Case Study for ATRT3 Review Team GAC Work Party: dot Africa –

All related documents from the Independent Review Proceeding are filed here:
https://www.icann.org/resources/pages/dca-v-icann-2013-12-11-en

All correspondence can be found on ICANN.org searchable correspondence page:
https://www.icann.org/resources/pages/correspondence

3 March 2016: ICANN Board Resolution 2016.03.03.01
Source: https://www.icann.org/resources/board-material/resolutions-2016-03-03-en#1.a
"The Board authorizes the President and CEO, or his designee(s), to proceed with the delegation of .AFRICA to be operated by ZACR pursuant to the Registry Agreement that ZACR has entered with ICANN."

17 February 2016: New gTLD Program Extended Evaluation Report
Source: https://www.icann.org/resources/board-material/resolutions-2016-03-03-en#1.a
"An Extended Evaluation report was posted and indicated that the resumed evaluation of DCA's application for .AFRICA had concluded, and that DCA had failed to submit information and documentation sufficient to meet the criteria described in AGB Section 2.2.1.4.3, rendering it ineligible for further review or evaluation." (Extended evaluation report available here).

21 October 2015: GAC Communiqué – Dublin, Ireland (ICANN54)
Source: https://gac.icann.org/contentMigrated/icann54-dublin-communique
"Other GAC Discussions: The GAC has reviewed the letter of 28 September 2015 from the Board Chair to the GAC Chair concerning the DotConnectAfrica Trust (DCA) v. ICANN Independent Review Process; and will be responding in writing in the near future."

13 October 2015: New gTLD Program Initial Evaluation Report
Source: https://www.icann.org/resources/board-material/resolutions-2016-03-03-en#1.a
"The Initial Evaluation report based on the Geographic Names Panel's review of DCA's application was posted and indicated that DCA's application did not pass Initial Evaluation, but that DCA was therefore eligible for Extended Evaluation; DCA chose to proceed through Extended Evaluation." (Initial Evaluation Report available here).

16 July 2015: ICANN Board Resolutions 2015.07.16.01 – 2015.07.16.05
Source: https://www.icann.org/resources/board-material/resolutions-2015-07-16-en
"The Board has considered the entire Declaration, and has determined to take the following actions based on that consideration:
1. ICANN shall continue to refrain from delegating the .AFRICA gTLD;
2. ICANN shall permit DCA's application to proceed through the remainder of the new gTLD application process as set out below; and
3. ICANN shall reimburse DCA for the costs of the IRP as set forth in paragraph 150 of the Declaration.
Since the Board is not making a final determination at this time as to whether DCA's application for .AFRICA should proceed to contracting or delegation, the Board does not

consider that resuming evaluation of DCA's application is action that is inconsistent with GAC advice. The Board directs the President and CEO, or his designee(s), to take all steps necessary to resume the evaluation of DCA's application for .AFRICA and to ensure that such evaluation proceeds in accordance with the established process(es) as quickly as possible (see Applicant Guidebook at http://newgtlds.icann.org/en/applicants/agb for established processes). With respect to the GAC's consensus advice in the Beijing Communiqué that DCA's application for .AFRICA should not proceed, which was confirmed in the London Communiqué, the Board will ask the GAC if it wishes to refine that advice and/or provide the Board with further information regarding that advice and/or otherwise address the concerns raised in the Declaration.Iin the event that DCA's application for .AFRICA successfully passes the remainder of the evaluation process, at that time or before, the Board will consider any further advice or information received from the GAC, and proceed as necessary, balancing all of the relevant material information and circumstances. Should the Board undertake any action that may be inconsistent with the GAC's advice, the Board will follow the established process set out in the Bylaws (see ICANN Bylaws, Article XI, Section 2.1)."

9 July 2015: Independent Review Process (IRP) Declaration
Source: https://www.icann.org/en/system/files/files/final-declaration-2-redacted-09jul15-en.pdf
"The Panel declares that both the actions and inactions of the Board with respect to the application of DCA Trust relating to the .AFRICA gTLD were inconsistent with the Articles of Incorporation and Bylaws of ICANN. Furthermore, pursuant to Article IV, Section 3, paragraph 11 (d) of ICANN's Bylaws, the Panel recommends that ICANN continue to refrain from delegating the .AFRICA gTLD and permit DCA Trust's application to proceed through the remainder of the new gTLD application process."

25 June 2014: GAC Communiqué – London, United Kingdom (ICANN50)
Source: https://gac.icann.org/contentMigrated/icann50-london-communique
"GAC Advice to the Board: 3. Specific Strings: a. .africa: Consistent with the new gTLD applicant guidebook, the GAC provided consensus advice articulated in the 11 April 2013 communiqué that the Dot Connect Africa (DCA) application number 1-1165-42560 for dot Africa should not proceed. The GAC welcomes the June 2013 decision by the New gTLD Program Committee to accept GAC advice on this application. The GAC notes the recent action taken to put on hold the ZACR African Union Commission endorsed application due to the Independent Review Panel (IRP) mandated by ICANN Bylaws. The GAC advises: 1. The ICANN Board to provide timely communication to the affected parties, in particular to provide clarity on the process and possible timelines 2. The ICANN Board that, following the release of the IRP recommendation, the Board should act expeditiously in prioritising their deliberations and delegate .africa pursuant of the registry agreement signed between ICANN and ZACR."

13 May 2014: Decision on Interim Measures of Protection
Source: https://www.icann.org/resources/board-material/resolutions-2016-03-03-en#1.a
"On 13 May 2014 ICANN halted further progress with respect to ZACR's RA for .AFRICA following the IRP Panel's interim declaration that ICANN should stop proceeding with ZACR's

application for .AFRICA during the pendency of the IRP that DCA had initiated." (Decision on Interim Measures of Protection here).

24 March 2014: .africa Registry Agreement
Source: https://www.icann.org/resources/agreement/africa-2014-03-24-en
"On 24 March 2014, ICANN and ZA Central Registry NPC trading as Registry.Africa entered into a Registry Agreement under which ZA Central Registry NPC trading as Registry.Africa operates the .africa top-level domain."

25 November 2013: Notice of Independent Review
Source: https://www.icann.org/resources/board-material/resolutions-2016-03-03-en#1.a
"On 25 November 2013, DCA initiated an Independent Review Process (IRP) regarding the 4 June 2013 resolution, but did not at that time seek to stay ICANN from moving forward the ZA Central Registry NPC trading as Registry.Africa's (ZACR) application."

4 June 2013: ICANN New gTLD Program Committee (NGPC) Resolution
Source: https://www.icann.org/resources/board-material/resolutions-new-gtld-2013-06-04-en#1.a
"The NGPC adopts the NGPC Scorecard of 1As Regarding Non-Safeguard Advice in the GAC Beijing Communiqué (4 June 2013), attached as Annex 1 to this Resolution, in response to the items of GAC advice in the Beijing Communiqué as presented in the scorecard" (includes acceptance of the GAC's advice related to DCA's application for .AFRICA).

11 April 2013: GAC Communiqué – Beijing, People's Republic of China (ICANN46)
Source: https://gac.icann.org/contentMigrated/icann46-beijing-communique
"GAC Advice to the ICANN Board: a. GAC Objections to Specific Applications:
i. The GAC Advises the ICANN Board that:
        i. The GAC has reached consensus on GAC Objection Advice according to Module 3.1 part I of the Applicant Guidebook on the following applications: 1. The application for .africa (Application number 1-1165-42560)"