
DURBAN – Geographic Regions Review Workshop - Final Report Discussion
Thursday, July 18, 2013 – 12:30 to 13:30
ICANN – Durban, South Africa

UNIDENTIFIED:

Good afternoon ladies and gentlemen. Welcome to what may well be the last get together for the ICANN's Geographical Regions working group. Our agenda for this morning is to largely concentrate and give you an opportunity to ask questions and get answers. But before we start that, I want to quickly run through just a restatement, a reminder of, what the problem is, what's the issue.

Then go through the working group recommendations that have appeared in the final report. It has been circulated. Quick comment on the next steps, and then as I said, we're into question and answer session.

So a reminder, what's the problem? What has the working group been looking at? One goes back to 2000 when the ICANN Board decided to assign cut facing territories to geographic regions on the basis of the UN statistics division's existing classification. This seemed like a good idea to use an independent, internationally accepted allocation of countries to regions.

But here is what actually happened, and I apologize for those of you that have seen this quick description before. This is the layout of the organization of ICANN's regions with the five regions showing. And underneath, this is the five regions according to UN statistics.

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It doesn't take much to realize that the two are not the same. The numbers in brackets, by the way, are the number of countries allocated to each respective region. So there was a problem, the two didn't match. So if we start with UN statistics allocation, and you will notice here they have a region here called Americas that is split in two different ways.

It can either be split into Latin America/Caribbean, and North America, or alternatively they split it into South America and North America. Anyway, the first thing that ICANN did was say, "Well we don't want any Oceania. We're going to move them over and add it to Asia and that becomes Asia Pacific.

Then we had to deal with the Americas problem. So North America, with its five countries, was moved up to be a full region. Same with Latin America and the Caribbean, with 46. Then you had to do some adjusting of the figures, because first of all, there were a whole lot of countries that are not in the UN statistic list at all.

And it was also decided that all of the overseas territories would be allocated to the region of the so-called mother country. That changes the numbers. LAC went down from 46 to 33, Africa from 57 to 54, Asia Pacific down by a couple to 73. And where did they all go?

Well almost all of them went into Europe, up to 75, and North America again three. And this is the world according to ICANN. And what happened was if you include the uplifting of Latin America and North America, 40% of the countries are in different regions than the one allocated by UN statistics.

And if you – sorry. And if you say that doesn't really matter, well ignore that, still 17% of the countries are in a different region from UN statistics allocation. So have we really been using an independent internationally recognized allocation? Or has ICANN devised its own allocation? And can it be improved?

That's really what we've been looking at. And at the same time, some countries and territories want or wanted to change the number of regions, to change the region that they were in, or to create new regions. There was a suggestion that some regions maybe too large.

And there is also the issue that the rules for the ICANN Board looks at individuals and never talks about nationality and residency. On some of the SOs and ACs, just look at countries and territories. Well countries and territories don't have nationality and residency. So some of those rules cannot be the same.

So that's what we were looking at. The working group, believe it or not, started in 2009. There has been exhaustive research, investigations, community contacts. Three lone reports, initial interment draft, multiple interactions, and we've at last got to the final, final report which has been published.

And what I want to do now is quickly run through, at a very high level, the recommendations in that final report. Firstly, although the original geographic regions, the five regions, may not be ideal, and for many of us we wouldn't want to start from here, it is what it is.

It's been in place for a long time, and frankly the working group has found that it would be impractical to change them at this stage. We

also recommend that ICANN should take ownership of its geographical regions framework, based on the current assignment of countries to regions. So there is the starting point, the status quo is the starting point.

That regional framework should be used, as it has been for years, for the makeup of the ICANN Board, and by default, it should provide the diversity requirement for SOs and ACs. However, SOs and ACs have rightly asked for flexibility and we see no reason why they shouldn't be able to develop their own rules covering diversity, subject to Board approval.

As I said, the ICANN allocation of countries to be based upon the status quo, but the stakeholders in countries and territories should be able to pursue reassignment to another geographical region that they consider to be more appropriate for their jurisdiction. Another we consider to be a major recommendation is that ICANN should seek ways to recognize and accommodate special interest groups to promote the interests and unique attributes of stakeholder communities, that may not clearly fit into the formal top down regional structures.

And the hope here is that they can help accommodate some of the many requests that we have had. For example, from small island states to be able to get together rather than create a region for themselves, perhaps more appropriately, a special interest group could cover that particular area.

Another would be the Arab states who have – did seek to obtain a region of their own. And as we have said earlier, we feel that changing the number of the regions or the structure of the regions that are

impractical at this stage, but an alternative would be the use of a special interest group to fulfill that function, and there are many other possibilities.

We'd like to emphasize though, that in our view these bottom up groupings would be complimentary to the formal regional framework and wouldn't replace it. They are not in the decision making, directly in the decision making tree at all. And then of course, the Board should maintain oversight over the existing framework at all levels, and continue to review its effectiveness, but we've suggested that this be done at five yearly intervals not the present three that are required in the by-laws.

So what are the next steps? We're nearly finished. Participating SOs and ACs have a full 90 days after this meeting, and Rob has worked that out to the 17th of October, and I have no reason to doubt him, for their communities to discuss the final report recommendations, and if they choose, to submit a written statement back to the working group.

And any such statement will accompany the final report when it is submitted to the ICANN Board prior to the Buenos Aries meeting. These are the guilty parties. I'm not taking all of the blame. Of whom we have got one other, and Rob, oh yeah, a few of us, who are now happy to take any questions and answers but please use a microphone if you have got questions.

UNIDENTIFIED:

Thank you very much. Congratulations, really, because you listened to the community. I cannot say enough that you really were, have to say,

responsive and took into consideration the comments of the community. I think that this is the best recommendations you – we make at this stage.

And I cannot say more. Thank you very much.

UNIDENTIFIED: Thank you.

MARTIN: Thank you David, [? 0:12:36] from [? 0:12:37] dot UK. I've got two questions. The first is one of curiosity about the real potential impact of changes. And I noticed your, I'm sorry, excuse me one moment. Sorry about that.

I noticed your rather interesting info-graphic that showed people moving. But I wondered about the actual participation in ICANN, in that a lot of ones that might therefore be moved because they are – they have a mother country in a different region.

People are just not present in ICANN at the moment and therefore it's a very theoretical possibility of moving. Do you want to answer that one first or do you want me to ask my second question?

UNIDENTIFIED: My memory is short, so I think I'm going to...

MARTIN: You share my problem.

UNIDENTIFIED: [Laughs] I think you're right. I think the number is particularly of the ones moving because of mother country consideration will be quite low. On the other hand, I think there are some other countries rather than territories that we may be surprised to see move from perhaps Asia Pacific into Europe, or whatever.

But I think overall, personally, the numbers will be low. So I'm agreeing with you.

MARTIN: Yeah. Actually my question was a little bit associated with the ones that never turn up to ICANN, they don't – they are not represented at all. And it seems to me there are a fair number, and I'm remembering back to the list you produced in the last report, which had for example Antarctica moving, but I've never seen anybody from Antarctica here yet.

And I think there are a fair number of other small islands scattered around the globe in inhospitable places which once again do not turn up to ICANN meetings. So my thing is associated with those people as well.

CARLTON SAMUELS: Carlton Samuels for the transcript. Martin, you're right but here's what we've seen happening. And I'm speaking specifically now to the small island states who would have normally moved because of the mother country situation.

There has been, because of the ccNSO and the way the ccTLD framework is set up, we now see some traction in those small island

countries. And the ccNSO has actually seen an uptick in those countries becoming involved in ccNSO stage. So it's... And there is more outreach going on.

It's a process. It's the same thing with the At Large. We are making concerted efforts, especially in the Caribbean, to involve more of those countries in the At Large. So I think over time, you're going to see some changes there, which might then lead to what we're suggesting could be the case. Thank you.

MARTIN:

Okay. And the second question is perhaps a little bit specific. But if I've understood the report correctly, you're suggesting that a territory that requests to change regions has to not only have support within the territory, but in fact the mother country can have a final say on that.

There are territories in the world where mother countries disputed. What are you going to do in those cases? What do you see as being the mechanism, because my concern is that that would bring ICANN into global politics.

UNIDENTIFIED:

Well surely if ICANN has allocated a country to the region of a mother country already, if they are already in that situation, it hasn't altered it. It hasn't made better nor worse.

MARTIN:

Okay. So when you say status quo, you really do mean status quo and the acceptance of all of that. Okay. That's fine. Thank you. Although it

would be helpful to have that reasoning clearly get stated in the report, all be it in a carefully worded way.

MARILYN CADE:

Thank you. I really, it's Marilyn Cade. I want to really say how much I appreciate receiving the report. And as Dave would recall, there was a time where I had great anxiety about the perhaps lack of core participation by business users in the discussions.

But I'm very pleased to have received the report. I was struck with the fact that really at the constituency and stakeholder level, I don't see... I'm not making a comment about At Large, because I think that's a really – something that you're the experts on.

But at the constituency and stakeholder level, I've been very concerned that we not have a situation which might lead to what I call gaming. And I'm very sensitive to that overall, where very often backend providers maybe from one country but they may actually be the only representative who is showing up at an ICANN meeting.

And having been with a large global company, I'm very aware that there is a real difference between the president of X company India that lives in the country and their understanding of things then X company executive who lives in the US. So I don't see implications that are going to lead to that at the constituency and stakeholder level at all, but it's something that I have concerns about in order to ensure that there is true participation from the regions.

And particularly because we have a geographic diversity requirement in the GNSO, but it's not a requirement where a representative from all

five regions. And we often actually can't... It's very difficult, as it is with the ALAC, many people who are interested, small businesses don't have the time or the money, so there was a concern on my part about making sure we weren't going to find ourselves in a situation where the results led to potential unforeseen consequence.

And I really appreciate as I see it today. Thank you.

UNIDENTIFIED: Thanks Marilyn.

GEORGE SADOWSKY: Sorry. Joe Sadowsky ICANN Board but speaking in a personal capacity. in the 1970s and 80s I worked in the UN statistical office. And the issue of countries and regions was always an issue. It was a political issue, and it was complicated by the fact that if you're talking about having – relying on an international standard, you should know that there are quite a few of them.

The World Bank has different regions, some of the specialized agencies have different regions. So if you wanted to justify your choice, you just have to find a specialized agency that agrees with you. So I think that the notion... I haven't been following your process very closely, but I think the notion of relying on the status quo for what absolutely has to stay with the status quo, and then allowing some diversity and – with respect to the ACs and SOs, is probably the most intelligent conclusion you can come up with.

I think that doesn't eliminate future problems, but never the less, it gives you a reasonable basis in which to start the discussions. Thank you.

UNIDENTIFIED: Thank you George. Yes, we did look at as many different organizational structures as we could. Not one of them directly mapped onto ICANN's regions so we've got to go it alone, I think.

UNIDENTIFIED: You [reside 0:21:56] my comments all ready, thank you.

DAVID: Any more comments or questions? If not...

UNIDENTIFIED: Hello. My name is [? 0:22:27], from the [SA 0:22:29] registry. I am also a member of the steering committee that has been [from 0:22:36] last [? 0:22:38] dot Arab, and dot Arab and IDN. [? 0:22:42]

We face some problems about accepting the regional as geographical and something like that. But I just want to say that what we are accepting about, it's not political. It's traditional or [AUDIO BREAKUP 0:22:59 – 0:23:16] ... but if it's a community, for example [our best 0:23:19] community, they have to accept the policy come from the ICANN.

And you know that each region, like they have their own traditional, they don't want a [? 0:23:31] something like that, they are thinking

about a different way. So that's the reason, in fact each – not just the Arab, each part we need to be considered as a region.

Another thing I want to say, for example you know that dot EU for Europe, is a ccTLD, as I [think 0:23:55], it's not a GTLD. So they can make their own, for example, their own accredited the registrars. They can get their own registrars, that were accredited from they. They didn't need to be accredited from the ICANN to be a registrar for them.

And that helps them. In Africa, we have the same problem, and also [because it's 0:24:17] dot Africa. We are... The procedures are going now on it will leave that – no one in Africa, or very few in Africa, will buy dot Africa.

It will be used people who live in the US, in western... Because why? Because they are... In Africa, they are just a few registrars because they cannot go to – they cannot be accredited with the ICANN. It's very difficult for companies in Africa. They cannot refuse the conditions and to be accredited from the ICANN.

So what we are thinking about, I don't want to change, I just want to give you an idea that if something like dot Africa have been considered geographic ccTLD, something like that, so that I know that [? 0:25:18] ... not there from the beginning, dot EU or is there.

But it can at least let them make their own accreditation of registers so there will be a register by paying 500 dot ICANN in Africa not like from the ICANN register. That's the way I was thinking about it. Thank you very much.

DAVID: Thank you.

MARILYN CADE: So is it time for me to congratulate you on having done such a thorough and successful job? That you've dealt with all the questions before the final report was published? Wow. [Applause]

DAVID: Thank you Marilyn [laughs]. I can't follow that, so thank you all [laughs].

UNIDENTIFIED: David, I just wanted to acknowledge that there was challenges that people had to basically work on such a sustained basis. So we had an early morning breakfast, etcetera, and I just wanted to comment as part of the working group that the heavy lifting and the work that you did consistently, I just wanted to congratulate you and thank you for that.

Thank you very much.

DAVID: Thank you.

UNIDENTIFIED: I wanted to... Dot Zaire. I just want to congratulate David for keeping this thing together over all of these years. But I really want to congratulate Rob. The staff support, bravo [applause] Rob from staff. The staff support, as usual, has been as excellent itself.

And I tell you, if I'm in a crunch, I want Rob with me. [Laughs]

DAVID: Absolutely seconded. Couldn't have done it without him. See you all in South America.

[END OF AUDIO]