

Decision of ICANN's Non-Commercial Stakeholders Group (NCSG) regarding CCAOI's application for a Public Internet Access/Cybercafé Ecosystem constituency within the NCSG

In accordance with the process outlined by the ICANN Board of Directors to recognize a new GNSO constituency, the NCSG Executive Committee created a working group to evaluate the application submitted by CCAOI, the proponent for establishing a Public Internet Access/Cybercafé Ecosystem (PIA/CC) constituency within the NCSG.

After careful review of the application document, the supplement to this application as well as the cover letter submitted, the NCSG has concluded that the application for candidacy does not meet the required criteria as per the process to recognize a new GNSO constituency, and recommends the rejection of this application and that the ICANN board of directors ratify this rejection.

Specifically, NCSG recommends denying candidacy to the proposed constituency for the following reasons:

1. Cybercafés are commercial entities in principle placing the proposed constituency's stated mission in "*giving due recognition and patronage to all the stakeholders of the Cybercafé community*", in addition to the PIA/CC's proposed representation of "*members from Cybercafé associations and groups from across the globe*" in direct conflict with the NCSG charter, mission and principles, which clearly states that the NCSG represents the interests and concerns of noncommercial registrants and noncommercial Internet users of generic TLDs.
2. The working group finds that applicants for new constituencies should become involved in the GNSO first, develop an understanding of how it works, and then seek to form a new constituency in the event that its needs are not met or their viewpoints not represented adequately by current constituencies or SGs.
3. In order for the application of a proposed constituency comprising of more than 50% of organizational members to be considered, as per appendix 1 of the process for recognition of a new GNSO constituency, item 4(a), "*Proponents must provide authorized letters of support from at least sixteen (16) organizational entities, which express an intention to become members and support the mission of the Constituency if it is approved. Two of those entities must be located in each of at least four ICANN Geographic Regions or at least one entity from all five ICANN Geographic Regions. To satisfy this criterion, the entities must be unrelated to each other*". The NCSG is unaware of any authorized letters of support from organizations submitted with CCAOI's application. Therefore, the proposed constituency thus far consists of only one organization (the applicant/proponent). Furthermore, the application under section 4.1 indicates that discussions have taken place with organizations to establish a membership base. The organizations

indicated do not fulfill the required representation of the four ICANN geographic regions, but only one. Section 4.1 additionally indicates that it is the intent of the proponent to establish regional chapters to encourage regional participation within the constituency. Regional chapter would not satisfy geographic representation of constituency membership, as this would be in conflict with the application process's requirement of organizational members of a candidate constituency being unrelated to each other.