ICANN GEOGRAPHICAL REGIONS

Draft Final Report by the
**Geographic Regions Review Working Group
For Consideration by the ICANN Community**

August 2011

(Community Comments Requested by 20 October 2011)

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WGGR – Draft Final Report

Executive Summary

1. In this Final Report, the last of its three planned reports, the Geographic Regions Review Working Group (hereinafter the "Working Group") reviews its efforts and makes a number of recommendations to the ICANN Board for modifications to the structure and application of the ICANN Geographic Regions Framework.[1]

2. The Working Group believes that the ICANN principle of geographic diversity remains important and relevant to ICANN's mission.

3. The Working Group concludes that although ICANN has departed substantially from the originally conceived framework for allocating countries to regions based on the UN Statistical Division categorization of countries and global regions, ICANN has largely been able to apply geographic diversity principles consistent with the organization's diversity goals.

4. The original aim of the ICANN Board was to adopt an independent, internationally recognized allocation of countries to geographic regions. The Working Group has found that in attempting to map the UN Statistical Division's categorization onto ICANN's pre-defined Regions, Staff found it necessary to deviate significantly from the original allocation. Moreover, the Working Group has not been able to identify any alternate consistent or standard geographic categorization model applied by any combination of UN or other international organizations. In the absence of any consistent or established standard, the Working Group recommends that ICANN should maintain its own standard for the allocation of countries to its existing Geographic Regions. The Working Group believes that the organizational structure of the Regional Internet Registries would provide the best starting point for this allocation.

5. While the Working Group believes that ICANN should retain a modified top-down framework to promote geographic diversity at the ICANN Board level, individual communities and structures within ICANN should have the flexibility to either adopt this same framework or to develop their own procedures (with Board oversight) for ensuring geographic diversity within their own organizations.

6. The Working Group recognizes that in addition to the importance of geographic diversity, that any modified framework must also make potential allowances for cultural and language diversity. In that context, the Working Group recommends that ICANN permit the "bottom up" establishment of special interest groups or cross-regional groupings to promote the interests and unique attributes of

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[1] The ASO/NRO (RIR) representatives kept a neutral position throughout the WG proceedings and did not propose, support or endorse the WG final recommendations.

[2] www.icann.org/en/minutes/minutes-16jul00.htm

communities that fall outside the formal top-down regional structure.

7.   The Working Group believes that, if the Board adopts these recommendations, it should direct the Staff to develop guidelines for the implementation of the new framework. The appropriate Board committee should provide on-going oversight of the geographic regions system as it is applied by the community.

Introduction

Background

8.   The ICANN Bylaws provide that a core value of the organization is "seeking and supporting broad, informed participation reflecting the functional, **geographic**, and cultural diversity of the Internet at all levels of policy development and decision-making." See ICANN ByLaws - Article 1, Section 2, paragraph 4.

9.   The ICANN Geographic Regions were originally created as a means of obtaining geographical diversity in the composition of the ICANN Board. By an ICANN Board resolution in 2000[2], Staff was instructed to assign countries to geographic regions on the basis of the United Nations Statistics Division's (UNSD) current classifications[3]. It also introduced the concept of "citizenship" in relation to the use of ICANN Geographic Regions.

10.   Subsequently, the ICANN Geographic Regions framework was applied in various ways when defining the organizational structures for the ALAC, GNSO, and ccNSO.

11.   Currently the ICANN Bylaws define five geographic regions[4]:

- Africa;
- North America;
- Latin America/Caribbean;
- Asia/Australia/Pacific; and
- Europe.

Forming the Working Group:

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[2] www.icann.org/en/minutes/minutes-16jul00.htm
[3] http://unstats.un.org/unsd/methods/m49/m49regin.htm
[4] www.icann.org/en/general/bylaws.htm#VI-5

12. In a September 2007 Report to the ICANN Board[5], the ccNSO highlighted a number of concerns about the current definition and use of Geographic Regions and recommended the appointment of a community-wide working group to study these issues. At its meeting in Los Angeles, November 2007[6], the ICANN Board requested the ICANN Community, including the GNSO, ccNSO, ASO, GAC, and ALAC, to provide ICANN Staff with input on the ccNSO's recommendation, i.e. to appoint a community-wide working group to further study and review the issues related to the definition of the ICANN Geographic Regions, to consult with all stakeholders and submit proposals to the Board to resolve the issues relating to the current definition of the ICANN Geographic Regions.

13. Following input and support from the GNSO, ALAC, and GAC, the ICANN Board at its meeting in Cairo (November 2008)[7], authorized the formation of the proposed working group. The Board subsequently approved the Working Group's Charter on 26 June 2009.[8]

The Initial Report:

14. The Charter authorized by the Board outlined a three-part process in which the Working Group first prepared an Initial Report outlining the current applications of ICANN's geographic regions in various ICANN structures and processes, and confirming the issues to be addressed by the working group during its deliberations. That Initial Report was published in all six official UN languages on 31 July 2009 and was made available for community review and comment for a 35-day public comment period (see http://www.icann.org/en/public-comment/public-comment-200909.html#geo-regions-review).

15. In that Initial Report, the Working Group identified the various applications and functions to which "ICANN Geographic Regions" are currently applied by existing ICANN structures. It briefly documented other regionally identified processes and structures used within ICANN but not defined in the Bylaws. In the Initial Report the Working Group also detailed, without any comment or analysis, the "issues" that it thought should be covered during its subsequent investigations.

16. The Initial Report included three specific questions on which the Working Group wanted feedback from the community. First, despite its thorough research, the WG was particularly concerned that it may have missed specific uses or applications of

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[5] http://ccnso.icann.org/workinggroups/ccnso-final-report-regions-wg-240907.pdf
[6] www.icann.org/en/minutes/resolutions-02nov07.htm#_Toc55609368
[7] www.icann.org/en/minutes/resolutions-07nov08.htm#_Toc87682556
[8] Copies of the Charter, in all six UN languages, are posted in the Public Comment Forum Box on the ICANN Public Comments web page (see - http://www.icann.org/en/public-comment/public-comment-200909.html#geo-regions-review.

the geographic regions framework in ICANN's organizational structures. The WG asked the community to identify any applications that it may have missed. The WG also asked the community to confirm that the scope of its work should be limited to those uses and applications and not be drawn into some of the specific operational applications to which geographic considerations are currently used by ICANN Staff.

17. Second, the WG asked whether the "Usage Categories" it had identified were sufficient and appropriate. The Initial Report identified Representation, Participation and Operations as the three primary "usage categories" for which geographic regions are currently being utilized within the ICANN community. Those categories are an important component of the Working Group's analytical framework.

18. Finally, the Initial Report set forth a list of 25 potential "Matters To Be Taken Into Consideration" and asked for community feedback on whether any issues should be deleted or others added to the list.

The Interim Report:

19. The Interim Report built on the foundation of the Working Group's Initial Report and focused on general principles, specific considerations and some of the critical issues ("Matters") that it intended to address in its Final Report document. It offered (a) a review of the underlying history, objectives and general principles of ICANN's Geographic Regions Framework; (b) it raised a number of fundamental strategic questions for further community consideration; and (c) it expanded on a number of specific matters identified in the Initial Report that were likely to be addressed in the Final Report. That Interim Report was published in all six UN languages on November 12, 2010 and was made available for community review and comment for 80 days (see http://www.icann.org/en/public-comment/public-comment-201101-en.htm#geo-regions-interim-report).

20. The Interim Report thoroughly reviewed the historical applications of the ICANN Geographic Regions Framework from its origins in the "Green Paper" until the present day. It examined the history of ICANN's principle of "geographic diversity" and the evolution of the Geographic Regions Framework.

21. From that research the Working Group concluded that:

   a. Geographic Regions were first defined as an aid to ensuring "broad international representation" on the ICANN Board. Initially they had no other purpose.

b. The U.S. Department of Commerce/NTIA and other stakeholders expected that the make-up of the ICANN Board should "reflect the geographical and functional diversity of the Internet". As they anticipated that the Internet would change over time, they believed that the procedures for appointing Board Members should be "sufficiently flexible to permit evolution to reflect changes in the constituency of Internet stakeholders". Feelings on this issue were sufficiently strong that ICANN felt bound to amend its initial Bylaws to add "language making it clear that any consideration of changes in the countries included in geographic regions or other matters relating to geographic diversity will take into account the evolution of the Internet."

c. The three-year review cycle of the then Section 6 of the Bylaws (International Representation) was intended to cover the Regions themselves as well as the allocation of countries to each Region.

d. There is nothing in the public record that explains how the Regions themselves were selected, however it is noted that both the Green and White Papers suggest that representatives of APNIC, ARIN and RIPE should be on the ICANN Board. It is therefore possible that the primary operating areas of these three RIRs were selected as the first three Regions (i.e. Asia/Australia/Pacific, North America and Europe respectively) with Latin America/Caribbean and Africa being seen as the next likely RIRs to be established.

e. Whatever the reason for initial (and still current) definition of ICANN Regions (i.e. Africa; North America; Latin America/Caribbean; Asia/Australia/Pacific; and Europe), the Working Group concluded it was not the adoption of any commonly recognized division of the world such as "continents"[9], nor of the definition used by any other organization that the Working Group has been able to identify. These Regions are unique to ICANN.

f. As a consequence of (e) above, the Working Group determined that subsequent attempts to strictly allocate countries to Regions "in accordance with international norms"[10] or to adopt "some independently prepared and authoritative list"[11] were doomed to failure.

g. The Working Group was unable to find any resolution of the ICANN Board authorizing the current allocation of countries to Geographic Regions.

The Scope of the Final Report

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[9] http://en.wikipedia.org/wiki/Continent#Number_of_continents
[10] www.icann.org/en/committees/gac/communique-14jul00.htm#D
[11] www.icann.org/en/minutes/minutes-16jul00.htm

22. This Final Report document outlines specific recommendations from the Working Group to the ICANN Board regarding how the present Geographic Regions Framework can be modified to ensure that the organizational principles of geographic and cultural diversity are honoured and maintained.[12] Those recommendations are based on thorough research, extensive community consultation and reflect the points of view of a wide range of the ICANN community.

23. A draft version of this Final Report was also circulated to the community for review and comment before it was finalized, and according to the Working Group Charter approved by the Board, every SO and AC will have the opportunity to review and comment on this document before it is formally submitted to the Board.

Community Reaction to the Working Group Effort

24. Working Group members are very conscious of the sensitivity of this issue to many members of the ICANN community. Members are aware that any changes to the framework could have repercussions for operations within ICANN and its various communities.

25. The entire structure of this Working Group effort has been organized to achieve broad community input. All the individual ICANN SOs and ACs were given the opportunity to comment on the community-wide working group concept and each community was invited to send participants to be involved with the working group (all but the RSSAC have contributed members). The entire community had the opportunity to comment on the proposed charter of the Working Group before it was approved by the Board (see March 2009 Geographic Region Review WG Charter Public Comment Period).

26. Every written report generated by the Working Group has been published in all six UN languages and each has been subjected to extended community review and comment opportunities. Working Group members individually reported on the group's progress to their respective communities. The Working Group also sponsored a community survey (in the six UN languages and Portuguese) seeking another form of community input on the geographic regions framework. Additionally, a public session was conducted at the ICANN Public Meeting in Brussels (and public workshops were conducted at the Cartagena (December 2010), San Francisco (March 2011) and Singapore (June 2011) Public Meetings to gather community perspectives on this matter.

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[12] The ASO/NRO (RIR) representatives kept a neutral position throughout the WG proceedings and did not propose, support or endorse the WG final recommendations.

27. Understanding the historical underpinnings and evolution of ICANN's Geographic Regions Framework prompted the Working Group to ask several fundamental questions of the ICANN community in its Interim Report.

    a. Has the existing geographic regions framework produced its desired effect?

    b. Are the five regions still relevant, reasonable and defensible in the year 2010?

    c. Are the regions, in fact, consistent with the international norms of today?

28. The community response to the Interim Report was diverse but not inconsistent. Although limited in number, the comments received raised a number of issues for the Working Group to consider. Several commenters encouraged the Working Group to take an active role in making recommendations to adjust the ICANN Geographic Regions framework.

29. Commenters on the Interim Report addressed a variety of topics. Some topic areas unavoidably and necessarily overlapped. One category of comments addressed the scope of the Working Group's potential recommendations. A number of comments said the WG should not feel constrained to recommend adjustments to the geographic regions framework. A second category of comments focused on the types of adjustments the WG should recommend. The full list of issues and matters raised by the commenters include:

    a. The Scope of Potential Recommendations Available to the Working Group;

    b. A Caution About Unintended Consequences;

    c. Opinions Regarding the Existing Geographic Regions Framework;

    d. How To Classify Regions – Options for Working Group Recommendations;

    e. Option - Considering the Creation of New Regions - A New Region for "Small Island Developing States";

    f. Option - Relocating Specific States to More Appropriate Regions;

    g. Considering the Purpose of Geographic Diversity in ICANN Processes;

    h. Culture, Language and Other Measures of Diversity; and

    i. The Need to Regularly Review The Geographic Regions Framework

30. A complete copy of the Staff Summary and Analysis of the written comments submitted is attached to this report as Appendix A.

Working Group Analysis

31. Discussion of the Working Group's analysis is grouped in three primary categories; (1) the existing framework; (2) recommendations to flexibly apply the new framework on a community-by-community basis; and (3) recommendations for a transition to, continued oversight, and future review and evaluation of the newly revised framework.

The General Principle of Geographic Diversity

32. ICANN Bylaws Article 1, Section 2 details ICANN's Core Values. These include, at paragraph 4, ICANN's goal of:

    "Seeking and supporting broad, informed participation reflecting the functional, geographic, and cultural diversity of the Internet at all levels of policy development and decision-making."

33. The Working Group's research reveals that the ICANN community has done a good job of incorporating those values into the operations of its various communities - if not as part of a clearly delineated strategy, at least in spirit on an community-by-community basis.

34. Because the Bylaw separately depicts "functional", "geographic" and "cultural" diversity, one could argue that each category should have its own operational principles, framework or system. The Working Group concludes that honoring the spirit of Article 1 Section 2 does not require such comprehensive action but it does obligate the organization to employ a framework that allows those principles to be considered by every ICANN community.

35. The Working Group believes that the general principle of Geographic Diversity is valuable and should be preserved. No dissenting opinions have been received.

Application of the Geographic Diversity Principles

36. In 2000, the ICANN Board directed Staff to assign countries to geographic regions on the basis of the United Nations Statistics Division's (UNSD) current classifications. The Working Group agrees with the September 2007 ccNSO report to the Board that, as currently comprised, the five ICANN geographic regions are significantly different from those defined by the UNSD. The Working Group has found that over time since the year 2000, any connection to the UNSD classifications has eroded as the concept of geographic diversity has been expanded beyond application to the ICANN Board and extended to include other organizational structures (primarily Supporting Organization and Advisory Committees – "SOs and ACs") within the ICANN community.

37. The application and evolution of the geographic regions structure beyond the Board to more ICANN communities and structures over the past decade appears to have been largely on a community-by-community basis, primarily at the time the Bylaws for each community were originally drafted, and has not been driven by a consistent strategic application of the geographic regions framework.

38. The present ICANN geographic regions do not equate to any internationally recognized method of defining the regions of the world, nor do they reflect the current make-up of the Internet community (and it is questionable that they have ever done so).

39. Despite this departure from the original framework, the Working Group has found that extending the principles of geographic diversity beyond the Board to other structures and communities has been largely effective. However, it has also created a large number of anomalies that should be resolved. As the ICANN organization continues to mature, the Working Group believes it is critical for the organization now to adopt a more rigorous approach by re-defining a clear and consistent classification framework that assigns countries and territories to regions.

Alternative Frameworks

40. Based on its research and exchanges with the community, the Working Group concludes that reducing the number of ICANN regions is neither a desired nor a viable option. For example, community members have expressed concern that the size and allocation of the current regions already requires some community members to travel large distances to participate in regional events. This option is not considered further.

41. In addition to promoting geographic diversity, ICANN's structures and processes should lower barriers for participation and engagement by community members as much as practicable. The size of the current regions do create circumstances where some individuals must travel long distances for face-to-face meetings. Smaller (more) regions could address this concern. There have also been calls for the creation of new regions (e.g., Arab states and small island nations).

42. However, increasing the number of regions would have a substantial impact on the organizational structure, resources, processes and practices of ICANN. The addition of even one region to the framework would almost certainly require the Board and ICANN communities to adjust or expand their management and administrative structures in some substantial ways.

43. For example, in the At-Large community there are currently five Regional At-Large Organizations (RALOs) that are designed to reflect the five ICANN Geographic Regions. In addition to changing the composition of the management structures,

adding a new region to the existing geographic regions framework would likely necessitate the creation of a new RALO with a similar infrastructure of the existing RALOs. This would require ICANN to make available additional in-person meeting facilities (physical rooms at ICANN meetings) or arrange expanded telephone conference capability for community meetings and could increase the ICANN travel budget.

44. Additionally, some community commenters noted that it is already challenging for some stakeholder communities to meet the geographic diversity requirements in their respective ICANN structures. The creation of any new geographic regions – in the short run – could contribute to a shortage of potential community participants in various ICANN structures.

Other International Regional Structures

45. The Working Group has reviewed many different geographic regional structures as applied by various international organizations. The Working Group looked closely at the geographic assignment systems of the UN Development Programme (UNDP), The UN Economic and Social Council (UNESC), the ITU, The ITU Council (ITUC), the ITU Telecommunications Development Bureau, the ITU Telecommunications Bureau, the ITU Radiocommunications Bureau and the Regional Internet Registries (RIRs). Each system is different. The only common practice between the various UN organizations is for countries to form <u>ad</u> <u>hoc</u> groups to deal with matters of mutual interest. These arrangements may be formal and long term, such as the Nonaligned Nations or the Commonwealth of Nations. Others are informal and short term to deal with a particular issue and terminating as soon as it is resolved.

The Regional Internet Registry (RIR) Model

46. Given all the above, the Working Group believes that in the interests of good governance ICANN must adopt and maintain its own consistent geographic regional framework. Such a framework already exists within the ICANN ambit. It had been successfully developed and applied by the Regional Internet Registries (RIRs). The current RIR system divides the world into 5 regions based solely on geographic location. These are: AfriNIC (Africa), APNIC (Asia Pacific), ARIN (Canada, United States and many island nations in the Caribbean and North Atlantic Ocean), LACNIC (Mexico, Central America, South America and Latin America and Caribbean area), and RIPE NCC (Europe, Middle East and parts of Central Asia).

47. Using the RIR system as the starting point for a revised regional framework has a number of benefits including:

a. The number of Regions would remain at five, thus avoiding the significant restructuring that would result from a change in the number of regions.

b. Fundamentally, ICANN is a technical organization and so aligning regions with the technical "infrastructure" of the numbering resource allocation system seems logical and defensible.

c. If adopted without modification, a total of 62 countries and territories would move to new regions, but many of these are the result of assigning territories to their geographic region rather than to the region of their mother country (See paragraphs 48 and 50-53 below).

d. A second group of changes would be the move of several Middle Eastern and Central Asian countries out of the current Asia/Pacific/Australia Region into the European (RIPE) Region. This would help to reduce the very wide geographic spread of Asia/Pacific and would also satisfy the wishes of many of the countries involved who consider themselves more orientated towards Europe than Asia.

e. The third group of changes would see much of the English and French speaking Caribbean moving into the North American (ARIN) Region from the LAC Region (and Europe, in the case of some territories). Most of these countries have closer language, cultural and travel links with North America than they do with Latin America. In addition, increasing the number of countries in what has previously been a numerically very small Region and should increase the options for representation and participation within the Region.

f. As has been requested, there would be no change to the African Region.

g. It should encourage participation as joint meetings of the RIR and ICANN Region should be possible.

48. The disadvantages of adopting the RIR framework include:

a. No Arab Region would be created as has been requested.

b. Caribbean countries would be split between two Regions, partly on geography and party on language.

c. Some countries may not wish to change Regions.

d. Some "mother countries" may not wish their territories to be in a different region to themselves.

49. The Working Group believes that the measures detailed below would help to ameliorate these disadvantages.

The Sovereignty and Right of Self-Determination of States

50. In order to protect the sovereignty and right of self-determination of states, the Working Group recommends that as part of a transitional process, every country and territory whose regional allocation is due to be changed be given the option of remaining in their current region. It is envisaged that this would be a one-off opportunity and that the request should be initiated or supported by the local government of the relevant country or territory.

51. The existing geographic regions framework applied by ICANN allocates all "dependent or overseas territories" to the same region as their mother countries, irrespective of their geographical location. It would appear that this decision was taken on the assumption that legal and political relationships between territories and mother countries are the same in every case. This is not consistently true across the globe. In some cases, the natives of a dependent territory are citizens of the mother country - in other cases they are not. Some territories are considered to be an integral part of their mother country. Others have varying degrees of self-government. The native languages or cultures of those dependent territories may diverge widely from the mother country. Additionally the issues that impact those territories may differ from the issues of primary importance to the mother country.

52. ICANN should not become involved in the complex and differing relationships between territories and mother countries, but neither should it impose its own unilateral decisions. Individual territories should be able to opt to remain in their present region or to move to the region proposed in the new framework in accordance with the wishes of the territory's Internet community and the Government of that territory. However, no new allocation should be made if objections are raised by the Government of the mother country.

53. The Board may wish to consider granting a more general ability for countries to seek reassignment from one region to another. The Working Group believes that this additional flexibility is desirable but that, if agreed, it should be subject to the following or similar constraints:

   a. To allow the new system to settle down, no "ad-hoc" reassignments should be permitted until the first five-year review of the system (See para 71 below).

   b. Any application for reassignment must have the support of the government of the country or territory.

    c. No country may seek reassignment more frequently than once every 10 years.

    d. Consideration should be given to restricting reassignment to a region adjacent to the existing region.

54. Once a reassignment is made, it must be applicable to ALL ICANN structures (SOs, ACs and the Board consistently.)

Use of the New Framework by ICANN Communities

55. In its Initial Report, the Working Group noted that the original concept of geographic/regional diversity in the representational make-up of the ICANN Board has been expanded over the years to extend to nearly every sub-structure of the ICANN organization. That concept now reflects not only diversity of representation in various communities, but also includes considerations of how community participation is encouraged/supported and affects the management of the organization's technical and administrative resources as well.

56. The new regions framework should apply to the population of the ICANN Board in a clear and consistent manner, but application of the system to ICANN community structures beyond the Board should allow for considerable flexibility. The Working Group observes that experience over the last decade has demonstrated that individual communities are in the best position to craft unique operational solutions that honor the central goal of geographic diversity within their operations.

57. While the Working Group recommends that ICANN should maintain a modified single top-down "geographic regional structure," how each SO-AC meets the geographic and cultural diversity requirements of that system should be up to them. Those communities may, or may not, make use of the regional framework. It should be noted that the Working Group is NOT suggesting that each SO or AC be permitted to create its own regional framework. Either the ICANN-wide framework is used or some alternate method of ensuring diversity can be proposed for Board review and approval.

58. While the Board could conclude that strict adherence to certain standards might be the best way to encourage participation and build-up regional competence or participation in certain areas, the geographic regions framework should not be so inflexible as to force certain communities to prevail upon unwilling or under-qualified participants to satisfy the regional participation requirement.

59. The Working Group recommends that upon adoption of the new revised framework, the Board give all SO and AC structures the opportunity to review their individual by-laws or charter requirements as they apply to the organizational principles of geographic and cultural diversity. At the very least, SOs and ACs

should address and attempt to resolve the present issue where the diversity Bylaws for the Board deal with the citizenship (or residency) or individuals, but some SOs and ACs attempt to apply the same rules to countries and territories. Where revisions are recommended by individual communities, then the Board should consider whether subsequent ICANN-wide Bylaw amendments are advisable or necessary.

"Special Interest Groups" or "Cross-Regional Sub-groups"

60. During their research and community consultations, it became clear to Working Group members that evolving international norms obligate ICANN to give increased consideration to cultural and language elements of diversity – particularly as they relate to elements of geographic diversity.

61. Over the past decade, a broader recognition of what "diversity" means to the ICANN community has evolved. Geography remains of primary importance, particularly at the Board level, but additional considerations of culture and language diversity have also been raised from time to time. If ICANN intends to remain true to the concept of "evolving international norms" then these additional elements must be addressable in the context of the geographic regions framework.

62. As the ICANN organization embarks on its next phase of existence, it should remain cognizant that community members who are not currently participating may be just as important to the health and diversity of the organization as those who are currently active and participating. Under-represented regions or communities who currently are not aware of the importance of ICANN to their work must have the opportunity to find their place in the framework.

63. Formal written submissions and informal community feedback to Working Group members over the last year reflects an increased awareness of the potential benefits-of and interest-in cultural and language diversity within the ICANN community. During the various public comment opportunities on the Working Group's Initial and Interim Reports, a number of commenters called for an "Arab Region" to be created. Some reflected that the Arab community is not limited to a specific geographic region in that "Arab ccTLDs, Arab LIRs, private sector, civil societies, and others are scattered" around the world including some in the Asia/Pacific, some in Europe, and some in Africa. This interest seems to reflect both cultural and language ties that are not particularly related to a specific geographic region.

64. The recent initiative to introduce internationalized domain names (IDNs) is also contributing to the growing concept of potential cross-regional groupings. As of 15 May 2011, ICANN had received a total of 34 individual requests for "fast track" IDNs.[13]

65. Additionally, representatives of small Island states have talked with Working Group members about the unique characteristics they share (e.g., geographic size – not

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[13] The requests span 21 different languages, including: Chinese, Arabic, Russian, Sinhalese, Tamil, and Thai. See e.g., https://charts.icann.org/public/index-idn.html.

location) with other sovereignties who may not be in any geographic proximity to them.

66. In this context, the Working Group recommends that ICANN seek ways to recognize and accommodate Special Interest Groups or Sub-regions. Some such groupings might restrict their interest to a single SO or AC, while others might span all of ICANN's communities. This recommendation would permit, for example, small island nations, the countries of the Caribbean (which under the Working Group's recommendation would be split between the North American and Latin American Regions) or Arab states to come together to promote matters of common interest without necessitating any changes to the "formal" geographic regional framework. Other groups might be more "topic" based. The community made a strong case for the inclusion of these types of groups in their community comments and workshops. The Working Group thinks that such "bottom-up" interest should be recognized and encouraged.

67. A detailed examination of the possible rules governing such groups is beyond the scope of this report and requires further input from all community stakeholders, however the following points may help to illustrate the Working Group's present thinking:

   a. The potential groups would be complementary to the formal regional framework, and would not replace it.

   b. The groups themselves would not form any part of ICANN's decision-making structure but, of course, would be free to lobby for the support of elected representatives.

   c. The "benefits" of recognition by ICANN would be dependent upon available funds but should be targeted primarily at facilitating communication between members, for example being able to hold meetings at ICANN conferences, use of an ICANN mailing list, being referenced on the ICANN web-site, and perhaps providing some teleconference facilities.

   d. Recognition might be dependent upon the group having a minimum number of members.

Transitional Arrangements

68. If the Board accepts its other recommendations, the Working Group recommends that the Board direct ICANN Staff to develop a transition plan for moving to a new Geographic Regions Framework based on the RIR framework.

69. The Staff would be tasked with developing recommendations on the following

transition/implementation subjects including:

- The timing and framework for any Transition.
- Recommending the organizational structure responsible for managing the transition.
- The communication plan for any transition.
- Developing a self-selection process for ICANN participants to apply to change the region to which their territory or country would be classified under the RIR system and a process for recording that information when a decision is reached.
- Guidelines for ICANN SOs, ACs and other applicable organizational structures to flexibly apply the new geographic framework.
- Criteria for evaluating the implementation and effectiveness of the new framework in five years.

Oversight and Future Review

70. The ICANN community cannot predict potential communities or participants who are not yet known or may not yet exist. The new geographic framework must be flexible enough to accommodate new players and potential new regions as they evolve. As such, the Board needs to maintain ultimate oversight over the transition and application of the new framework by individual communities.

71. The Working Group recommends that the Board call for a review of the framework in five years. Future adherence to a five-year review cycle should be part of the Board's ongoing/regular agenda that is tracked and monitored by the ICANN Staff.

Summary of Conclusions and Recommendations

72. The Working Group affirms that the principle of geographic diversity remains an important concept in the ICANN community. This diversity is not only one of geographic presence. Cultural, language, economic and other situational factors that from time to time forge commonalities within the Internet community must also have the opportunity to be addressed.

73. The Working Group concludes that modifications to the original geographic regions framework are merited, and recommends that ICANN should adopt its own Geographic Regions Framework based upon the assignment of countries to regions that currently underlies the organization of the Regional Internet Registries (RIRs). This new framework system should govern the make-up of the ICANN Board and should serve as the default for other parts of the ICANN community.

74. With the RIR framework as a base for maintaining geographic diversity on the ICANN Board, the Working Group recommends that the Board give all individual ICANN Supporting Organizations and Advisory Committees the opportunity to either directly apply the new framework to their operations or to present the Board with their own particular diversity methodology that is more appropriate to their unique operational and community characteristics.

75. The Working Group recommends that all countries and territories that otherwise would change regions as a result of the implementation of the new regional framework should be given a once-only opportunity to elect to remain in their old region.

76. The Working Group recommends that the Board consider adopting a more general process by which sovereign representatives can petition for re-assignment to a different region. A number of constraints are also recommended.

77. The Working Group recommends that ICANN seek ways to recognize and accommodate Special Interest Groups or Sub-regions. These "bottom-up" groupings would be complementary to the formal regional framework, and would not replace it. They would not form any part of ICANN's decision-making structure but would be free to lobby for the support of elected representatives.

78. Finally, the Working Group recommends that the Board maintain oversight over the Staff's application of the modified framework at all levels within the ICANN organization and review the effectiveness of its application at regular intervals. The Working Group recommends that the Board establish a timetable for Staff reports on the progress toward and successful management of the new framework. Staff should submit combined status and progress/assessment reports at 12 months, 36 months and then 60 months after the Board formally approves any framework modifications. After the initial 5-year report, subsequent reports would be made at five-year intervals.

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LIST OF APPENDICES:

Appendix A: Staff Summary and Analysis of Community Comments on Interim Report

Appendix B: RIR Framework – Categorization/Classification of Territories and Countries to Specific Geographic Regions.