



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

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 5th 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





Date: 20 July 2015
Ref: OES/15/09/0157)

Dear Dr. Ibrahim

Re: Request for Support to Dot Africa Project

I am writing in connection with the request made to the Executive Secretary, Dr. Lopes for his support to the African Union's (AU) efforts in getting the regional identifier top level domain "dotAfrica" delegated to ZA Central Registry ("ZACR"), the entity we understand is authorized by the AU to apply for and administer the DotAfrica top level domain.

I understand from your letter that in addition to ZACR, another competing entity, DotConnectAfrica ("DCA") has submitted an application to obtain the same delegation as ZACR, and that DCA is purporting to use a letter of support obtained from ECA in 2008 as an endorsement from ECA for its application.

We also note that in September 2011, ECA wrote to you in response to a letter you sent regarding the setting up of the structure and modalities for the implementation of the DotAfrica project and in that letter, ECA reaffirmed its continued commitment and support to the AU in the management of Internet-based resources in Africa.

As you are aware, one of ICANN's requirement for the application for delegation for geographic Top Level Domain ("gTLD") as detailed in ICANN's 2012 Applicant Guidebook, is a minimum of 60% support from *relevant governments or public authorities*, with no more than one government objection from any country from the region.

ECA as United Nations entity is neither a government nor a public authority and therefore is not qualified to issue a letter of support for a prospective applicant in support of their application. In addition, ECA does not have a mandate to represent the views or convey the support or otherwise of African governments in matters relating to application for delegation of the gTLD.

Dr. Elham M.A. Ibrahim
Commissioner
Infrastructure and Energy
African Union
Addis Ababa



United Nations
Economic Commission for Africa

In this regard, the August 2008 letter referenced above is merely expressions of a view in relation to the entity's initiatives and efforts regarding internet governance, including efforts to obtain gTLD for Africa. It is ECA's position that the August 2008 letter to Ms Bekele cannot be properly considered as a "letter of support or endorsement" within the context of ICANN's requirements and cannot be used as such.

I hope this clarifies ECA's position on the matter. Please feel free to contact me if you need any further clarification on tel: 0115443378 or sbaffoe-bonnie@uneca.org

Yours sincerely,

A handwritten signature in black ink, appearing to read "S Baffoe-Bonnie".

Sandra Baffoe-Bonnie
Secretary of the Commission and Legal Advisor

Cc: Ms Sophia Bekele, DotConnectAfrica

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

**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 14th 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 18th 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 5th 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 31st August to 2 September 2015;

Having elected the following bureau of the STC-CICT:

WEST AFRICA	
Mali	Chair of the Bureau
EAST AFRICA	
Tanzania	1 st Vice Chair of the Bureau
CENTRAL AFRICA	
Gabon	2 nd Vice Chair of the Bureau
NORTHERN AFRICA	
Algeria	3 rd Vice Chair of the Bureau
SOUTHERN AFRICA	
South Africa	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 (RASCOS) 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 RASCOS'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 4th September 2015

The Ministers