

ICANN's geographical Regions



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Introduction

- Although you may think this discussion is not relevant to you, you may find by the end of the presentation that it does.
- Even if it's not, those that are affected need your support.

Agenda

- Why are there Geographical Regions?
- What are the problems?
- Why now?
- How did we get where we are?
- What's happened so far?
- What were the survey results?
- Where do we go from here?

Regions – The Definition

ICANN Bylaws – Article VI, Section 5 International Representation

..As used in these Bylaws, each of the following is considered to be a “Geographic Region”: **Europe; Asia/Australia/Pacific; Latin America/Caribbean Islands; Africa; and North America.** The specific countries included in each Geographic Region shall be determined by the Board, and this Section shall be reviewed by the Board from time to time (but at least every three years) to determine whether any change is appropriate, taking account of the evolution of the Internet.

Why do we have Regions?

- To achieve geographical diversity of representation on the ICANN Board, the At-Large Advisory Committee (ALAC) and the ccNSO Council.
- As a result, ALAC and ccNSO local organisations are based on the same Regions.
- It is a top-down, rather than a bottom-up, structure.

What are the Problems?

- The majority of the existing ICANN community can probably live with the status quo – but what about the Internet community that is not yet involved with ICANN?
- A small number of “nations”, typically from amongst the Dependent or Overseas Territories, consider they have been put the wrong Region.
- Others make a case for increasing the number of Regions from five to six or even seven.

Overseas Territory Example (1)

As the ccTLD Manager for the .ky domain, I'm located as follows:

- Physically, I'm in the Western Caribbean
- The UN Statistics Office puts me in LAC.
- But in note b/ to the same table, the UN states that North America comprises Northern America, Caribbean and Central America, so maybe I'm in NA.
- Not according to ICANN Bylaws – They say I'm in EU.
- But ICANN's ASO, for "practical reasons", puts me under ARIN, together with the US and Canada
- And finally, my ICANN Regional Liaison Officer covers Canada and the Caribbean.

Overseas Territory Example (2)

What are the consequences?

- Personal confusion
- No one from the Cayman Islands can realistically stand for election to the Councils of the ccNSO or ALAC, because they require to be nominated and elected by members of the EU Region - individuals they don't know and have never met.
- It would be impractical for anyone from Cayman to participate in, or benefit from, the work of a ccNSO European Regional Organisation or RALO, and they are not entitled to participate in the work of any other Region.

33 ccTLDs Potentially Affected

Domain	Country	ICANN	UN	Physical
as	American Samoa	NA	Oceani	AP
ai	Anguilla	EU	LAC	LAC
aq	Antarctica	AP	AP	AQ
aw	Aruba	EU	LAC	LAC
ac	Ascension Island	EU	EU	AF
bm	Bermuda	EU	NA	NA
bv	Bouvet Island	EU	EU	AF
io	British Indian Ocean Territory	EU	EU	AP
ky	Cayman Islands	EU	LAC	LAC
fk	Falkland Islands (Malvinas)	EU	LAC	LAC
gf	French Guiana	EU	LAC	LAC
pf	French Polynesia	EU	Oceani	AP
tf	French Southern Territories	EU	EU	AP
gl	Greenland	EU	NA	NA
gp	Guadeloupe	EU	LAC	LAC
gu	Guam	NA	Oceani	AP
mq	Martinique	EU	LAC	LAC
yt	Mayotte	EU	Africa	AF
ms	Montserrat	EU	LAC	LAC
an	Netherlands Antilles	EU	LAC	LAC
nc	New Caledonia	EU	Oceani	AP
mp	Northern Mariana Islands	NA	Oceani	AP
pn	Pitcairn	EU	Oceani	AP
pr	Puerto Rico	NA	LAC	LAC
re	Reunion	EU	Africa	AF
sh	Saint Helena	EU	Africa	AF
pm	Saint Pierre and Miquelon	EU	NA	NA
gs	South Georgia and the South Sandwich	EU	EU	LAC
tc	Turks and Caicos Islands	EU	LAC	LAC
um	United States Minor Outlying Islands	NA		AP
vg	Virgin Islands, British	EU	LAC	LAC
vi	Virgin Islands, U.S.	NA	LAC	LAC
wf	Wallis And Futuna	EU	Oceani	AP

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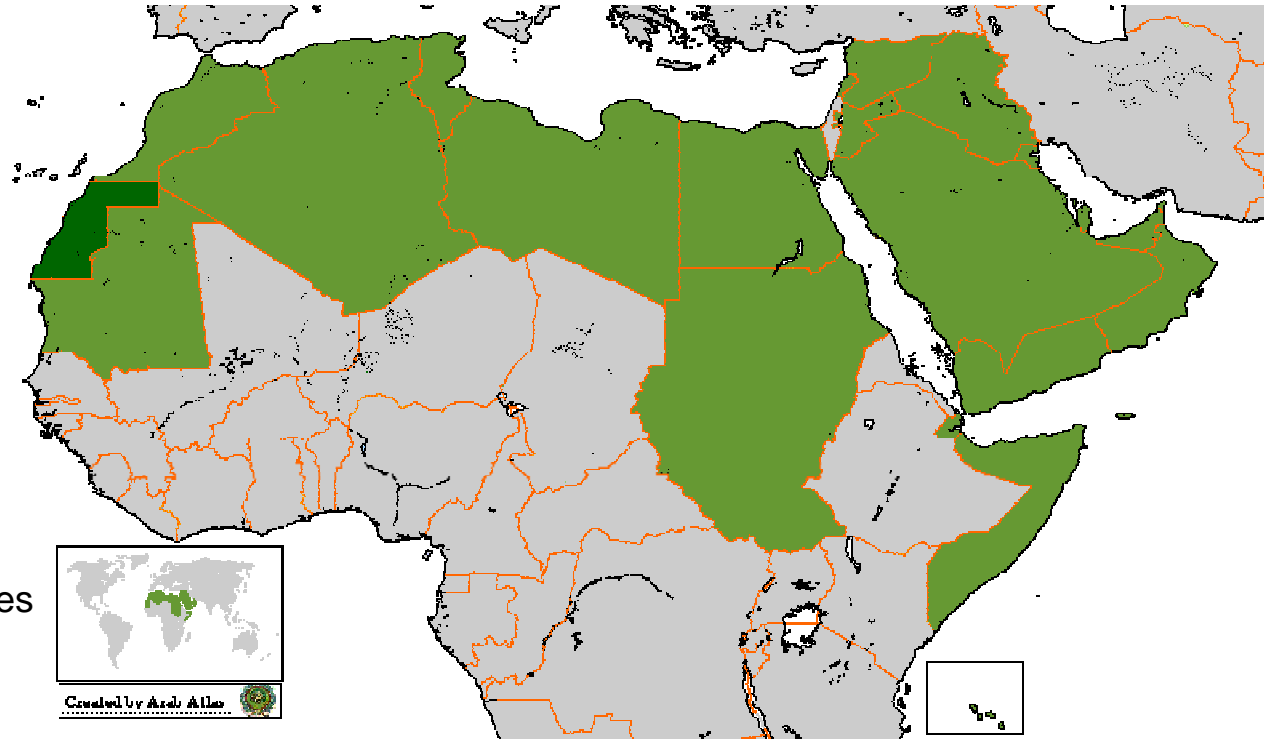


Are there too few regions?

- Asia/Pacific/Australia Region is too large.
- UN Statistics Office designates 6 regions. Why does ICANN use only five.
- Some countries with clear cultural and economic ties would like their own region, e.g. the 22 countries of the Arab League

The Countries of the Arab League

-  Egypt
-  Iraq
-  Jordan
-  Lebanon
-  Saudi Arabia
-  Syria
-  Yemen
-  Libya
-  Sudan
-  Morocco
-  Tunisia
-  Kuwait
-  Algeria
-  United Arab Emirates
-  Bahrain
-  Qatar
-  Oman
-  Mauritania
-  Somalia
-  State of Palestine
-  Djibouti
-  Comoros



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Why is this a concern now?

- As membership of the ccNSO has grown, so has the pressure to 'sort out' the anomalies in the Regional structure.
- It was discussed by the ccNSO Council in Marrakesh, and the concerns were reported to the ICANN Board.
- A survey of ccNSO members was completed recently, and the results are now available.
- The Bylaws require at least a 3 yearly review. A review is due this year, and a discussion paper has been issued by ICANN

How did we get here(1)?

- Five regions in original ICANN proposal.
- No explanation on public record.
- Although reasoning for 5 regions sought in 1999/2000, no response on record.
- At Yokohama meeting (2000), Board had to assign countries to regions for ALAC elections.
- GAC was asked for advice. Said use “international norms”.

How did we get here (2)?

- Staff proposed UN Stats allocation, and this was accepted.
- UN had 6 regions (included Oceania) which were mapped into 5 ICANN regions. No discussion of this on record.
- “Persons from areas that are not countries would be grouped together with the country of citizenship for that area” No justification given.

How did we get here (3)?

- In Montreal in 2003, allocation was reviewed in accordance with Bylaws.
- Topic paper implied treatment of Territories was advised by GAC.
- Allocation was again endorsed with much discussion, but 3 directors abstained and one voted against.

What are the procedural errors?

- No discussion with the people impacted, who weren't even represented.
- CAG did not advise, 'comment' was in different context.
- Wording of motions in 2000 and 2003 only approved allocation in accordance with UN – did not authorise compression to 5 Regions or allocation of Territories.
- Supposedly allocated on basis of citizenship, but not applied correctly or consistently. Some territories are NOT citizens of 'mother country', e.g. British Overseas Territories, American Samoa, etc.

Territories under European sovereignty but closer to continents other than Europe

Denmark	Greenland
France	Clipperton Island • French Guiana • French Polynesia • French Southern and Antarctic Lands • Guadeloupe • Martinique • Mayotte • New Caledonia • Réunion • Saint-Pierre and Miquelon • Scattered islands in the Indian Ocean • Wallis and Futuna
Italy	Pantelleria • Pelagie Islands
Netherlands	Aruba • Netherlands Antilles
Norway	Bouvet Island
Portugal	Azores • Madeira
Spain	Ceuta • Melilla • Plazas de soberanía • Canary Islands
United Kingdom	Anguilla • Bermuda • British Virgin Islands • Cayman Islands • Falkland Islands • Montserrat • Saint Helena • Tristan da Cunha • Turks and Caicos Islands • British Indian Ocean Territory • Pitcairn Islands • South Georgia and the South Sandwich Islands

Inclusion criteria

A European outlying territory is a territory which:

1. has any political status other than independent country;
2. has a common sovereignty with some member state of the Council of Europe;

And either

- (a) the nearest independent country is not a member of the Council of Europe, or
- (b) the distance to the nearest European territory is more than 400 nautical miles.

The distance in (a) is measured to the nearest other territory; the distance in (b) is twice the EEZ limit under the Law of the Sea Convention, ensuring that the respective jurisdictional waters are not contiguous.

What's happened so far?

- Discussed at last ccNSO meeting in Wellington.
- Concerns reported to ICANN Board at NZ meeting, and this resulted in some discussions during that public session.
- Further discussions of ccNSO Council resulted in recent survey on the subject.
- Can now present the results.

The Survey

- Number of ccTLDs: 242
- Number in ccNSO: 51
- Number of Responses: 41
- Responses from ccNSO: 21
- Responses from non-ccNSO: 20

Survey Questions

1. In which ICANN region is your ccTLD located?
2. Do you consider this the correct ICANN region for your ccTLD?
3. Are there some circumstances in which a ccTLD manager should be able to determine which ICANN region they belong to?
4. Should there be more ICANN regions?
5. Do the current ICANN regions impede ccTLD participation in ICANN?

Are you in the correct Region?

	Total Responses		ccNSO Responses	
Yes	36	(88%)	17	(81%)
No	4	(10%)	3	(14%)
No Response	1	(2%)	1	(5%)

ccTLD Manager choose in some circumstances?

	Total Responses		ccNSO Responses	
Yes	13	(32%)	9	(43%)
Don't care	18	(44%)	8	(38%)
No	9	(22%)	3	(14%)
No Response	1	(2%)	1	(5%)

More ICANN Regions?

	Total Responses		ccNSO Responses	
Yes	11	(27%)	7	(33%)
Don't care	15	(37%)	7	(33%)
No	14	(34%)	6	(29%)
No Response	1	(2%)	1	(5%)

Current Regions impede participation?

	Total Responses		ccNSO Responses	
Yes	9	(22%)	6	(29%)
Don't care	6	(15%)	12	(57%)
No	26	(63%)	3	(14%)

Survey Conclusions

- Some ccTLDs think they are in the wrong Region, but one solution doesn't fit all. Depends on culture, language, etc.
- The majority of respondents either support allowing them to change, or don't mind if they do.
- Some ccTLDs think there should be more Regions (AP too large, Arab States, Middle East)
- The majority of respondents either support or do not object to this view.

Personal Conclusions

- Current ICANN position not sustainable. Runs counter to ICANN Core Value of “seeking and supporting broad, informed participation reflecting the functional, geographic, and cultural diversity of the Internet....”
- Too many ‘procedural’ errors. At the very least, motion would have to be reworded.
- While attempting to achieve an expedient, politically correct solution, ICANN has confused sovereignty, nationality and citizenship.

Personal Conclusions

- Regions should be about maximizing participation and representation, and therefore should be built from the bottom-up, not top-down.
- Bylaws on diversity would work without amendment at ICANN Board level if number of Regions increased, but there would be implications for structure of ccNSO Council and At Large Committee.
- However, any proposal to change the number of Regions could reopen debate about regional influence, politics & the basis for representation.

Where do we go from here?

- Options:

- Use Article IX, Section 4, para 4 to allow ccNSO member to self-select Region where the correct region 'is in doubt' (quick fix for Territories that wish to change Region)
- ccNSO to define its own regions for its own purposes (would need ccNSO Task Force and/or PDP)
- Respond to ICANN consultation urging ICANN to set up Task Force to examine issue at ICANN level. (Would involve at least ALAC, ccNSO and GAC)

Thank You!



Comments and Questions Please

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