

The Non Commercial Users Constituency (NCUC)

Re: NCUC’s Response to the Letter submitted by NPOC on travel allocation for Dakar

October 19, 2011

Dear Dr. Crocker,

NCUC understands that you have received a letter from the Not-for-Profit Organization Operational Concerns Constituency (“NPOC”) expressing concerns over the travel allocations for the forthcoming meeting in Dakar. NCUC has still not seen this letter, however, we wish to clear up certain misunderstandings and confusion arising in relation to travel allocation funding for NCSG representatives at the upcoming Dakar meeting.

1. Bill Drake, an elected NCUC councilor (ie not an appointed NCSG councilor), cannot attend in person. In accordance with approved constituency procedures and GNSO operating rules, his travel funding was allocated by the NCUC executive committee to his duly-appointed Temporary Alternate (who, according to GNSO rules, has full voting rights for the duration of the temporary appointment), Konstantinos Komaitis. The decision for Bill Drake’s funding to go to an NCUC member was vetted by the NCUC Executive Committee (EC) on the basis that Mr. Drake was elected by the NCUC membership, was elected by the NCUC membership prior to the NCSG charter being fully approved and he was elected to represent and voice non-commercial interests. In this regard, Mr. Drake is accountable to NCUC and its members and, thus, it was not only reasonable but also institutionally pivotal that his funds were allocated to someone from NCUC, who would be representing the collective views of non-commercial users.

2. Two Board-appointed NCSG councilors cannot be in Dakar, Rosemary Sinclair and Rafik Dammak. Initially, Amber Sterling - one of the main proponents of the new NPOC constituency within NCSG - was nominated by Milton Mueller, NCSG executive committee member, for one of the slots, but she was unavailable to attend. After some open nomination on the SG mailing list and discussion among the SG executive and policy committees, it was decided to allocate the two slots to the outgoing and incoming Chairs of the SG, Avri Doria and Robin Gross, on the grounds that with a new charter and new constituency (NPOC), and at least one candidate constituency, it is important for the SG chairs to be in Dakar.

3. Due to ICANN's tight deadlines for travel support, their nominations went in before Alain Berringer was nominated.

4. We are not aware of the nature or reasons for the complaint that was brought directly to the Board on this issue. The NCSG executive and policy committees were not notified or informed prior to receiving Dr Crocker's note about ICANN agreeing to fund Mr Berringer to Dakar. We feel obliged to record our disappointment at the fact that this sends a possible message to the GNSO community that it is possible to do a run around SG and GNSO processes by complaining directly to the Board. To the extent that these are internal SG administrative matters, we look forward to being able to resolve any disputes or problems within and using existing SG procedures.

We hope this note sufficiently clarifies the matter, which we believe was handled transparently, fairly and appropriately by the SG's executive and policy committees. Please let us know if you or the Board have further questions. We will be happy to discuss this issue further with the Board in Dakar.

Sincerely

Dr. Konstantinos Komaitis

Chair of the Non-Commercial Users Constituency (NCUC)