



# ICANN's Corporate Responsibility to respect Human Rights:

Recommendations for developing  
Human Rights Review Process and Reporting

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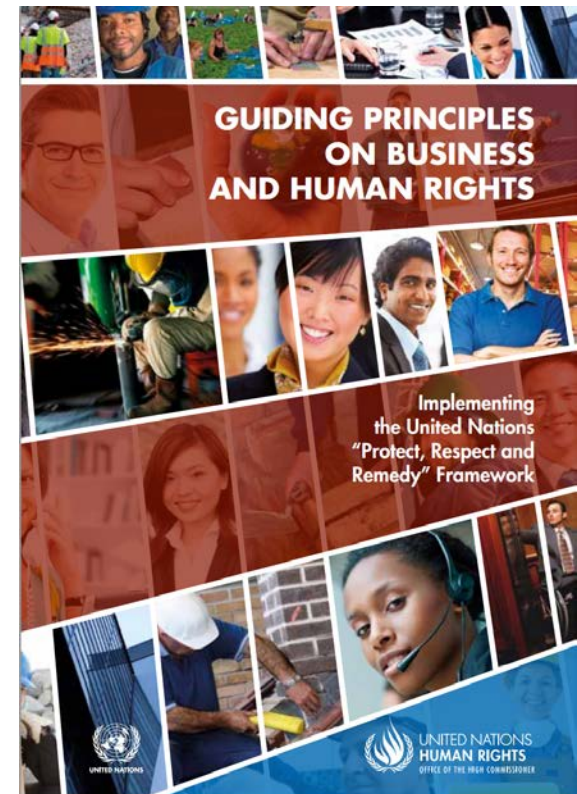
2015

Should ICANN demonstrate its respect for human rights in its operations? If so, how?

Should ICANN focus on CSR or human rights?

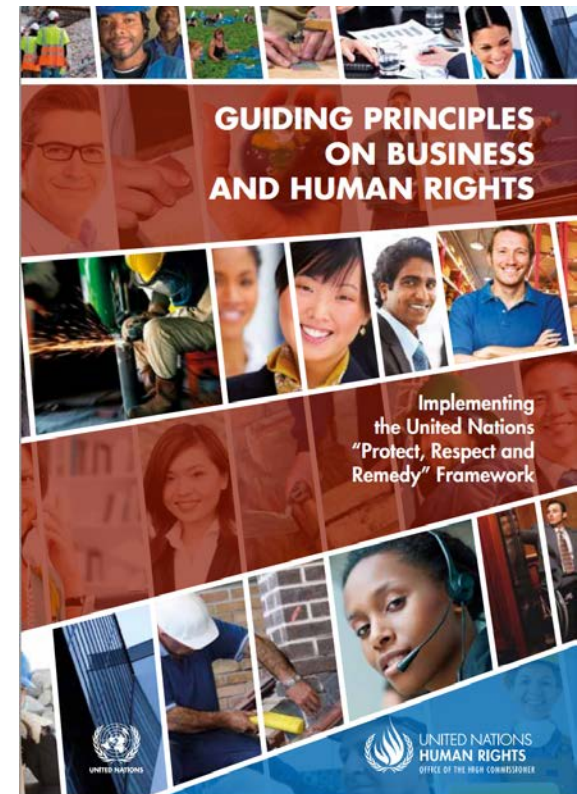
# United Nations Guiding Principles on Business and Human Rights - UNGPs

- Unanimously endorsed by the Human Rights Council in 2011
- Supported by governments, business, and civil society; the most authoritative source on business and human rights
- Applicable to business enterprises in all sectors/regions
  - A common reference point for many ICT sector companies



# UNGPs – corporate responsibility to respect human rights

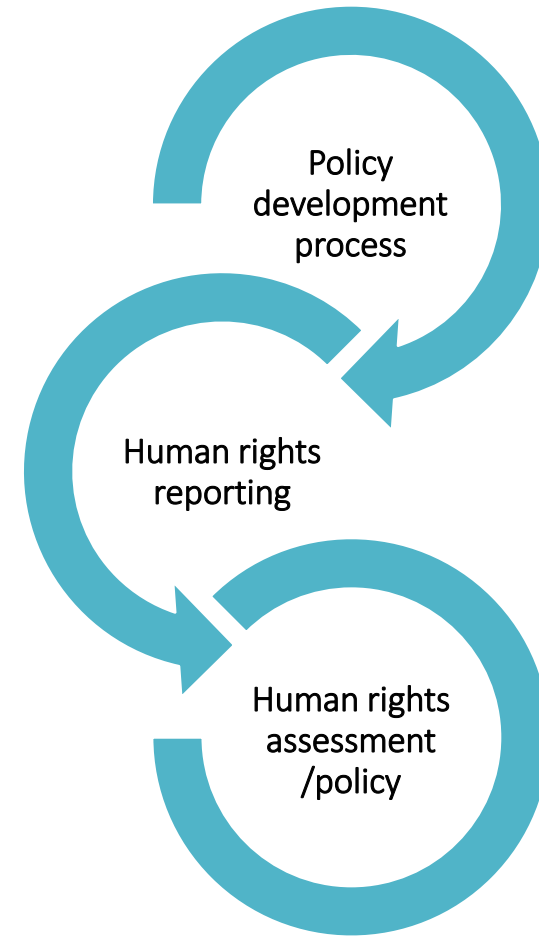
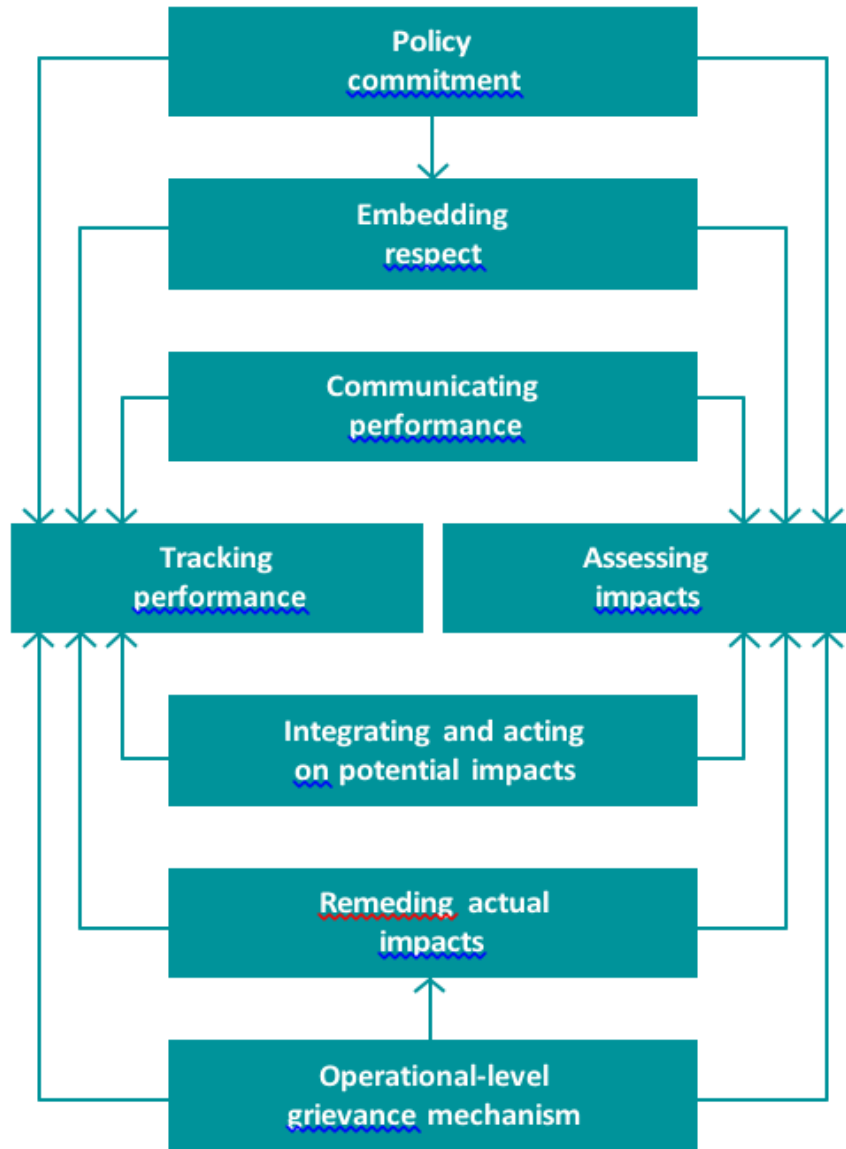
- Three pillars: “protect, respect, remedy”
  - The second pillar: corporate responsibility to respect human rights
    - “Human rights” mean the International Bill of Human Rights and the 8 ILO core conventions
    - Responsibility for due diligence, in order to avoid, prevent, or mitigate adverse human rights impacts
      - Responsibility to review own activities as well as those of business relationships
    - The responsibility will vary depending on the severity of impacts



# Why UNGPs are relevant for ICANN

- ICANN's many characteristics:
  - A nonprofit organization with characteristics of a business
  - Has significant business relationships
  - Influences Internet content
  - Influences business in many ways
- UNGPs are widely referred to by ICT sector companies, who face some issues similar to ICANN
  - For example, users' privacy and data protection challenges

# Which pathway to implementation?



## Identification of human rights issues in a policy development process:

- A simple human rights review process: tailored and streamlined
- Start with policy development activities only
- Use in conjunction with policy issues identification process already in place
- ICANN in-house staff or CCWP members can carry out the process – faster and less expensive
- Top down and bottom up: Initial desk review verified by rights holder and stakeholder engagement
- Road-testing and adjustment of the process
- A foundation for a future HRIA

## Human Rights Impact Assessments

- Comprehensive process - 360° assessment
- Often at the corporate level (footprint)
- Prior to starting a new activity/product/project
- Often carried out by experts
- Expensive, time consuming
- No current template exists for policy development process

## Human Rights Reporting

- Report on the implementation of the human rights review process of policy development process
- For a narrative, better to report against a framework, such as a human rights policy or CSR strategy
- Report on extraordinary events
- Stakeholder views should be sought

## Transparency Reporting

- 58 ICT companies produce transparency reports
- Build on the ATRT's initiative
- Important to keep track of law enforcement requests

## Data collection is key for both types of reports

- What kind of data, and who will be in charge to collect it?

# CSR Reporting

- A tool to demonstrate environmental and social performance to external stakeholders
- A large variety of reporting formats
  - GRI
  - RAFI
  - SASB
  - Integrated reporting. . . .
- Self-promotion
- Data collection is key



# A measured approach for the long-term

- ✓ There is much energy to tackle many governance issues within ICANN
- ✓ Build on the momentum, and take a measured and consistent approach on human rights
- ✓ Take a practical approach, prioritize, road test proposals, collect data, etc.
- ✓ Create a road map for long-term goals, including:
  - ✓ Human rights policy
  - ✓ ICANN corporate human rights impact assessment
  - ✓ ICANN CSR strategy
  - ✓ ICANN CSR report
- ✓ Human rights discussions should not be separate from ICANN's overall discussions on values and risk management