it is in accordance with any special obligations and other known regulatory requirements.
Delegation evaluation	If the request is deemed to represent a substantial change of control of the TLD, it is considered a redelegation request, and must be assessed according to the criteria of that process.
Supplemental technical testing	The technical tests are performed a second time, to ensure no new technical issues have arisen during the time the request was being processed
Authorisation	The details of the request are transmitted to the U.S. Department of Commerce for authorisation.

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Implementation	Once implementation of a change request is authorised, the changes are implemented in the Root Zone and the Root Zone Database.
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During processing of the request, the requestor will receive email updates relating to the status of the request. At any time, the contacts for the domain can log in to our web interface to check the status of the request.



## Delegation Request Form

This is to be used as part of submitting a delegation or redelegation of a country-code top-level domain.

IANA TLD MODIFICATION TEMPLATE 2010-02-17

\*\* This should be completed and submitted to root-mgmt@iana.org.  
\*\* In most cases, this can be completed online. For more information  
\*\* visit <http://www.iana.org/domains/root/> or contact IANA for  
\*\* assistance.

1. Top-Level Domain Name.....:

2. Purpose of change.....:

### Manager

3a. Organisation Name.....:  
3b. Street Address.....:  
3c. City.....:  
3d. State.....:  
3e. Postal Code.....:  
3f. Country Code (2 letter).....:

### Administrative Contact

4a. Contact Person's Name.....:  
4b. Job Title.....:  
4c. Organisation Name.....:  
4d. Street Address.....:  
4e. City.....:  
4f. State.....:  
4g. Postal Code.....:  
4h. Country Code (2 letter).....:  
4i. Phone Number.....:  
4j. Fax Number.....:  
4k. Email Address.....:  
4l. Treat as role acct? (y/n).....:

### Technical Contact

5a. Contact Person's Name.....:  
5b. Job Title.....:  
5c. Organisation Name.....:  
5d. Street Address.....:  
5e. City.....:  
5f. State.....:  
5g. Postal Code.....:  
5h. Country Code (2 letter).....:  
5i. Phone Number.....:  
5j. Fax Number.....:  
5k. Email Address.....:  
5l. Treat as role acct? (y/n).....:

### Authoritative Name Server

6a. Hostname.....:  
6b. IP Address(es).....:

Authoritative Name Server (duplicate for additional name servers)

- 6a. Hostname.....:
- 6b. IP Address(es).....:

Delegation Signer Record (for DNSSEC signed zones only)

- 7a. Key Digest.....:
- 7b. Key Tag.....:
- 7c. Key Algorithm.....:
- 7d. Key Digest Type.....:

Delegation Signer Record (duplicate for additional DS records)

- 7a. Key Digest.....:
- 7b. Key Tag.....:
- 7c. Key Algorithm.....:
- 7d. Key Digest Type.....:

Domain Information

- 8a. URL for Registration Services...:
- 8b. WHOIS Server.....:

Special notes (for staff processing change, does not appear publicly)

- 9. Notes.....:

## Technical requirements for authoritative name servers

This article describes the baseline technical conformance criteria for authoritative name servers. These are evaluated by ICANN as the IANA functions operator for changes to delegations in the DNS root zone.

### Definitions

1. For purposes of this document, an authoritative name server is a DNS server that has been designated to answer authoritatively for the designated zone, and is being requested to be listed in the delegation. It is recorded by its fully-qualified domain name, potentially along with its IP addresses.
2. Name server tests are completed against each unique tuple of a hostname, an IP address, and a protocol. If a hostname has multiple IP addresses, for example, the tests will be conducted against each IP address.

### Detailed requirements

#### Minimum number of name servers

There must be at least two NS records listed in a delegation, and the hosts must not resolve to the same IP address.

#### Valid hostnames

The hostnames used for the name servers must comply with the requirements for valid hostnames described in RFC 1123, section 2.1.

#### Name server reachability

The name servers must answer DNS queries over both the UDP and TCP protocols on port 53. Tests will be conducted from multiple network locations to verify the name server is responding.

#### Answer authoritatively

The name servers must answer authoritatively for the designated zone. Responses to queries to the name servers for the designated zone must have the “AA”-bit set.

This will be tested by querying for the SOA record of the designated zone with no “RD”-bit set.

#### Network diversity

The name servers must be in at least two topologically separate networks. A network is defined as an origin autonomous system in the BGP routing table. The requirement is assessed through inspection of views of the BGP routing table.

#### Consistency between glue and authoritative data

For name servers that have IP addresses listed as glue, the IP addresses must match the authoritative A and AAAA records for that host.

### Consistency between delegation and zone

The set of NS records served by the authoritative name servers must match those proposed for the delegation in the parent zone.

### Consistency between authoritative name servers

The data served by the authoritative name servers for the designated zone must be consistent.

All authoritative name servers must serve the same NS record set for the designated domain.

All authoritative name servers must serve the same SOA record for the designated domain.

If for operational reasons the zone content fluctuates rapidly, the serial numbers need only be loosely coherent.

### No truncation of referrals

Referrals from the parent zone's name servers must fit into a non-EDNS0 UDP DNS packet and therefore the DNS payload must not exceed 512 octets.

The required delegation information in the referral is a complete set of NS records, and the minimal set of requisite glue records. The response size is assessed as a response to a query with a maximum-sized QNAME.

The minimal set of requisite glue records is considered to be:

One A record, if all authoritative name servers are in-bailiwick of the parent zone; and,

One AAAA record, if there are any IPv6-capable authoritative name servers and all IPv6-capable authoritative name servers are in-bailiwick of the parent zone.

### Prohibited networks

The authoritative name server IP addresses must not be in specially designated networks that are either not globally routable, or are otherwise unsuited for authoritative name service.

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0.0.0.0/8	Not globally routable	RFC 5735
<hr/>		
10.0.0.0/8	Not globally routable	RFC 5735
<hr/>		
100.64.0.0/10	Not globally routable	RFC 6598
<hr/>		
127.0.0.0/8	Not globally routable	RFC 5735
<hr/>		

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169.254.0.0/16	Not globally routable	RFC 5735
<hr/>		
172.16.0.0/12	Not globally routable	RFC 5735
<hr/>		
192.0.2.0/24	Not globally routable	RFC 5735
<hr/>		
192.88.99.0/24	6to4	RFC 3068
<hr/>		
192.168.0.0/16	Not globally routable	RFC 5735
<hr/>		
198.18.0.0/15	Not globally routable	RFC 5735
<hr/>		
198.51.100.0/24	Not globally routable	RFC 5737
<hr/>		
203.0.113.0/24	Not globally routable	RFC 5737
<hr/>		
224.0.0.0/3	Not globally routable	RFC 5735
<hr/>		
::/128	Not globally routable	RFC 5156
<hr/>		
::1/128	Not globally routable	RFC 5156
<hr/>		
::FFFF:0:0/96	IPv4 mapped addresses	RFC 4291
<hr/>		
2001:2::/48	Not globally routable	RFC 5156
<hr/>		

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2001::/32	Teredo	RFC 4380
2001:10::/28	Not globally routable	RFC 5156
2001:DB8::/32	Not globally routable	RFC 5156
2002::/16	6to4	RFC 3056
FC00::/7	Not globally routable	RFC 5156
FE80::/10	Not globally routable	RFC 5156

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#### No open recursive name service

The authoritative name servers must not provide recursive name service. This requirement is tested by sending a query outside the jurisdiction of the authority with the “RD”-bit set.

#### Same source address

Responses from the authoritative name servers must contain the same source IP address as the destination IP address of the initial query.

#### DS record format

Trust anchors must be provided each with the four attributes of a DS record — the key tag, the key algorithm, the digest hash type, and the digest hash. They must be provided with legal values for each of the DS record fields. For the hash digest, ICANN supports two types — SHA1 (value 1), and SHA256 (value 2).

#### Matching DNSKEY

At the time of the listing request, there must be a DNSKEY that matches the DS record present in the child zone. This will be tested for as part of the implementation of the record. As with most technical conformance criteria for the root zone, if a top-level domain operator has a situation where this is not the case, but this is by design and can be demonstrated not to affect the stability of the TLD or the root zone, it is possible to request that the DS records be listed regardless.

## Validation of RRSIG

ICANN must be able to validate the RRSIG records returned for the zone based upon the DS record set that has been provided for the root zone. We test this by querying the apex SOA for the top-level domain with the DO bit set, and validating the SOA record against the proposed DS resource set.

## Useful References

For more information on some of the key DNS technical concepts referenced by these technical tests, please look at the following references:

- Domain Names — Concepts and Facilities (RFC 1034)
- Domain Names — Implementation and Specification (RFC 1035)
- Preventing Use of Recursive Nameservers in Reflector Attacks (RFC 5358)
- Operational Considerations and Issues with IPv6 DNS (RFC 4472)
- Extension Mechanisms for DNS (EDNS0) (RFC 2671)
- DNS Referral Response Size Issues
- DNS Transport over TCP - Implementation Requirements (RFC 5966)
- IANA IPv6 Special Purpose Address Registry
- Special-use IPv6 Addresses (RFC 5156)
- Special-use IPv4 Addresses (RFC 5735)



# EXHIBIT 3

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**From:** Trang Nguyen  
**Sent:** Tuesday, June 25, 2013 11:37 AM  
**To:** Mark McFadden  
**Cc:** Cheri Bolen  
**Subject:** AU template letter for Uniforum  
**Attachments:** AU template letter.docx  
**Signed By:** trang.nguyen@icann.org

Hi Mark,

Per our conversation this morning, attached is the letter that I drafted based on the template in the AGB. We will forward the official letter from the AUC as soon as we receive it. The goal is to have results for this application published on 12 July 2013.

Warm regards,

Trang

[This letter should be provided on official letterhead]

ICANN  
12025 Waterfront Drive, Suite 300  
Los Angeles, CA USA  
90094-2536

**Attention:** New gTLD Evaluation Process

**Subject:** Letter for support for .Africa

This letter is to confirm that the African Union Commission fully supports the application for .Africa submitted to ICANN by UniForum SA (NPC) trading as Registry.Africa in the New gTLD Program. As the Commissioner I confirm that I have the authority of the African Union Commission to be writing to you on this matter. The African Union Commission is the Secretariat of the Union entrusted with executive functions. The structure represents the Union and protects its interest under the auspices of the Assembly of Heads of State and Government as well as the Executive Committee. The African Union Commission is made up of Portfolios. They are: Peace and Security; Political Affairs; Trade and Industry; Infrastructure and Energy; Social Affairs; Rural Economy and Agriculture; Human Resource, Science and Technology; and Economic Affairs.

The primary objective of the gTLD is summarised as follows: “To establish a world class domain name registry operation for the .Africa Top Level Domain (TLD) by engaging and utilising African technology, know-how and funding; for the benefit and pride of Africans; in partnership with African governments and other ICT stakeholder groups”.

Our mission is to establish the .Africa TLD as a proud identifier of Africa’s online identity, fairly reflecting the continent’s rich cultural, social and economic diversity and potential. In essence we will strive to develop and position the .Africa TLD as the preferred option for individuals and businesses either based in Africa or with strong associations with the continent and its people.

The .Africa TLD represents a unique opportunity for Africa to develop and enhance its domain name and Internet eco-systems and communities by collaborating with each other to:

- identify, engage and develop African-based specialist skills and resources;
- share knowledge and develop DNS thought-leadership; and
- implement world class registry standards and contribute towards their continued development.

The African Union Commission has worked closely with the applicant in the development of this proposal.

The African Union Commission supports this application, and in doing so, understands that in the event that the application is successful, UniForum SA (NPC) trading as Registry.Africa will be required to enter into a Registry Agreement with ICANN. In doing so, they will be required to pay fees to ICANN and comply with consensus policies developed through the ICANN multi-stakeholder policy processes.

The African Union Commission further understands that, in the event of a dispute between the African Union Commission and the applicant, ICANN will comply with a legally binding order from a court in the jurisdiction of the African Union Commission.

The African Union Commission understands that the Geographic Names Panel engaged by ICANN, will, among other things, conduct due diligence on the authenticity of this documentation. I would request that if additional information is required during this process, to contact my office in the first instance.

Thank you for the opportunity to support this application.

Yours sincerely,

[signature/seal from the African Union Commission signatory]