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13 **ZA Central Registry, NPC**

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF LOS ANGELES – CENTRAL**

16 DOTCONNECTAFRICA TRUST, a
17 Mauritius Charitable Trust,

18 Plaintiff,

19 v.

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

25 Defendants.

CASE NO. BC607494

*Assigned for all purposes to the Honorable
Howard Halm*

**DECLARATION OF MOCTAR YEDALY
IN SUPPORT OF ZACR'S OPPOSITION
TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

[Filed concurrently: Opposition to Plaintiff's
Motion for Preliminary Injunction;
Declarations of Amy T. Brantly; Mokgabudi
Lucky Masilela; and Declaration II of
Mokgabudi Lucky Masilela in Support of
ZACR's Opposition to Plaintiff's Motion for
Preliminary Injunction]

Date: February 2, 2017

Time: 8:29 a.m.

Dept.: 53

1 **DECLARATION OF MOCTAR YEDALY**

2 I, Moctar Yedaly, hereby declare as follows:

3 1. I am the Head of Information Society Division, within the
4 Infrastructure and Energy Department at the African Union Commission
5 (“AUC”), a position I have held since 2007. The AUC has authorized me to
6 submit this declaration in support of ICANN and ZACR’s opposition to
7 DotConnectAfrica Trust’s (“Plaintiff” or “DCA”) Motion for Preliminary
8 Injunction. I have personal and first-hand knowledge of the matters set forth
9 herein and I am competent to testify as to those matters if called as a witness.

10 2. The AUC is the secretariat of the African Union (“AU”), entrusted
11 with the union’s executive functions. As stated on the AU’s website –
12 <http://www.au.int/en/about/nutshell> – the vision of the AU is: “An integrated,
13 prosperous and peaceful Africa, driven by its own citizens and representing a
14 dynamic force in [the] global arena.” The objectives of the AU include the
15 promotion of sustainable development of the economic, social and cultural levels
16 as well as the integration of African economies, and the advancement of the
17 development of the continent by promoting research in all fields, in particular in
18 science and technology.

19 3. The AU has 54 member states, all from the African continent:
20 Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde,
21 Cameroon, Central African Republic, Chad, Comoros, Congo, Cote d’Ivoire, DR
22 Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia,
23 Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar,
24 Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria,
25 Rwanda, Sahrawi Republic, Sao Tome and Principe, Senegal, Seychelles, Sierra
26 Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Togo, Tunisia,
27 Uganda, UR of Tanzania, Zambia, and Zimbabwe. The only country in Africa

1 that is not a member of the AU is Morocco. Notwithstanding this, the
2 Government of Morocco provided its letter of support for ZACR’s application for
3 the .AFRICA TLD.

4 4. The AUC is the key organ playing a central role in the day-to-day
5 management of the African Union. The AUC represents the Union and defends
6 its interests; elaborates draft common positions of the Union; prepares strategic
7 plans and studies for the consideration of the Executive Council i.e., Council of
8 Ministers of Foreign Affairs of the Union’s Member States; elaborates, promotes,
9 coordinates and harmonizes the programs and policies of the Union with those of
10 the Regional Economic Communities; and ensures the mainstreaming of gender in
11 all programs and activities of the Union.

12 5. A primary mission of the AUC is to help drive African integration
13 and development process in close collaboration with African Union Member
14 States, the Regional Economic Communities and African citizens. In my position
15 at the AUC, I am in charge of the development of Policies and Regulations and
16 implementation of projects in the field of information and communication
17 technologies for the entire African Continent.

18 6. I have been integrally involved in the AUC’s efforts to support the
19 delegation of a .AFRICA top level domain for the African continent. This
20 initiative is fully endorsed by the African Union and has widespread support
21 across the continent. The launch of the .AFRICA domain is of historic
22 significance to the African continent. With the goal of establishing “Africa in One
23 Space,” .AFRICA will provide secure, world-class technical infrastructure to
24 leverage the continent’s socio-economic capacity and potential. Built on a
25 consensus-driven framework of best practices and open standards, the .Africa
26 Registry will place special emphasis on securing the rights of intellectual property
27 owners, Internet users and the broader African community. The .AFRICA gTLD
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1 will enable governments, business and civil society to build brands, promote
2 development and establish long-term relationships with this market. The
3 .AFRICA gTLD will also help governments, the private sector, organizations and
4 individuals associate their services, products and information with the continent.

5 7. On August 7, 2010, African ministers in charge of Information and
6 Communication Technologies (“ICT”) for their respective countries signed the
7 “Abuja Declaration.” In that declaration, the ministers requested that the AUC
8 coordinate various projects aimed at promoting ICT projects on the African
9 continent. Among those projects was “set[ting] up the structure and modalities for
10 the [i]mplementation of the DotAfrica Project.” Attached hereto as **Exhibit A** is
11 a true and correct copy of the Abuja Declaration.

12 8. Pursuant to that mandate, the AUC issued a public request for
13 expressions of interest, followed by a response for proposals (“RFP Process”),
14 seeking applications from private organizations (including DCA interested in
15 operating the .AFRICA gTLD).

16 9. Prior to the Abuja Declaration, and years before ICANN had even
17 published the applicable Guidebook governing the new gTLD process that would
18 apply to .AFRICA in 2012, the AUC had been approached by DCA requesting a
19 letter of support for the .AFRICA initiative. On August 27, 2009, the AUC issued
20 a letter to DCA expressing its support of the .AFRICA initiative. Attached hereto
21 as **Exhibit B** is a true and correct copy of that August 27, 2009 letter. (The letter
22 was signed by the AUC Deputy Chairperson, Mr. Erastus J.O. Mwencha, for and
23 on behalf of the AUC Chairperson, Jean Ping. This is made clear by Mr.
24 Mwencha signing his own name “for” the Chairperson, and also because the
25 official stamp over the signature block was that of the Deputy Chairperson.) The
26 AUC letter was sent to DCA years before ICANN had issued the governing
27 Guidebook and put out a formal bid for new gTLD applications. Once the AUC
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1 recognized that ICANN was moving forward with a new gTLD process and likely
2 would allow the .AFRICA gTLD to become a reality, the AUC determined that a
3 fully vetted and transparent process was needed for the governments of Africa to
4 provide proper support to an applicant seeking to serve as a registry for a gTLD
5 that would represent the entire continent.

6 10. To that end, on April 16, 2010, the AUC sent DCA a letter informing
7 it that “following consultations with relevant stakeholders . . . [i]t no longer
8 endorse[d] individual initiatives [for .AFRICA].” Instead, “in coordination with
9 the Member States . . . the [AUC] w[ould] go through [an] open [selection]
10 process.” A true and correct copy of this AUC letter is attached hereto as **Exhibit**
11 **C**. One of the purposes of this letter was to advise DCA that the AUC was
12 withdrawing any previous support the AUC had announced for DCA now that the
13 AUC was more fully engaged and had determined to conduct an open selection
14 process to identify the registry operator that the AUC would endorse.

15 11. DCA acknowledged that it was aware the AUC had withdrawn any
16 previous support because it wrote a letter to the AUC on January 26, 2011
17 complaining about what it believed to be the “wrongful withdrawal of [the AUC]
18 endorsement letter.” A true and correct copy of DCA’s January 26, 2011 letter is
19 attached hereto as **Exhibit D**. Thereafter, DCA chose not to participate in the
20 AUC’s RFP Process. ZA Central Registry (“ZACR”), which was previously
21 known as UniForum SA, prevailed in the RFP Process, and ZACR submitted an
22 application to ICANN for the .AFRICA gTLD with the full support of the AUC
23 and with more than 60% support from individual African Governments as
24 required by the new gTLD Applicants’ Guidebook.

25 12. On July 2, 2013, the AUC, pursuant to the Abuja Declaration and
26 with full authority of its member states, sent a letter to ICANN expressly advising
27 that the AUC had placed its full support behind ZACR’s application. (At the time,
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- 1 • “ECA as United Nations entity is neither a government nor a public
2 authority and therefore is not qualified to issue a letter of support for
3 a prospective applicant in support of their application. In addition,
4 ECA does not have a mandate to represent the views or convey the
5 support or otherwise of African governments in matters relating to
6 application for delegation of the gTLD.”
- 7 • “In this regard, the August 2008 letter referenced above is merely
8 expressions of a view in relation to the entity’s initiatives and efforts
9 regarding internet governance, including efforts to obtain a gTLD for
10 Africa. It is ECA’s position that the August 2008 letter to Ms.
11 Bekele [later used by DCA] cannot be properly considered as a
12 “letter of support or endorsement” within the context of ICANN’s
13 requirements and cannot be used as such.”

14 16. ZACR has signed a registry agreement with ICANN, and I am
15 informed that ZACR is fully prepared to proceed once ICANN is able to complete
16 the delegation.

17 17. On June 2, 2014 – more than two years ago – the AUC sent a letter to
18 ICANN explaining “DotAfrica is an extremely important initiative for Africa’s
19 participation and contribution to the Internet economy and to the broader Internet
20 governance ecosystem,” and that it was “with great concern that we are faced with
21 [] delay in delegating this important regional TLD.” Our letter continued: “[I]t is
22 becoming increasingly difficult for the AUC to explain to not only its member
23 states but also other African stakeholders, why the African geographic TLD
24 application has become so challenging for ICANN to expedite despite the various
25 statements made towards the need to support developing regions.” A true and
26 correct copy of this letter is attached to this declaration as **Exhibit K**.

1 18. In my role at the AUC, I communicate regularly with political,
2 business and civic leaders from throughout the African Union and its member
3 states regarding the .AFRICA gTLD. It is evident that the ongoing delay in the
4 delegation of .AFRICA is depriving the people of the African continent of an
5 important opportunity to expand internet domain capabilities. There are real
6 opportunities being lost because we remain unable to develop and promote a
7 gTLD that would be uniquely identified with the African continent. It is difficult
8 to explain to African citizens why .AFRICA is not yet operational when other
9 continents have their own unique gTLDs that have been available for years. It is
10 particularly frustrating when I am informed that the delay is due to DCA's efforts
11 to continue to rely upon a supposed endorsement by the AUC that was withdrawn
12 over six years ago – a point that the AUC, on behalf of its representative
13 governments, has repeatedly advised in the correspondence referenced above.

14 19. In addition, the AUC has required as a condition to its support of
15 .AFRICA that all surplus funds generated through the administration of the
16 .AFRICA gTLD will be channeled into a Development Fund, which will be
17 applied towards African developmental projects and initiatives. The Development
18 Fund will be administered by the dotAfrica Foundation, which will ensure that
19 dotAfrica's core developmental objectives are addressed. I am informed that
20 these projects and initiatives will provide millions of dollars to benefit projects
21 supporting the people of Africa. The continued delay in the delegation of the
22 .AFRICA gTLD to ZACR has impeded this goal and further prejudices the AUC's
23 member states and the African community.

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I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct. This declaration was signed on December 8th, 2016 at Mexico.



Moctar Yedaly

EXHIBIT A

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: www.africa-union.org

**THIRD CONFERENCE OF AFRICAN MINISTERS
IN CHARGE OF COMMUNICATION AND
INFORMATION TECHNOLOGIES
03 - 07 August 2010
Abuja, Nigeria**

AU/CITMC-3/MIN/Decl.(III)

2010 ABUJA DECLARATION

2010 ABUJA DECLARATION

PREAMBLE

WE, African Ministers in charge of Communication and Information Technologies meeting at the Third Ordinary Session of the African Union Conference of Ministers in charge of Communication and Information Technologies in Abuja, Federal Republic of Nigeria, from 6 – 7 August 2010;

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

Recalling the Executive Council Decision (EX.CL/Dec./238. (VII)) on establishment of the Communication and Information Technologies Ministerial Conference (CITMC);

Bearing in mind the 14th Assembly of Heads of State and Government Declaration on Information and Communication Technologies in Africa: Challenges and Prospects for Development, Doc. Assembly/AU/11(XIV), held in Addis Ababa, Ethiopia, from 1 to 2 February 2010;

Re-affirming that Information and Communication Technologies are key to Africa's development and economic competitiveness in the attainment of the African Union Vision and the Millennium Development Goals (MDGs);

Taking into account the African Regional Action Plan on the Knowledge Economy (ARAPKE) adopted by the Executive Council of the African Union Decision EX.CL/Dec./261 (IX) in Khartoum, The Sudan in 2006;

Considering the African Heads of State and Government Declaration Assembly/AU/9(XII), on supporting the Programme for Infrastructure Development in Africa (PIDA), adopted in Addis Ababa, Ethiopia, in 2009;

Considering also the Oliver Tambo Declaration adopted in Johannesburg in November 2009;

Recalling the Decision EX.CL/Dec./434(XIII) of the 13th Ordinary Session of the Executive Council held in Sharm El-Sheikh, Egypt, in July 2008;

Welcoming the various initiatives on the development of the Information and Communication Technologies sector in Africa, including:

- The Reference Framework for Harmonization of Telecom/ICT Policy and Regulations In Africa;
- African Regional Action Plan for the Knowledge Economy;
- Action Plan for the Development of Postal Sector in Africa;
- EU-Africa Partnership on Infrastructure (ICT component);
- EU-Africa Partnership on Science, Information Society and Space;
- NEPAD Planning and Coordination Agency (NPCA) ICT programmes.
- Connect Africa Summit, and
- The Pan-African e-Network for Tele-Medicine and Tele-Education.

Taking note of the Report of the Experts Meeting held in Abuja, Federal Republic of Nigeria, from 3 to 5 of August 2010.

HEREBY COMMIT OURSELVES TO:

1. **INTEGRATE** Information and Communication Technologies into our respective National Indicative Programmes;
2. **PROMOTE** the mainstreaming of ICT policies in other sectors at national, regional and continental levels;
3. **WORK TOGETHER** to contribute to the implementation of the Programme for Infrastructure Development in Africa (PIDA), notably its ICT component;
4. **PROMOTE** the transition from Analog to Digital terrestrial Broadcasting and to set up National Multi-Disciplinary Committee (Telecoms/ICT experts and regulators, broadcasting experts and regulators and policy makers) on the Analog Switch-Off with the mission, among others, to oversee the national strategy and to coordinate with similar committees at regional and continental levels;
5. **ENCOURAGE** the African private sector to invest in ICT networks projects;
6. **SET UP** national structure to promote the use of ICT in education to enable the rollout and scaling up of the NEPAD e-School initiative;
7. **PROMOTE** the implementation of the e-Post programme as part of the National e-strategies taking into account coordination at the regional level;

8. **SECURE** the orbital/spectrum resources required to accommodate continental satellites including applying as a block to secure allocation of unused ITSO orbital resources to Africa as priority;
9. **SUPPORT** the implementation of the 'Connect Africa' commitment to promote human and institutional capacity building through interconnected network of ICT Centres of Excellence;
10. **SUPPORT** the creation of an African Centre of Excellence with continental coverage, in the field of ICT;
11. **SUPPORT** the decision to integrate the Ministerial Conference and the Executive Committee of the NEPAD e-Africa Commission into the African Union CIT Ministerial Conference (CITMC);
12. **ENCOURAGE** the RECs to strengthen their capacity through the provision of Postal Experts for an optimum implementation of the Action Plan for the Development of the Postal Sector in Africa;
13. **INCLUDE** postal entities in our strategies and programmes for the development of the ICT universal access in accordance with the Declaration of the 14th Assembly of the African Union held in Addis Ababa, Ethiopia, in February 2010.

HEREBY REQUEST THE AU COMMISSION TO:

- 1) **Work with** the ITU and with all the development partners to continue activities on harmonisation of policy and regulations in Africa based on the platform created by HIPSSA project in order to implement the remaining components of the Reference Framework adopted by the CITMC-2;
- 2) **Jointly finalize with** the United Nations Economic Commission for Africa, within the framework of the African Information Society Initiative (AISII), the Draft Convention on Cyber Legislation and support its implementation in Member States by 2012;
- 3) **Set up** the structure and modalities for the Implementation of the DotAfrica project;
- 4) **Conduct** a feasibility study for the establishment of the African Space Agency taking into account existing initiatives, and develop an African Space Policy in cooperation with the RECs, UNECA and ITU;

- 5) **Implement** the integration of the NEPAD e-Africa Commission governance into the governance of the CITMC;
 - 6) **Provide** support to Member States in implementing the e-Post programme in cooperation with the stakeholders;
 - 7) **Enhance** organizational and institutional capacity building for better programmes and initiatives coordination, and for an appropriate and consolidated mechanism for reporting to the CITMC.
 - 8) **Develop** an action plan and a monitoring mechanism for implementation of CITMC decisions
 - 9) **Strengthen** the capacity of the Departments in charge of Communications and Information Technologies within the African Union Commission as to allow an optimum implementation of this Declaration
14. **APPRECIATE** the role of African institutions, UN Agencies, African and international development partners and the private sector in supporting the AU efforts to develop the ICT sector in the continent;
15. **EXPRESS** our gratitude to His Excellency President **Dr. Goodluck Ebele Jonathan**, the Government and People of the Federal Republic of Nigeria for their warm hospitality and excellent organization of this conference.

Abuja, Nigeria, 7 August 2010

EXHIBIT B



AFRICAN UNION COMMISSION
Chairperson

BC/Y/727/08.09

Addis Ababa, 27 August 2009

Dear Ms. Bekele,

Sub: Endorsement of the DotAfrica (.africa) Initiative

African Union Authority in its capacity as a continental organization would like to express support for the "dotafrica" initiative, through which your organization is applying for delegation of a regional identifier top level domain – '.africa' from the Internet Corporation for Assigned Names and Numbers (ICANN) and then make it available to the Pan-African community. Dot Africa ".africa" expects to reinvest surpluses in socio-technological advancement initiatives relevant and to operate a viable not-for-profit initiative that is a technically advanced, TLD registry for the Pan-Africa and African community under the sponsorship of DotConnectAfrica organization.

This will mean that the African continent will follow upon the experience of the European Union and their '.eu' domain, and the Asian continent with their '.asia' domain.

The African Union Authority considers introducing the ".africa" domain will be a valuable attribute for entities, professionals and corporations active in Africa, empowering those stakeholders who see value in a regional online identity.

In this regard, should your initiative require it, the African Union Authority is willing to offer assistance in the coordination of your initiative with African Ministers and Governments.

Based on the above, the African Union Authority expresses its endorsement of the DotAfrica ".africa" initiative wishing you success in all the endeavors.

With best regards.


Jean PING



Sophia Bekele
Executive Director
The DotAfrica (.africa) project
DotConnectAfrica.org
www.dotconnectafrica.org
Fax (925) 935-1589, USA
Fax: (251-11) 662-59-09, Addis Ababa

EXHIBIT C



AFRICAN UNION COMMISSION
Deputy Chairperson

REC/LET/223/10

16th April 2010

Dear Madam,

Referring to my letter BC/Y/227/08.09 sent to you on the 27th of August 2009 related to the above subject, I would like to inform you that following consultations with relevant stakeholders, the African Union Commission has reconsidered its approach in implementing the subject Internet Domain Name (DotAfrica) and no longer endorses individual initiatives in this matter related to continental resources.

In coordination with the Member States and with relevant international organization such as ICANN, the Commission will go through open process that certainly will involve the private sector.

Please accept, Ms. Bekele, the assurances of my best consideration.

Erastus J.O. Mwencha
Deputy Chairperson
African Union Commission

To:
Sophia Bekele
United States of America
Fax: (925) 935 1589,
(251 11) 662 5909

Copy:
Internet Corporation for Assigned Names and Numbers (ICANN)
Marina del Rey, CA, USA
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601
United States of America
Fax: +1.310.823.0649

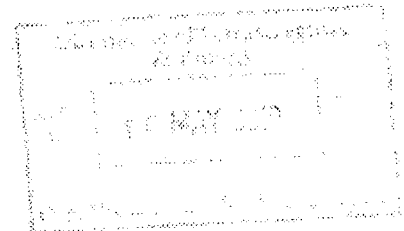


EXHIBIT D



Africa's map in the digital inclusion!

Ref: dotafrica/2011/01/26

26 January 2011

H.E. Monsieur Jean Ping
Honourable Chairperson of the African Union Commission
AU Commission Headquarters
P. O. Box 3243
Addis Ababa, Ethiopia

H.E. Mr. Abdoulie Janneh
United Nations Under-Secretary General and
Executive Secretary of the
United Nations Economic Commission for Africa (UNECA)
P. O. Box 3005
Addis Ababa, Ethiopia

Your Excellencies,

Subject: A Note of Official Complaint Regarding Certain Influence-Peddling Activities Being Perpetrated Against DotConnectAfrica (DCA) Organization, and Wrongful Withdrawal of Endorsement Letter Granted to DCA on account of Willful Negative Manipulation Against Our Efforts by Our Detractors

We have decided to jointly address this Note to Your Excellencies for joint action since we believe that the actual responsibility of implementing actionable programs and policies that pertain to the overall good and success of the New African project rests squarely on both of you, as the respective heads of two important organizations that have the specific mandate to develop Africa for Africans.

Our DCA has within the past year received endorsements from both the UNECA and the AU, however, the endorsement received from the AU has remained somewhat contentious. **From an article published in the ComputerWorld Kenya on-line magazine, we learn that the AU will be directly involved in the Dot Africa debate. (Please see attached for your immediate reference).**

The endorsement initially bestowed upon us by the AU Chairperson was unfairly withdrawn by a letter purportedly written and signed by the Deputy Chairperson of the AU, which, in our estimation, is not genuine, since it goes against every rule of administrative procedure and protocol for a letter signed by the Deputy Chairperson to countermand an earlier one granting a principled approval by the Chairperson, a present already bestowed by a higher authority. Therefore, we still believe that our original endorsement that was given by the AU Chairperson remains valid. As a direct consequence, we no longer give credence to the letter that was purportedly issued in the name of the Deputy

Chairperson, which to all practical intents and purposes was manipulated by our detractors simply to deny us our original endorsement letter, by copying ICANN whereas the original endorsement letter was never copied to ICANN by the AU.

Moreover, in addition to the obvious invidious machinations against our avowed interest, as per the article attached, **it is also obvious that our opponents are now using the Ghanaian ICT Minister to manipulate the ICANN, hoping to use this to manipulate the official thinking of the AU in a certain direction.** DCA is not happy with this shameless influence-peddling that is being perpetrated by our detractors. A copy of our official rejoinder to the Computerworld Kenya publication is attached herewith for your perusal.

To this end, DCA wants to bring to the attention of Your Excellencies, as respective heads of two important organizations, that there appear to be a nexus of conspiracy against DCA and its principal promoter Ms. Sophia Bekele with Ms. Aida Opoku-Mensah and Mr. Nii Quaynor, both Ghanaian nationals, at the center of it. Sadly, we feel that we have not been welcomed by Ms. Aida. So far, she hasn't shown much interest in and enthusiasm for our initiation for whatever reason as evidenced by her lack of action and support to move it forward even though she was entrusted to handle this noble cause a long time ago, since our first letter to her in 2006 ; **to which now DCA realized she only gave lip service to the Executive offices for our support, when in truth has expected a different outcome.** We appeal to ECA's Executive offices and urge Ms. Aida herself to pass on this assignment to somebody who could be more enthusiastic and more devoted to move it forward immediately. We think that Ms. Opoku-Mensah can no longer be trusted to act impartially for the benefit of all African stakeholders, in particular to this very important project for Africa, to serve the interests of her Ghanaian compatriot.

We find that first, our opponents initial manipulation that was aimed at using the Francophone element to project Pierre Dandjinou into the ICANN Board failed. Therefore, they are now using their 'supposed Plan B', which is to use the Ghanaians, to wit, Nii Quaynor, and Aida Opoku Mensah to manipulate the Ghanaian Minister of ICT into nudging the ICANN to behave in certain direction. **Only such persons in privileged position, would use this shameless influence peddling scheme to tilt something in their favor, as the "dotafrica.org" company has been registered to Nii Quaynor for their version of dotafrica.**

In this article which is written in flagrant disregard for journalism ethics and decorum, they have devised a scheme to thwart public opinion to their version of a dotafrica proposal claiming a "community" model, while making assertion that DCA's proposal is for self interest; to everyone's surprise after many public claims by the same group in the past, that DCA's proposal is a carbon copy of their own, which was found to be an empty accusation without merit. **Additionally, they have attempted to give the impression that AU should be the arbitrator instead of ICANN in selecting the dotafrica registry, against international rules and procedures.** This has been embarrassing at the international platforms of ICANN's stakeholders, with only the African continent asking for exception while other geographic name applicants to include Latin America and Caribbean which are following ICANN rules; certainly making nepotism and grandfathering an acceptable norm in Africa for choosing partnerships rather than respect for the rule of law.

From what we and observer see, **this group have done nothing on the ground on africa that they could show as proof of their positive commitment; neither do they have any solid endorsements from any serious stakeholder, any institutional support or even community acceptance aside from their own clique; Therefore, their plan is to continue to sabotage our AU endorsement along with their 'friends' and 'secret cabal' within the AU and UNECA.** This is likened to a scenario that not only do they

want to steal the car that we have been driving, but also surreptitiously demanding a legal "right" to the key to the car without even knowing or demonstrating that they ever purchased a car or proving that they can properly drive a car; which only a legally-mandated authority can do, which in this case is ICANN.

Therefore, DCA condemns such dishonorable tactics and so should the leadership of the African Union and UNECA whose endorsement and support is being undermined by these special interest groups that continue to sabotage the serious work and arduous sacrifices of DCA. **Hence, we would like the leadership to strongly caution them to cease and desist on all these unwholesome and highly unethical practices** that are not helpful to the perpetrators of these crimes against DCA and to these two highly respected organizations. We thought we reasoned the **wise course of action to bring these matters to bring your good offices to bear on the situation so as to stop their hatred and traducement campaign against DCA.**

Finally, we need not overstress the point that these negative activities performed by our detractors only serve the cause of undermining the African Renaissance efforts being put in place, and the vision and hard work of leaders such as yourselves. **It is therefore not too much for us to request your kind and earnest intervention to reassure us all that these people should not be allowed to continuously act with impunity simply to serve parochial interests,** but that they could be called to account now that their willful manipulations have been uncovered.

We thank your Excellencies in kind anticipation, as we hope that the matters that we have raised in this communication will be addressed squarely so as to reassure us of the faith that we have put in the judicious resolution of this matter.

The DCA would like to use this opportunity to reassure you of its highest esteem and consideration.

Yours sincerely,

Sbekele

Ms. Sophia Bekele, B.S., M.B.A., C.I.S.A, C.C.S, CGEIT

Ex: gTLD Policy Advisor to ICANN (2005-07)

Ex: AISI advisor to UNECA

Executive Director (.Africa)

sbekele@dotconnectafrica.org

www.dotconnectafrica.org

Attach: Copy, ComputerWorld Kenya: "African Union Joins .Africa Debate"

Copy, DCA Commentary to ComputerWorld Kenya, submitted and published on external media

cc: ICT Minister of Mauritius
ICT Minister, Kenya
Ministry of Foreign Affairs, Ethiopia
Office of the CEO, ICANN Corp. USA

Commentary by DCA: African Union and the .Africa debate

Our attention has been drawn to a recent article on computerworld.co.ke re: African Union and the .Africa debate, by staff writer Ms Rebecca Wanjiku who inadvertently revealed a rather disturbing influence-peddling activities coupled with evidence of abuse of office.

The article makes it quite evident that there is an attempt at high-profile influence peddling that pervades the on-going debate and 'fights' on how the management of the .Africa tld (Dot Africa Top Level Domain) should be handled between and amongst the contenders, and what role is expected of the African Union as one of the principal Pan-African organization. The article also attempts to give the public an impression that AU should be the arbitrator instead of ICANN in selecting the dotafrica registry, against international rules and procedures.

Following the recent rejection and failed electoral bid by a certain cabal to enable their own candidate Pierre Dandjinou (quoted in the article) gain a seat on the ICANN Board, this 'cabal' has again constituted itself into an influence-peddling ring which somehow managed to inveigle the Ghanaian ICT Minister to write to ICANN, simply with the intention of steering and/or manipulating the ICANN Leadership to behave in a certain manner. It is therefore important to ask some pertinent questions: "What or who pushed the Ghanaian ICT Minister to write to ICANN? What inspired him to write to ICANN to portray another contender in somewhat negative light? What further proof do we now need to reveal to one and all that the 'influence peddlers' have pushed a government Minister of Ghana to abuse his office? Why the overt involvement in a matter that is of no direct concern to the Government of Ghana? Does the Government of Ghana now speak for the African Union, as to warrant this unnecessary intervention, yet evidently willful manipulation that was simply aimed at pushing ICANN in a certain direction? How come only the Ghanaian ICT Minister and not the ICT Ministers of the rest countries of Africa wrote to ICANN? If all African ICT Ministers write to ICANN, and this important body gets pulled in different directions, how could ICANN function independently without undue interference in its affairs and internal policy-making machinery? The questions are indeed many.

Even though we are not pointing any accusing fingers at anyone, it is well-known that Nii Quaynor has high-profile friends and contacts within the Ghanaian Government and Ghanaian contacts in intergovernmental organizations, and that dotafrica.org which is registered to him is wanting to be other contender in the dotafrica bid. Additionally, Nii has recently in public email accused DCA of wanting to privatize the dotafrica TLD, to which the Ghanaian Minister seem to have implied in his letter to ICANN; This following another untruthful accusation Nii threw in the same public note, on plagiarism of dotafrica model from his own, as well as registration of "connectdotafrica.org" domain in 2007, stating "who is copying who" which is now proved to be bogus, an empty accusation without merit. The community has learned as of his accusation date that "connectdotafrica.org" was not registered to anyone, however DCA has now registered it to protect our domain portfolio from such empty claims so as not to confuse the public. Another question to ask here is, how come then the ICT Minister of Ghana did not raise the same concern of privatization and self interest to the other proposal? How does Nii's model inadvertently become a "community" model, Mr. Vika has referred to in the same article.

Therefore one would not be overtly speculative in deducing that those who have constituted themselves into a nexus of opposition against DCA now seem to have entangled themselves in a web of confusion, influence-peddling, and blatant abuse of office. We would therefore like to strongly urge ComputerWorld Kenya, to act in the spirit of investigative journalism to dig deeper into the matter and help uncover the underlying truths behind this entire saga. Stop this negative campaign of traducement against DCA.

Now to the other issues we have with the report.

It is unbalanced, non-factual, and perhaps due to inexperience of the writer, and her apparent unjustifiable haste to go to press, she forgot to verify information from the AU, and also forgot to seek the opinion of alternate stakeholders so as to present a balanced, and factually-accurate report that adheres to the canons of journalistic integrity, ethical principles, sanctity of public information, and fairness to all parties.

Therefore, overall, even though the report was somehow presented unfairly in order to damage our corporate interests, we feel victorious and encouraged that our enduring moral position has been again bolstered and vindicated.

Written By Thomas Kamanzki,

Africa Union joins .africa debate

Rebecca Wanjiku

16.12.2010 kl 14:48 | Computerworld Kenya

The African Union (AU) has expressed interest in playing a key role in selecting the operator for the .africa and .afrique generic Top Level Domains (gTLDs).

The .africa domain is expected to target companies with continental operations, just like .eu and .asia. The AU is hoping to represent governments' interest in the selection process, the way the European Union was involved in .eu.

Two weeks ago, Ghana's ICT minister sent a letter to ICANN indicating that .afrique and .africa discussions should involve the AU to avoid potential hijack for "private use."

Various entities have expressed interest in managing new gTLDs but critics question whether they are motivated by profit or by a genuine desire to increase domain-name uptake in the region.

"On one side is the self-serving commercial interest that some entities are already championing; these are entities that are in it purely for the money; on the other side is a community-serving commercial interest that most of the African internet community prefers," said Vika Mpisane, president of the Africa TLD organization (AfTLD).

"For the community model, the overall aim is to use the profits made from .africa domain name fees not to enrich an individual, but to grow and sustain the African internet community through various projects such as research and training," he added.

The debate about which entity should run .africa has been hinged on hopes that it will be a source of profit, like the business done by registries in developed countries. But the slow pace of Internet growth in Africa is likely to dent those hopes.

"Although there is such heated debate on .africa, I am not certain everyone understands the stakes so far," said Pierre Dandjinou, Executive Director, Strategic Consulting Group. "It is not primarily about big business, at least for the first years of operation, but about a projection of an African image and branding."

The .africa domain could help current country code TLDs, which have suffered from slow uptake, according to some industry insiders. "Most African TLDs lack an aggressive communication and marketing strategy," added Dandjinou, who is also a past chair of AfriNIC.

"A .africa registry could open up possibilities for capacity development for ccTLDs managers who could also be retailers for .africa." The new .africa domain may fare better than the ccTLDs simply because of the name, adds the AfTLD's Mpisane.

"There is a feeling amongst the African internet community that while a substantial lot of ccTLDs struggle with increasing registration uptake, the .africa domain will be more exciting for African brands and people as the name 'Africa' is naturally more recognizable than names of individual African country names," said Mpisane, who is also the general manager of the za Domain Name Authority in South Africa. While the debate on commercial and community interests has dominated the discussions, Mpisane and Dandjinou feel that the US\$185,000 application fee required is likely to lock out interested applicants from the region. There are discussions within ICANN to reduce the fee.

EXHIBIT E



Ref.: CIE/L/20/237.13

Date: 2nd July 2013

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

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

Dear Mr. President and CEO,

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

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

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

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

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

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

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SC

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

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

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

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

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

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

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

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

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

Thank you for the opportunity to support this application.

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

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EXHIBIT F



28 MARS 2012

(Courtesy Translation)

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

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

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

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

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

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

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

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

Best regards.

Le Directeur de l'Economie
Numérique

Signé : Boubker Seddik BADR

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EXHIBIT G

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

P. O. Box 3243, Addis Ababa, ETHIOPIA Tel.: (251-11) 5512622 Fax: (251-11) 4665081

Réf. : CIE/L/20/108.12

Date: 4th April 2012

Dear Mr. Neil Dundas,
Director, UniForm SA/ZACR
P.O BOX 4620
South Africa
Tel:+27113140077
Fax:027113140088

Subject: Letter of Appointment

We have the pleasure in confirming your appointment as the Official Applicant and Registry Operator for dotAfrica gTLD, subject to the Terms and Conditions of the signed Agreement between the AU Commission and ZACR.

We look forward to a mutually rewarding association with you.

Yours Faithfully


Dr. Elham M.A. IBRAHIM
Commissioner
Infrastructure and Energy



EXHIBIT H

GAC Early Warning – Submittal Africa-AUC-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

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

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

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

GAC Early Warning – Submittal Africa-AUC-42560

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

3. Confusing Similarity

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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

Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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

Continuing with your application

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

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-BJ-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-BJ-42560

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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

Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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

Continuing with your application

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

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-BF-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-BF-42560

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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

Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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

Continuing with your application

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

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-CM-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-CM-42560

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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Continuing with your application

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

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-KM-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

GAC Early Warning – Submittal Africa-KM-42560

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-KM-42560

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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Instructions if you receive the Early Warning

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Asking questions about your GAC Early Warning

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Continuing with your application

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

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

Withdrawing your application

If you choose to withdraw your application within the 21 day window to be eligible for a refund of 0% of the evaluation fee (USD 148,000), please follow the withdrawal process published at http://newgtlds.icann.org/en/applicants/customer_service/withdrawal_refund. Note that an application can still be withdrawn after the 21 day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-CD-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

GAC Early Warning – Submittal Africa-CD-42560

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-CD-42560

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

3. Confusing Similarity

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

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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Continuing with your application

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

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

GAC Early Warning – Submittal Africa-CD-42560

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

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

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

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

3. Confusing Similarity

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

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

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

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

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

GAC Early Warning – Submittal Africa-GA-42560

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

Early Warning Description - This will be posted publicly:

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

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

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

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

GAC Early Warning – Submittal Africa-GA-42560

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

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

1. DCA’s Application lacks the requisite Government Support

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

Supporting GAC Members (Optional):

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

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

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

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

GAC Early Warning – Submittal Africa-GA-42560

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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

Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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

Continuing with your application

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

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

GAC Early Warning – Submittal Africa-GA-42560

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

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

Tel No: +233-(0)30-266-6465
Fax No: +233-(0)30-266-7114



Republic of Ghana

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

14 November 2012

My Ref. No:

Your Ref. No:

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

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

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

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

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



HARUNA IDDRISU (MP)
MINISTER

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

Cc: Issah Yahaya, GAC Representative

GAC Early Warning – Submittal

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

Early Warning Description – This will be posted publicly:

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

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

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

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

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

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

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

3. Confusing Similarity

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

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

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

GAC Early Warning – Submittal Africa-KE-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-KE-42560

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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

Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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

Continuing with your application

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

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal_ Africa ML 42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

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Asking questions about your GAC Early Warning

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Continuing with your application

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-MA-42560

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

Early Warning Description – This will be posted publicly:

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

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

The DotConnectAfrica application as revised,

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-MA-42560

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

3. Confusing Similarity

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

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

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

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

INFORMATION FOR APPLICANTS

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Continuing with your application

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

Withdrawing your application

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

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

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

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

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

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

3. Confusing Similarity

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

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

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

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

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

GAC Early Warning – Submittal Africa-SN-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

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

3. Confusing Similarity

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

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

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

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

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

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For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-ZA-89583

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

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

3. Confusing Similarity

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

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

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

- The applicant should withdraw the application based on the information provided above.
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Further Notes from GAC Member(s) (Optional) – This will be posted publicly:

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

Withdrawing your application

If you choose to withdraw your application within the 1 day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at http://newgtlds.icann.org/en/applicants/customer_service/withdrawal_refund. Note that an application can still be withdrawn after the 21 day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-TZ-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

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

3. Confusing Similarity

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

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

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

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

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

INFORMATION FOR APPLICANTS

About GAC Early Warning

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

Instructions if you receive the Early Warning

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

Asking questions about your GAC Early Warning

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

Continuing with your application

If you choose to continue with the application, then the Applicant's response action below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to gacearlywarning@gac.icann.org. If your remediation steps involve submitting requests for changes to your application, see the change request process at http://newgtlds.icann.org/en/applicants/customer_service/change_requests.

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

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If you choose to withdraw your application within the 1 day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at http://newgtlds.icann.org/en/applicants/customer_service/withdrawal_refund. Note that an application can still be withdrawn after the 21 day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

GAC Early Warning – Submittal Africa-UG-42560

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

Early Warning Description – This will be posted publicly:

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

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

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

The DotConnectAfrica application as revised,

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

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

GAC Early Warning – Submittal Africa-UG-42560

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

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

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

1. DCA's Application lacks the requisite Government Support

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

2. Unwarranted Interference and Intrusion

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

GAC Early Warning – Submittal Africa-UG-42560

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

3. Confusing Similarity

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

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

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

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

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

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Continuing with your application

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

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

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For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

EXHIBIT I



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



EXHIBIT J



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

EXHIBIT K

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

P. O. Box 3243, Addis Ababa, ETHIOPIA Tel.: (251-11) 5182402 Fax: (251-11) 5182400
Website: www.au.int

Réf. : CIE/L/20/232.14

Date : 2nd June 2014

Mr. Fadi Chehadé
President & CEO
ICANN
Email: fadi.chehade@icann.org

Subject: Delay on Dot Africa accreditation

Dear Mr. Chehadé,

I would like to take this opportunity to thank you for the support and consideration through various initiatives and projects aimed at increasing Africa's contribution to ICANN. In particular, we appreciate the professional consideration towards the African Union Commission' (AUC's) sponsored application for Africa's geographic top-level domain, DotAfrica (.Africa).

As you are certainly aware, the DotAfrica gTLD is eagerly awaited by not only African governments and the Internet community, but also African citizens and global Internet users, businesses, civil society and many other stakeholders. DotAfrica is an extremely important initiative for Africa's participation and contribution to the Internet economy and to the broader Internet governance ecosystem. It has been backed up by many decisions adopted by the highest African Union organs including the Heads of States Summit that authorized the AUC to be the sponsoring organisation for DotAfrica. In fulfilling this mandate, the AUC appointed and endorsed the ZA Central Registry (ZACR) to apply for, launch and manage the DotAfrica (.Africa) TLD.

ZACR has complied with, met and exceeded all the stringent rules governing the application process for geographic applications in accordance with the new gTLDs Applicant Guidebook. In addition, the ZACR DotAfrica application passed all the necessary evaluations, reviews and procedures despite various challenges unique to our region. The ZACR application also passed initial evaluation in 2013, and in March 2014 ZACR signed a legally binding and enforceable contract with ICANN. The AUC sponsored ZACR application has clearly met all the criteria of the applicant guidebook; it is the only applicant for the string to have done so.

It is therefore with great concern that we are faced with yet another delay in delegating this important regional TLD due to the recent Independent Review Panel (IRP) instructions stopping ICANN from processing the DotAfrica application until it has ruled on the complaint filed by DotConnectAfrica (DCA).

As you can understand, it is becoming increasingly difficult for the AUC to explain to not only its member states but also other African stakeholders, why the African geographic TLD application has become so challenging for ICANN to expedite despite the various statements made towards the need to support developing regions. The African continent is already significantly marginalised within ICANN processes, it is therefore very important that this process is not delayed any further.

While this additional delay is very unfortunate, we acknowledge that ICANN must follow its own bylaws and accountability related procedures. We are however, deeply concerned that there is no definite date provided for the final IRP decision. We are also extremely concerned that with the suspension of any further activities in preparation for the technical delegation, this AUC sponsored application may encounter further delays once the IRP decision is made therefore providing opportunities for the launch of additional challenges aimed at delaying the technical delegation and launch of this important initiative.

At this very critical and sensitive stage, we are therefore urging you to ensure that as soon as the IRP decision is communicated there will be no further delays in implementing the technical delegation to enable ZACR to finally launch this long awaited DotAfrica TLD.

We therefore request that your team exercise utmost flexibility with pre delegation procedures required of ZACR to ensure that we are all ready for prompt delegation and launch.

Please accept, Mr. President & CEO, the expression of my highest consideration.


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



CC:

- Steve Crooker Chairman of the Board of ICANN
- Lawrence E Strickling, Assistant Secretary of Commerce, NTIA
Email: lstrickling@ntia.doc.gov
- ZACR: Lucky Masilela
Email: lmabilela@registry.net.za
- Ms. Heather Dryden, Chair: Government Advisory Committee (GAC), ICANN,
Email: gacsec@gac.icann.org