

# Geographic Regions Working Group Draft Final Report Caribbean ALSes Comments December 19th 2011

## Introduction

We wish to thank the ALAC Chair for allowing the Caribbean ALSes to make this contribution and also express appreciation to the Geographic Regions WG for their work in producing the Draft Final Report.

## Summary of key points

Our Specific Comments to the Draft Final Report are summarised as follows:

- The Caribbean is negatively impacted by the Geographic Region Review proposals since it is divided by the WG's recommendations;
- The Caribbean should be given the option to collectively stay in the LAC region or to be reallocated to another region;
- Any Framework must be based on representation, participation and operations and it must be left to the specific communities of interest to decide which combinations of these best suit their particular needs;
- Any defined Special Interest Group must be given appropriate legitimacy by offering tangible ICANN representation;
- Any Caribbean country or territory should be able to apply to change the region to which their country and territory would be classified under the RIR system;
- Any regional reassignments should:
  - be permitted at the beginning of the application of the new framework
  - include support of the local Internet community (not just Governments)
  - allow revisions to occur in an appropriate time (not 10 years) after the Framework is reviewed (in 5 years);
- Any country or territory directly affected by the RIR reallocation should be opt-in rather than opt-out.

## Specific Comments

It is our pleasure to express our specific comments on the following paragraphs of the draft Final Report:

- 5. (supported by ICANN's By Laws as referenced in paragraphs 8. and 32.; echoed in paragraph 34., 37., 39., 56. and 57.) in which the WG states that individual communities and structures within ICANN should have the flexibility to either adopt the ICANN framework or to develop their own procedures (with Board oversight) for ensuring geographic diversity within their own organizations. We believe that this level of subsidiarity and flexibility in the draft report is important to truly engage the individual communities;

- 6. in which the WG recognizes potential allowances must be made for cultural and language diversity, whilst also endorsing the establishment of special interest groups or cross-regional groupings to promote the interests and unique attributes of communities. In the Caribbean ALSes comments to the Interim Report of the WG (found at <https://community.icann.org/x/-wOB>) the potential of a Small Island Developing State (SIDS) cross-regional grouping was endorsed;

- 17. in which the WG identifies the three primary “Usage Categories” of **Representation, Participation and Operations** currently utilized within the ICANN community and confirms that such categories are the basis and an important component of the WG’s analytical framework. We believe that this is the crux of the determination on Geographic Regions and do not believe that such determination should be made using only one of these Usage Categories, but rather by evaluation of the net effect of all three, along with any peculiar cultural and language diversity identified by the community it relates (as identified in paragraph 6.);

- 22. which highlights that the specific recommendations for modification of the Geographic Regions Framework, made to the ICANN Board ensure that the organizational principles of geographic and cultural diversity are honoured and maintained. While we agree with this statement we concur that the Caribbean is a unit defined not only by its geographic nexus with the Caribbean Sea but also a range of other facets including history, culture, language etc. Therefore any recommendation for some Caribbean Countries to join the North American Region whilst others stay (specifically English-speaking Belize, Guyana and Trinidad and Tobago) within the Latin American and Caribbean Region is wholly unacceptable. Other CARICOM countries that will be similarly affected are Suriname and Haiti.

- 27. in which the WG considers the historical underpinnings and evolution of ICANN’s Geographic Regions Framework and asks the community:

- a. Has the existing geographic regions framework produced its desired effect?
- b. Are the five regions still relevant, reasonable and defensible in the year 2010?
- c. Are the regions, in fact, consistent with the international norms of today?

We agree that these are crucial to consider the success of the current Geographic Regions.

-29. in particular, we confirm that we support points:

- e. which considers the option of creating New Regions such as a New Region for “Small Island Developing States”;
- f. which considers the option of Relocating Specific States to More Appropriate Regions;
- g. which considers the Purpose of Geographic Diversity in ICANN Processes;
- h. which highlights Culture, Language and Other Measures of Diversity as important factors; and
- i. which states the Need to Regularly Review The Geographic Regions Framework.

- 41. which recognises that ICANN’s structures and processes should lower barriers for participation and engagement by community members as much as practicable. This has not been the case for the Caribbean ALSes in LACRALO as the necessity for translation and interpretation in participation on the mailing list, conference calls and producing documents has

meant that we work doubly hard in ensuring our views are captured and that output is coherent. The very different histories, culture and languages between the countries of Latin America and those of the Caribbean also make it difficult for true consensus statements to be produced, which is the basis for the production of the Caribbean ALSes comments to the WG's Interim Report and to this Final Report.

- 47. which describes use of the RIR system as the starting point for a revised regional framework, and the noted disadvantages of adopting the RIR framework. Whilst we agree with Subparagraph e. that the Caribbean has closer ties with North America, we must insist that the Caribbean be given the option to make such transit from Latin America as a whole and thus such proposal should include all the countries of the Caribbean.

- 48. b which recognises the significant negative impact to the Caribbean. We confirm that the Caribbean in the Latin American and Caribbean region consists of 16 countries (being Antigua and Barbuda, Barbados, Bahamas, Belize, Cuba, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Suriname, Trinidad and Tobago and Saint Vincent and the Grenadines). Indeed, the proposal of using the RIR system of allocation would result in the Caribbean in the Latin America and Caribbean Region being reduced to 9 countries: Belize, Cuba, Dominican Republic, Guyana, Haiti, Suriname, Trinidad and Tobago, Netherland Antilles and Aruba.

With most of the English speaking Caribbean re-allocated to the North American region, the RIR system leaves only two English speaking Caribbean ALS country representatives of Trinidad and Tobago and Guyana. Splitting the English speaking Caribbean (countries with shared history, culture and language) into two regions is not acceptable.

- 50. which allows for only those countries whose regional allocation due to be changed be allowed the one-off opportunity to stay in their existing region. We instead strongly recommend that ALL countries of the Caribbean (regardless of whether the regional allocation is due to be changed) be given the option to stay in the region or to be reallocated to another region.

-53. We support the concept of giving countries the ability to seek reassignment from one region to another, except that in subparagraph:

a. reassignments should be permitted at the beginning of the application of the new framework;  
b. in line with paragraph 52 that any move be "*in accordance with the wishes of the territory's Internet community and the Government of that territory*", we suggest that the support of the local Internet community be explicitly added to the requirements and not only that of the Government. Further, we suggest that the system, if adopted, be an opt-in rather than an opt-out, which requires considerable activity (and Government approval) to maintain the status quo.  
c. given that the new framework will be reviewed in 5 years (stated in paragraphs 69. and 71.) we suggest that countries be given the option to reassign after the results of such framework review is published. Therefore a more appropriate time estimate to allow reassignment by countries may be 8 years, rather than 10 years.

- 55. to 59. regarding the Use of the New Framework by ICANN Communities, we agree with the recommendations of the WG in particular that the organizational principles of geographic

and cultural diversity must be solidified.

- 60. to 67. and 77. which relates to Special Interest Group and Cross Regional SubGroups, we agree that such groupings can be useful especially for topic-based groupings (such as “Small Island Developing States”) which would exist in multiple regions and could collaborate on ICANN related policy work.

However, we note that while the WG states that “*such “bottom-up” interest should be recognized and encouraged*” such groupings must be backed up by real representation. In its current incarnation being unofficial in nature there are benefits described in subparagraph 67.c, but there is no guarantee of increased representation in ICANN’s policy development or in ICANN’s various ACs, SOs and Board.

Therefore, while it is a forum to increase collegial work, we do not anticipate that the Caribbean (and other countries forming such groupings) would be well served without tangible representation.

- 69. with ICANN staff tasked to “*Developing a self-selection process for ICANN participants to apply to change the region to which their territory or country would be classified under the RIR system and a process for recording that information when a decision is reached*” it is crucial - information about any country intention to change the region to which they would be classified should be published for comment so that other countries within the existing region and the reallocated region are aware before any change is done.