

September 9, 2014

By E-Mail

Internet Corporation for Assigned Names and Numbers

12025 Waterfront Drive, Suite 300

Los Angeles, CA 90094-2536

Dear ICANN,

Re: The Internet Business Council for Africa (IBCA) Opposes the Proposed ICANN Bylaws Changes Regarding Consideration of GAC Advice

The Internet Business Council for Africa (IBCA) has opposed the proposed ICANN Bylaws Changes Regarding Consideration of GAC Advice.

The Internet Business Council for Africa (IBCA) initiative was proposed as a component of the Global Internet Constituency African Strategy. The principal objective of the IBCA is to promote the involvement and participation of the African private/non-governmental sector (and the global private sector involved in Africa) in the Global Internet Community, and also provide an avenue as a policy voice for the technology industry for them to participate in global Internet Governance.

IBCA notes that the proposed amendments to the Bylaws that would require 2/3 of the voting members of the Board to vote to act inconsistently with a piece of GAC advice will give the GAC undue power in the ICANN Board concerning making decisions that are supposed to be approached via the bottom up multi-stakeholder process that IBCA supports. Currently, the Bylaws require a simple majority of the Board (50% + 1) to vote to not follow a piece of advice from the GAC.

Basing on the multi-stakeholder principle, the IBCA notes that the proposed changes could result in an empowering of undemocratic regimes and provide a window for them to address issues which themselves do not support.

By looking at the basic principles of other constituencies that advise ICANN like the GNSO they implement enough input from a vast majority of the stakeholders to come up with policies. The GAC in itself has not set any operating principles that will guide it on any matters that cover conflict of interest, transparency or the multi-stakeholder approach, this by law change would give the GAC more power over the board and create a potential for repressive regimes to weave policy advices that could potentially affect the running of the internet as it currently serves.

It is important to ensure that GAC has enough guiding principles and mechanisms to address the varied concerns of all other stakeholders before they could be allowed a majority vote to oppose any advice they have given. GAC should not be empowered in its current state.

IBCA also would like to remind the Internet constituency those participants and delegates do not probably understand the internet governance matters and neither are they democratically appointed to attend these meetings therefore the positions they would carry probably do not support the voice of the community, businesses or other institutions that they represent.

The Internet Business Council for Africa (IBCA) does not support this proposal and therefore encourages that it be duly disregarded and properly formatted in a manner that involves the entire internet community since it has simply been drafted and imposed to the community without due process or call for involvement.

Sincerely

The Secretariat,

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