CCWP-HR
Cross-Community Working Party on ICANN and Human Rights

February 2019 Meeting
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Agenda

1. Welcome and Introduction
2. Overview of multistakeholder HRIA models
   a. Initial sketch
   b. Questionnaire model
   c. Change model
3. Presentation of new HRIA model
   a. Application to Subsequent Procedures PDP
   b. Feedback on latest model
   c. Discussion on methodologies
5. CCWP-HR session at ICANN64 Kobe
6. AOB
2a. HRIA model 1: “Initial Sketch”

- Presented November 2017
- Maps HRIA phases onto steps of the GNSO PDP
- Identifies key criteria: participation, non-discrimination, empowerment, transparency, accountability
- Charts objectives and responsibilities for each phase of assessment

Community feedback:
- Premature! WS2 work hadn’t been completed yet
- Additional burden on staff members, who may not have bandwidth/expertise to do a thorough HRIA
- Unclear how community would be involved
2b. HRIA model 2: “Questionnaire”

- Presented May 2018
- Delineates salient rights previously identified by CCWP
- Who: carried out collaboratively by WG members, then signed off on by Chairs / independent party / affected rights-holders?
- When: first when drafting issues report, then again when drafting recommendations?

Community feedback:
- Add “positive impact scenario” and potentially other rights (education, cultural life, due process, etc)
- Add links or cues to help people make the connection
- Not sold on the Who and When
- NOT OPERATIONAL!
2c. HRIA model 3: “Change Model”

- Developed December 2018
- Improved operationalization: spreadsheet format
- Focuses impacts of on status quo / changes
- Also not very operational — link to human rights not clear; superfluous information; difficult to process no change to status quo; “dead end” exercise
3a. Sub Pros Application

NOV 2018 — Identify PDP for trial: Subsequent Procedures; assemble Trial HRIA Team (mostly newbies)

DEC 2018 — Gather and review resources on select PDP
* Formed Slack channel to share resources / ideas

JAN 2019 — HRIA team attended meetings of PDPs; reviewed and revise HRIA model / methodology accordingly

How did it go?
3b. Latest HRIA: “Rec Model”

- Developed January 2018; tested on Sub Pros (WT 1-4)
- Uses collaborative spreadsheet format
- Geared toward making recommendations

QUESTIONS:
- How can we make the link to human rights clearer?
- How could the information be displayed once the assessment has been completed?
- What’s missing / unnecessary?
- How can we improve usability?
3c. Sub Pros HRIA Methodology

- Desk research (wiki, report, mailing lists)
- Review of public comments
- Guidance from staff and veterans
  - Very helpful (necessary?) for newcomers / outsiders

QUESTIONS:

- Who should carry out the impact assessments?
  - How would the methodology change if it was an outsider?
  - Would the assessment be accepted if it were carried out by someone who wasn’t in the WG from the beginning?
- When should the assessment be carried out?
- What other methodologies could be used?
4. Community Discussion

“From Human Rights Aspirations to Enforceable Obligations by Non-State Actors in the Digital Age: The Example of Internet Governance and ICANN” by Monika Zalnieriute

- The need for legally binding international human rights obligations on ICANN, thoughts?
- Appropriateness of the UN Guiding Principles?
- Better enforcement using domestic law or international law instruments?
5. CCWP-HR at ICANN64 Kobe

- ICANN’s Human Rights Bylaw
  - Updates on CCWG-Acc WS2 Implementation
  - Refresher on Human Rights Bylaw + FoI
- Human Rights Impact Assessments
  - ICANN Org HRIA results and methodology
  - Trial ICANN policy HRIA outcomes
- Open community discussion: Can impact assessments be a tool for constructive engagement across stakeholder groups?
  - Who should be in the room?
  - Who should we reach out to?
- Anything else??
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AOB? Thank you!