



i freedom Uganda Network

February 1, 2015

RE: CPE scoring for .GAY (dotgay LLC)

Dear ICANN and the EIU,

I offer this perspective from i freedom Uganda Network, an organization in Uganda dedicated to the protection and expansion of civil rights of the LGBTI. We remain a strong proponent and supporter for a community .GAY, and aim to draw attention to statements we believe are important to the CPE process.

The Applicant Guidebook on Page 196 includes the following two statements:

"With respect to "Delineation" and "Extension," it should be noted that a community can consist of legal entities (for example, an association of suppliers of a particular service), of individuals (for example, a language community) or of a logical alliance of communities (for example, an international federation of national communities of a similar nature). All are viable as such, provided the requisite awareness and recognition of the community is at hand among the members."

"With respect to "Delineation," if an application satisfactorily demonstrates all three relevant parameters (delineation, pre-existing and organized), then it scores a 2."

The gay community meets all the criteria in several ways. It consists of legal entities that serve the public interest of the gay community. It is composed of a group of individuals all of whom recognize themselves as members of a community that existed before they were born and which will exist long after they are gone. It is a mesh of aggregating associations of associations, all dedicated to serving the gay community's needs for over a century. Each of these alone satisfies the requirement of delineation. If anything the gay community is the richest community possible in terms of delineation.

In its zeal to make the conditions as hard as possible, contrary to the spirit of serving community TLDs, the previous CPE panel criticized the fact that none of the hundreds of organizations that are part of the dotgay LLC application would be recognized by all members of the gay community. Much has been made of there not being any single association that is known to all members of the community. This is an absurd requirement that goes beyond the requirements in the Applicant Guidebook. The gay community knows they have representatives even if they can't necessarily name them. It is also a stringency of requirement that no other community that passed the CPE has had to deal with: does every hotel, or even hotelier, or even future hotel know the name of the designated global hotel

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association for the community TLD? Does every sports team or sportsman or sportswoman, or future teams and sportspeople know the name of the designated sports association for the community TLD? Did every broadcast station in Europe know the name of the EBU? Of course not. It is a strange absolutism that places such a burden on the gay community, a community that is often delineated and known by the discrimination against it.

What is more important is that the hotel association cared about hotels, all hotels, even those who knew nothing of the association. Or that the sports association cared about all local sports associations, even those that did not know the sports association. What is most important is that the many global gay community organizations cared about all members of the gay community, no matter which of the sub-designations of LGBTQIA a member of that gay community associated with, and they will continue to care about them into the future. All members of the gay community may not know about all of the associations that care for the gay community, but they all know that there are organizations that do care for them.

When it comes to the human rights of the gay community, ILGA does not discriminate among the gay community members, it supports them all, as serving the entire community is in its charter, whether each individual in the community knows it or not. When it comes to travel, the International Gay & Lesbian Travel Association supports all gay travel related businesses within the gay community whether they know about the association or not. When it comes to community centers, all know their local community center is there to help when needed, even if they don't know that their community center belongs to a global association of gay community centers.

The gay community could not be more delineated, pre-existing or organized. dotgay LLC is the one our community has selected and endorsed to serve the community with the .gay TLD. Make no mistake about that.

Even those of us living under governmental repression know that we are part of a gay community doing its best to look after our interests, even while our governments, who also recognize our community in the act of repressing it, do their best to make our lives a misery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Daniel Mukwano', enclosed in a circular scribble.

Kelly Daniel Mukwano
Executive Director

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