ICANN

Moderator: Maryam Bakoshi
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9:00 am CT

Coordinator: Recordings have started.

Maryam Bakoshi: Thank you very much, Stan. You may go ahead, Collin. Thank you.

Collin Kurre: Great. This is Collin Kurre for the record. I am the co-chair of the Cross-Community Party on ICANN and Human Rights and I am joined by my co-chair. I'll let him introduce himself.

Michael Karanicolas: Hi. I'm Michael Karanicolas. I'm co-chair of the working party. Great to see - great to have you all with us.

Collin Kurre: Great. So we did a couple little tests for this WebEx but if there are any hands raised that we don't see or if there are any technical issues with the attachment or anything like that, then please let us know as soon as you spot them.

So we can go ahead and kick this off. The first item on the agenda is some updates on a couple things, the first being our ICANN and Human Rights website. So this is actually a separate website which I've just pasted into the chat. This has been around for a couple years actually be we recently went

through and updated it to include some of the more recent documents that have been circulated in the CCWG, as well as the framework of interpretation for the human rights bylaws.

And hopefully moving forward this definitely won't necessarily replace the page on the ICANN wiki but it is a good complement and I would as the web mistress I would be definitely open to having if anybody wanted to maybe perhaps post a guest post or suggest information that should be included on this website, then definitely feel free to reach out to me. This is a work in progress but I want to just let everybody know that it's there and that it's more or less updated and that this will be a good resource for conversations about human rights and ICANN moving forward.

Has everyone - has anyone seen this website before? Ayden says yes.

Woman: I have, Collin.

Collin Kurre: Okay great. And David McAuley had not. So that's good. I hope that it will prove to be a useful resource as we move forward.

The second thing that I wanted to update the group on was the ICANN organization's ongoing human rights impact assessment. The CCWP was able to make contact with (Loning), which is the Berlin-based company that is carrying the HRIA, and while there are under strict NDAs and couldn't give us exact feedback, they were quite open with their general methodology about how they go about HRIAs and it was quite - let's see if I can. Ah there we go. Okay.

And it was very comprehensive the way that they described it. And one thing that I wanted to share with the group was that they were considering ways of

ongoing due diligence. And this might be something that we could consider as a working party as the ICANN community more broadly, because the HRIA, the human rights impact assessment, generally they're not intended to be - to exist in isolation. It would be an ongoing effort.

And when I was speaking to Mr. (Loning), he said that they would be making recommendations to ICANN on what they would be able to do but it might be useful for the CCWP to consider certain - like would it be a good idea if there is a call for or a need for ongoing human rights impact assessments, or if not a full human rights impact assessment then a routine evaluation. So I thought that was an interesting part of the conversation that I wanted to feed back to the group.

Does anyone have any thoughts about the need for or lack of need for ongoing HRIAs for ICANN Organization? Okay. Sure. Niels wanted me to repeat the question. I realize that might have been a little bit rambling, seeping into the dark abyss. You can lose yourself. Anyway what I was saying was (Loning), the company that is carrying out the human rights impact assessment for ICANN, one of the things that they do at the end of their human rights impact assessment is they will recommend means for ongoing due diligence for the company.

So that could be carrying out internal assessments or additional human rights impact assessments, which would ideally be much easier the second time around because you've already identified a lot of the supply chain issues and the providers and the relevant policies and such. I was wondering if there would be - if there is support in the CCWP to, or thoughts about, recommending some form of due diligence. Do we think that there's a need for annual or bi-annual human rights impact assessments?

All right we've got one comment from Niels saying, "At least annually."

Michael Karanicolas: There's also a hand up from David McAuley.

Collin Kurre: Okay, I didn't see that. Thanks. David McAuley, will you please come in?

David McAuley: Thanks, Collin and Michael. It's David McAuley speaking for the record. I just wanted to say I would suggest that we wait and look at the initial report, or whatever it's called, the initial impact assessment and what they say with respect to ongoing due diligence or impact assessments, et cetera. It seems to me that the idea would probably be a good one but I would think a lot of it depends on what they find and in this iteration I suspect that ICANN is going to come out fairly well in the -- excuse me-- in an impact assessment.

But, Collin, when you mentioned a year or a biannually, that's one of the issues that I think we would grapple with because there's so much going on and there's so much call on the time of volunteers and the ICANN staff that the timing of these kind of reviews would be very critical. It seems to me that a lot depends on what the first report says and what the recommendation says about ongoing monitoring. So the idea makes sense but let's - I would just say let's wait and see what further information we can get. Thanks very much.

Collin Kurre: Thank you, David. I think that's perfectly sensible. One of the main reasons that I wanted to go ahead and get this conversation at least started was because it might have budgetary impacts or you might have an element of budgets, so that would need to be thought well in advance. But I agree that it will be contingent upon perhaps the results that we see, which should be coming over the summer.

Does anyone else have any other thoughts? Unfortunately it seems like we were not joined by anyone from ICANN staff who is working on the human rights impact assessment directly. But does anyone else from the working party have any thoughts on this topic?

Woman: Hi, Collin. I had a quick question because I was having some trouble hearing you in the beginning. Could you just give us a quick summary of what the discussion with them has looked like? I know you did that already but I couldn't hear you at all. Was it more like a collaborative approach or were they asking for our feedback or were they hoping they'd develop a (unintelligible) with what is the expected level of engagement?

Collin Kurre: So there was no expected level of engagement per se. I think that the company was quite interested in the attempts that we are making - or the work that we're doing to devise a specific human rights impact assessment model for policy development processes. However, the division between the ICANN community and ICANN organization had been made duly clear to them. So they were interested more on an intellectual or a collaborative basis and not necessarily as contributing to the - to their ongoing assessment.

                So we've got a comment from Rafael that says, let's see. Oh sorry, it was not a question for all attendees. So…

Michael Karanicolas: We also have a hand from Niels. Niels?

Collin Kurre: Just to answer this question from Rafael very quickly. So the division between ICANN Organization would be the company that's incorporated in California versus the community, which is the supporting organizations and advisory committees that contribute to the policy of ICANN. So Niels, come on in.

Michael Karanicolas: Niels, you may be muted.

Niels ten Oever: Not so much. You don't hear me?

Michael Karanicolas: We hear you now.

Collin Kurre: We can hear you now.

Niels ten Oever: Okay perfect. So I would be very interested in the methodology that (Loning) will use and how they want to go about it, so whether they will gather via interviews with staff or members of the community or affected communities. So that would be quite important to understand how they define these publics and how they will engage with the stakeholders. Because as we all know, the human right impact assessments should always also take into account those impacted, so not just interview people from ICANN Org.

And often one can also choose to prioritize certain areas within - with a human rights impact assessment, so it would also be interesting to hear what they're going to do. And then thirdly is another process question, is how do they plan to go about when it comes to having it for public comment or not and how that's going to be processed.

Collin Kurre: Thanks for those questions, Niels. I have pasted a link to (Loning)'s website in the chat so that might shed a little bit more light on their methodology. They are very much supply chain focused and I think that they - I do not think that they will be making the results public on their own accord. I would guess just by the fact that they've signed NDAs with ICANN about the ongoing process that it would be at ICANN's discretion to release that information. So that might be a question that we can better direct towards staff, but it's a great question nonetheless.

Do we have any other comments from participants? Okay. All right. It seems not so we will move on to the next agenda item, which is an update on the humans rights impact assessment model for the GNSO. You might have seen if you were poking around the website when I put the link up earlier that we have a new document that it listed at the top of the documents tab, and it is also at the top of the WebEx tab as well. It's the draft ICANN HRIA, which we've called the questionnaire model.

Hopefully that's more indicative than the other smooth metaphors. What we've done here is this is building off of the previous work that has been presented to the CCWP as well as the GAC International Human Rights Working Group and a couple other groups. This work to develop a human rights impact assessment for policy development processes kicked off actually in the beginning of 2017 and so it has evolved quite a lot and we are very gracious to the people who have been providing feedback along the way.

Let's see if I can find the link to the previous version. Here we are. So this is one of the things that I wanted to talk about to the group and see if anybody had any initial feedback. Based on - I don't want to be hushed conversations that we had about the PDPs recently on the list but this was something that we thought might be applicable during either the preliminary issue report or even in exceptional cases a later stage of the PDP.

So I'll give the - I'll give everyone the time to have a quick look and then I would be really eager to hear what anybody's thinking about it. I see we have a hand up from Niels. Come on in, Niels. Or is that an old hand? Old hand I think. It cleared quickly.

Michael Karanicolas: Hand up from Ayden.

Collin Kurre: Come on in, Ayden.

Ayden Férdeline: Thanks for that. Hi everyone. Ayden Férdeline for the record, and please forgive my ignorance here because this is the first time that I've seen this document. But I was just wondering who would be the target audience or who is intended to complete this human rights impact assessment?

I noticed on the first page that there was space to list the name of a working group chair but I supposed my initial concern would be that normal working group chairs would necessarily have the knowledge to be able to complete such an evaluation. So is this - is the idea that it would be left in the hands of the working group to complete this activity or would it be they then - this working party would be completing these in the future? I hope that makes sense. Thanks.

Collin Kurre: That question definitely makes sense and that is certainly one of the questions that would need to be answered. We went ahead and put this together quite quickly in the interest of having something to debate and to kind of spur this discussion onward. But no, it's - what do you think? I agree that it might be a bit of a - it might be a lot to put on exclusively the chairs. It - perhaps this could be something that could be jointly completed during a call of the group. Do we have any suggestions or comments from people on the topic of who might be a good audience to complete such a questionnaire?

Michael Karanicolas: A hand from Niels.

Ayden Férdeline: If I could comment again.

Michael Karanicolas: Oh sorry.

Collin Kurre: Yes. No, go right ahead, Ayden. And then we'll go to Niels.

Ayden Férdeline: Thanks and, Michael, (unintelligible). My initial reaction would be that I think there should be an independent party like this working party completing this document. My concern only from my observations over the past two years as an observer on a few different mailing lists is that I don't think the community has the maturity at this stage to be able to identify potential negative scenarios or, as Avri suggested in the chat, positive scenarios as well.

And so I'm thinking that there'd suddenly be no harm in allowing the - across the community and working group members to weigh in on each of these issues, but I feel like there needs to be some sort of counter stop as well, like this working party, that is reviewing the forms to make sure they're comprehensive and realistic and informed by evidence. Thanks.

Collin Kurre: Thank you for your comments, Ayden. Niels, did you have something to add?

Niels ten Oever: Yes, I'm - maybe we could make it to the responsibility of the chairs that it's done but then gather as much impact as possible. What we have been grappling with earlier on is how to ensure that the people who are impacted by it also fill it in and it's not just impact a small in-crowd that's doing this. So how do we ensure that there are also outside people being asked and making input? But I guess that's also a larger question with other public comments.

But I think that the form is a great improvement over where we were and I think as Avri suggested it could be a really nicely - it would fit really nicely with the existing processes and also as with the - it would be a really nice tool to fit in with the draft document that Vidushi developed for the GNSO in terms of process.

Michael Karanicolas: So there's - if I could just interject something. I do think - there's a couple of comments from Avri in the chat that I want to draw attention to, but I think that Niels raises a really interesting point and a significant challenge of this. It is very important to actually consult impacted parties in developing this but I think that's particularly challenging in a situation like ICANN's when you're talking about highly decentralized impacts.

So if you're talking about impacts to privacy for example from the Internet community as a whole or from particularly vulnerable groups like journalists or human rights defenders, that level of consultation is important but can also be challenging. It can make it a much more potentially cumbersome process. So it can be a difficult to thing to do but it also very important.

Avri raised a couple of interesting questions earlier in the chat. One of them is what - that there's no space to list positive impacts, which I think is a very interesting one particularly, not so much on the rights of security but on things like the rights of freedom of expression and freedom of association. That I think is very interesting I think. And Avri also said would these be part of the draft issues report comment period which requests impacts on rights impact?

Collin Kurre: Great. Thanks for drawing attention to those comments, Michael. So does anybody have any feedback? The rights that I included here are the rights that have been - were a few of the rights that have been previously indicated - implicated by the CCWP as being relevant in the ICANN context. Does anyone have any comments on the content of this questionnaire? Anything missing?

Niels said in the chat what about economic, social, and cultural rights? Unless this is an outdated version - there we go. Yes it's page six. Any comments

from anybody else about anything that's missing, anything that's superfluous? We've got a hand from David McAuley. Come on in, David.

David McAuley: Thanks, Collin. I agree with what Niels said and what Michael said in calling attention to Avri's comments. I think they all make sense. And then I saw a comment in chat from Vidushi recently saying about when this would take this form or these forms, what would be timely. And I think that's actually quite an important point.

And prior to this call I was looking through a document. Vidushi, I think you produced it. I may be wrong in that. But it's basically a document that is - was organized on the basis of ongoing PDDB processes that are now underway that went into some depth on the PDP for new gTLD subsequent procedures, the one for the review of rights protection mechanisms, and a listed at the end some of the other things that are going on: thick Whois policy development process, protection of IGO and INGO identifiers, et cetera, et cetera.

And it became clear to me when I was reading it that the timing of an impact assessment or flagging issues for impact assessment is sort of critically important. And while I think that can be done in the initial issues report that makes sense, Vidushi's point about revisiting also makes sense in that as the PDP work starts to become clear as to which direction it's going, it may also make sense to do this.

And, balanced on the other side however, is the need for PDPs to get this information upfront so that they're not sort of blindsided at the end. It's a difficult balance I think and so I think we need to be sensitive to that, and I think that this will be one of the more difficult issues that we face. How do you time this and when do you call a halt to it and say we have enough information? I actually don't know the answer to those questions but I think

it's going to be quite an important part of this analysis. The form I think looks good but I think it's the timing and how it's handled is going to be quite an important part of all this. Thanks very much.

Collin Kurre: Thank you, David. And actually the paper that you are referencing is something that we are going to discuss later on in the call, so I'm glad that you brought that up. We have - we've got a couple of suggestions that Niels has put in the chat about different rights that we might be able to include. He said due process as a human rights principle, rights to equal protection, right to participate in cultural life, arts, and science, right to political participation, and right to education. Niels, could you elaborate a little bit on what you mean by due process in particular?

Niels ten Oever: So due process is a human rights principle and it was part of the graphic that we made earlier that is still available on the ICANN human rights website right here. So also I think it makes sense but also and so both from consistency and from content wise to include it. And those other principles I think they fall under the ICCPR so they are - and some also on the ICSCR. So I think it might also make sense to either on a higher level because for consistency manner, or else the lawyers might get confused or angry.

Collin Kurre: Thanks for that. Do we have any other - any additional feedback from anyone else? We've got another comment from Avri that it seems to make sense to do that at the draft issue and then revisit a draft recommendations comment period. And I've noted some suggestions in the shareable version of the doc that we've got going and will share this on the list when the call wraps.

Do we have any more - other questions from attendees regarding the questionnaire model for human rights impact assessment? All right. Great. Thank you.

Michael Karanicolas: Great. So thanks so much for that. That was a great discussion and we've got a little bit of time now to move on to a discussion of the next item on the agenda, which is the GDPR and the potential for developing an HRIA model for policy development in terms of ICANN GDPR compliance models. So this very much builds on the last discussion that we had.

As Collin mentioned, developing these practical implementation models for human rights impact assessments is a major part of what we're doing going forward, and that includes for PDPs. And also as alluded to previously, there are challenges and pitfalls associated with applying an HRIA to an ongoing PDP, particularly where there's a strong body of decision making that's already been built up or particular policies that an existing PDP is moving towards.

It can be challenging to ask them to reconsider that based on different factors, particularly given how delicate and tense the negotiations around policymaking can be. So given those challenges, we - Collin and I discussed that it might be easier in terms of early models to try to apply an HRIA to a new PDP or a PDP that's just emerging.

So since we're potentially witnessing the birth a new PDP in terms of GDPR compliance and developing accreditation models, which is also a very high interest PDP, a PDP with enormous human rights implications, we discussed it might be a good opportunity to demo this in terms of GDPR compliance models.

Now there's a lot up in the air. We're not completely sure whether or how a PDP is going to take place. At the moment there is also a process being run by the BC and IPC to develop their own accreditation model. I guess we should -

so just to start out, we were hoping to chat for about ten minutes or so on the potentiality of this and I guess we can start by sort of opening it up a bit and ask if there are - does anybody in this group, because we have people from different parts of ICANN, does anybody in this group have any information or thoughts about the potential for a PDP or an expedited PDP to deal with the GDPR? I see Niels' hand, but is that a new hand or an old hand? Oh, it's an old hand. So the reason why we raise this is because it has been - the potential for developing a PDP to deal with the GDPR - a PDP or an expedited PDP to deal with the GDPR compliance has been raised on the lists a few times but we're not sure at the moment whether there is any planning on this, whether there has been discussion on this or and if so, what level of planning or discussion we're at. So I did want to open it up to ask if anybody has information or has heard anything a little more concrete and I was specifically hoping to hear from Ayden as a GNO councilor who's just mentioned in the chat, do you want to chime in if you've heard anything?

Ayden Federline: Hi. Hi, everyone. This is Ayden. Yes, I will share a little bit about what I know but I also sort of put the caveat out there that I know that Avri is on the call and that Avri probably knows a lot more on this than I do. But I'll share what I know just to sort of start the conversation. So the leadership of the GNSO Council has been having conversations lately with the several members of the ICANN Board as well as the leadership of the RDS, Policy Development Working Group as to possible next steps and just to answer Niels' question very quickly, the RDS has now been suspended and it has not met since San Juan and (Chuck) sent an email today saying that the recommendation that he has put forward to Council leadership is that the working group would not be restarted. And this is probably not going to come as a shock to many participants on this call because that working group has been having some issues for a while in terms of size, in terms of lack of productive participation, difficulty in reaching consensus coupled with the

GDPR and a lot of concern (unintelligible). So I can't say I was surprised by the recommendation that came through from the Chair today because I think it had been - I'd been sort of getting that impression for at least two months and really since January that it might not be coming back.

Anyway, so the Council leadership recently had a call with the Board and there were, from what I understand, three options that were put before the Council as to what could be coming and (unintelligible) and we had not received firm advice yet from the Board as to what might be coming our way, but suddenly, from how the Council has read the tea leaves, we increasingly think that the most likely option that is going to come our way, and this includes something that you might have remembered in San Juan, Stephanie Perrin was very clear when she stood up and spoke before the Board and she said - that this was what she predicted the Board would do.

Anyway, our expectation is that there is going to be some kind of Board-mandated temporary policy that is coming but what would be that policy? We are thinking that perhaps, and this is (unintelligible) something that other stakeholder groups have been really pushing for is that there would be an expedited policy development process and this has not happened before, we don't really know what it would look like, but from what I understand of an expedited policy development process, you essentially cut out a majority of the opportunities for public comment, you sort of get rid of bottom-up, multi-stakeholder participation and you have membership tightly constrained. Anyone can be an observer, but voting members might be reduced, for instance, to only two people per stakeholder group as a way of sort of reaching consensus quicker. But that being said, and importantly, this could happen within a year. That being said, this is just an option that has been put on the table, we have not received advice from the Board saying that they are going to mandate a temporary policy but that is our thinking and even if there

was to be a board-mandated policy, it would not necessarily have to be done through an expedited policy development process. However, given that we would have a year to reach consensus and to develop the policy and then somehow implement it and whether that implementation takes place within 12 months or whether that implementation happens immediately thereafter - this is an unanswered question.

There is certainly a push towards development the policy very quickly and so my concern would be, given everything that is being cut out, there would be no initial report, for instance. You get rid of most of public comment period. I believe the public comment periods remain, I know they're 45 days but I think that is condensed tighter. I'm not sure what the appetite would be for some kind of Human Rights Impact Assessment. Certainly from NCSG participants, we would be very welcoming of that but I'm not sure about the rest of the community, what they would feel, particularly if this was going to be something that could delay the entire process.

Anyway, that is what I know. It is not a whole lot but maybe others have more insight than I do. Thanks.

Michael Karanicolas: Okay. Thanks so much, love the food for thought. Sorry, I see Collin. I see your hand up. Please go ahead.

Collin Kurre: Yes. I just had a couple responses to (unintelligible) Ayden. If the EPDP, the expedited PDP was going to start after the Workstream 2 recommendations had been approved by the Board, I think that it could be a really good opportunity to test out a compliance mechanism for the human rights bylaw, and obviously, this is especially true given, as you've indicated Ayden the EPDP would cut out certain parts of the process, like the initial report and perhaps some public comments periods. So keeping that in mind, do - what is

the opinion of applying something like the questionnaire model of it that we discussed earlier? Would this be something that could be applicable in this context to the abridged GDPR policy development process?

Ayden Federline: Thanks for the question, Collin. Ayden Federline for the record. And my answer is really simple, I really don't know because we've never had an expedited policy development process before. While there is the provision to have one, we are still in the really early stages of starting to flesh out what the process itself would actually look like, what it would include, how you would ensure that it is done in under a year. I can certainly take the question that you just asked back to Rafik Dammak who knows a lot more on this than I do. My thinking is that in terms of when this would be starting, I imagine that this will start say, May 26. This would be my guess, if this EPDP was initiated. I imagine it starting this month and in terms of me watching two recommendations and their associated implementation, I don't know when that would happen but it is just my thinking that it would probably happen, start happening just after the EPDP has been formed. I hope that's helpful.

Collin Kurre: Yes (unintelligible).

Michael Karanicolas: Yes, that's very helpful, I think. I want to be a little bit mindful of the time because we have a couple of other discussions. What are your thoughts, Collin? Should we let this go for a little longer or should we cut this off?

Collin Kurre: I think we can take it to the list. I think that it's - we've definitely established at least the potential for utility of applying such a - NHI - I'm trying to look at all these parts with the WebEx. So if we can kind of maybe feed this conversation or feed the availability of a draft tool into the wider conversations about when the PDP, the expedited PDP is going to be started and what it's going to look like, then I think that could be helpful and it could

- the great thing about the expedited PDP - the bad thing is that it would cut out a lot of the things like you pointed out earlier, Ayden, but the good thing is that we might be able to get feedback on the process and we might be able to see how it plays out on a shorter timeframe because if we've got these ongoing policy development processes that are kind dragging on for two, three, more years, that's too long to be able to see if a tool has worked or not.

So we know that the GDPR has human rights implications and it's going to be a really quick timeline so I think this is actually a really great opportunity for the CCWP and for the wider ICANN community to   test bed some tools to - that could perhaps later be applied to future, other future regular policy development processes in the GNSO and potentially beyond.

Michael Karanicolas: Yes, so with that said, it would be great to take it back to the list. Collin, should I hand it back over to you to discuss the next item on the agenda?

Collin Kurre: So actually, it looks like we had a bit of a duplication on the agenda and the next item we've actually already covered, that was the Human Rights Impact Assessment with Berlin-based (unintelligible). So perhaps we can move to the next item on the agenda, and this is the paper that David had mentioned earlier and my colleague, Vidushi Marda is working on that. Vidushi, are you there?

Vidushi Marda: Yes, I'm here.

Collin Kurre: Great.

Vidushi Marda: So let me just, because I know there are a few people on the call who are probably new to the CCWP, let me just backtrack a little bit and give and provide some sort of background for the people. So after Workstream 2, we kind of realized that there was a lot of - there were a lot of questions about

what human rights or what people interested in human rights should be working on in ICANN beyond the bylaw and beyond what everybody does. And we figured that a useful exercise would be to map human rights impacts of on-going PDPs as an easy way for people to figure out where they could divide their energy and where they could spend their time. That was kind of the thinking behind it. Also, a mapping like this doesn't exist, to the best of my knowledge and while people like the CCWP in the past has looked at, you know, particular aspects of ICANN, say for example economic, social and (unintelligible). They have (unintelligible) a dedicated analysis of ongoing PDPs so that was the thinking behind this paper.

At the last meeting we presented some of the research that we've been doing based on (unintelligible) issue reports and final issue reports and going through the actual working of PDPs so we have the PDP on the gTLD (unintelligible) procedures. We have the PDP on Rights Protection Mechanisms and we also have the RDS PDP. Since the last meeting, what we've been trying to do is (unintelligible) together how to make this a (unintelligible) document so it's not just, you know, limiting to all the documents and trying to understand what's going on everywhere because that's not productive or effective and try and figure out what interests people in different PDPs and have them populate the doc. So that's kind of been the thinking behind it. Also, I think something that David said earlier was - it really - he hit the nail on the head in terms of why we think this is important to do now, because a lot of the problems are that, you know, human rights impacts just aren't considered till the final stage or, you know, if it doesn't (unintelligible) then you haven't actually spoken to that many groups and populations or a volume of representatives about, you know, the effect of certain policy procedures.

So what - where we're at now is that we are bringing together a list of volunteers who are anywhere active in PDP who want to take part in the (unintelligible) and use it as a real engagement with the PDP, that would be pretty much the gold standard but think what we (unintelligible) would be to hear from everybody in the group about how they think we should take this forward and (unintelligible) this particular document and this current time that we address, it would be great to kind of learn some on what is most effective at this time. Thanks.

Collin Kurre: So I just wanted to echo that Vidushi was asking, is there anyone who would be interested in working on this paper that is looking at -- or anyone who is particularly involved in a PDP. And when I say working on this paper, we could do this through perhaps interviews, if anybody is intimately involved in the Rights Protection Mechanisms Group, or any other ongoing PDP and has been there for a long time, then you would be a perfect candidate for helping us with this paper because we - we're looking for people who kind of know the ins and outs of the ongoing policies and processes and can help us put our finger on which rights have the potential to be impacted.

Michael Karanicolas: We have our first volunteer in Ayden, which is fantastic.

Collin Kurre: And I think Rafael has said that he would help as well, or am I? Or was that a yes, of course to something else? Oh, great.

Rafael Beauregard - Lacroix: Also yes.

Collin Kurre: I just corralled Rafael into working as well, amazing. Well, great.

Michael Karanicolas: We have a hand up from David McAuley. I don't see it, but David, please.

David McAuley: Thanks, Michael. Just some comments and thanks again, to Vidushi for this paper and I have one practical point to make. With respect, Vidushi, to the PDP on new gTLD subsequent procedures, under procedural fairness, you have two paragraphs, one dealing with (unintelligible) base registry contract and the second with trademark clearinghouse. I think the trademark clearinghouse would more appropriately fall under the RPM PDP. I am a participant in the RPM PDP but not the subsequent procedures although I am working on part of it in Work Track 5 but the RPM is definitely dealing with trademark clearinghouse issues including trademark claims and sunrise.

Besides that practical point, I would just say, about the RPM and the subsequent procedures, they're related, in a sense. Both are looking forward to the net round of new gTLDs and so it seems to me that if there's work to be done on these with respect to Human Rights Impact Assessment, it should not be one or the other but both. And it gets back to the question that Michael mentioned when he started speaking about the expedited PDP dealing with GDPR. Does this group intend to recommend that the PDP, I mean the Human Rights Impact Assessment work be done with respect to these two PDPs - the subsequent procedures and the rights protections - which are well down the tracks. I don't know the answer to that question and I think it would be worthwhile for this group to discuss and decide but if there is an intent to do that, hopefully that would be noticed sooner rather than later because I can tell you that there's a lot of work going on. I'd be happy to volunteer on the RPM side and those are my comments. Thanks.

Collin Kurre: You raise a really great point, David, that we've kind of touched on previously in conversations in the CCWP, so the question of whether or not HRIAs would be applied to ongoing and late-stage PDPs is a good one. I think that this is where we might be able to refer back to the questionnaire or a different model, a kind of more slimmed down model because there's a difference

between mandating incorporating an HRIA into a policy development process as a procedural step and carrying out a Human Rights Impact Assessment on an ongoing PDP.

Maybe I'm not making the difference clear but the difference is institutionalization. Whether it's mandated as a procedural step in the PDP or whether it's carried out almost retrospectively once the PDP is already in late stages. I don't think that there would be anything barring us from carrying out an HRIA of sorts, whether it's the kind of questionnaire that we've discussed earlier or a different model that has yet to materialize. I think that it would be a great idea to carry these out on the subsequent procedures and the Rights Protection Mechanisms working group, for example while working in parallel to have and taking the things that we learn from doing this - it's a great opportunity to test things out before we try to incorporate them procedurally for all PDPs, but that would be the ongoing work as part of the implementation of Workstream 2 recommendations, was figuring out how to - more of operationalize or institutionalize such a reflex that incorporates human rights considerations into the PDP process. Does that speak to your question? Great.

Does anyone else have any thoughts about this? How - or should Human Rights Impact Assessments be applied to policy development processes that are in late stages? Is there a value in that or should we be focusing exclusively on nascent PDPs? The more the better. Great. I don't see any hands so I'll just assume that everyone agrees with what I said. Oh, right. If we don't have any additional questions or volunteers to help us get this Human Rights and Ongoing Policy Development Processes paper wrapped up, then maybe we can move on to the last agenda item which is any other business.

Michael Karanicolas: So maybe it would be good to just overview our kind of action items going forward?

Collin Kurre: Okay, perfect.

Michael Karanicolas: So, at the - if I'm recalling them correctly or why don't I go backwards because that's freshest in my mind. So we've had a lot of wonderful volunteers, several people have volunteered to engage on the Human Rights PDP paper, which is great, so we will follow up with you directly as well as take it to the list to facilitate further conversation, so that'll be kind of action area number one.

Collin Kurre: And then maybe a sub - a sub action area off of that could be - I really like the idea of interviews to help facilitate this paper so perhaps we could work to see who is going to be in Panama in a month's time - couple months' time and to set up some interviews with key participants in or longstanding participants in PDPs there. Great. David plans to attend ICANN62. Is there anyone else in the - of the attendees that will be - that is planning to go to Panama? Oh, we've got a hand for AOB. Okay, Michael, do you want to carry on with your action items while they're fresh on your mind and then we can circle back to Ayden's AOB?

Michael Karanicolas: Oh, David McAuley asked about RightsCon. Collin and I will both be there. I imagine at least a few people on the call will be there, so we could also use that - I actually won't be in Panama but we could also potentially carry on some of these interviews there. Collin?

Collin Kurre: Yes, sure and I - yes, I am going to RightsCon and we are actually holding a session at RightsCon on Human Rights Impact Assessment. This will be more

geared toward corporate, corporations and commercial stakeholders but if anybody would like to join that session, I will circulate details on the list.

Michael Karanicolas: Thanks. So we can also follow up at RightsCon with those of you who are there. There will also, I think there's - ICANN is - has some coordinating stuff for the people that are going to be there, at least they've emailed me and on Day Zero, I think, they're organizing some kind of meeting and there's going to be an ICANN booth there so there should be abilities to touch base, oh, Avri is going to be there as well. Great. So we can definitely follow-up on this conversation then.

In terms of the GDPR expedited PDP, I guess it's at this point, maybe we're sort of waiting to - from what I gather from this call is that people have agreed that it would potentially be a good area to apply an HIRA to it. An expedited PDP is either set up to replace the RDS group or to specifically look at the GDPR but I guess at this point, it's sort of a waiting game to see how that develops. Do I have that (unintelligible) correct, Collin, as an action item?

Collin Kurre: Yes, that sounds good to me.

Michael Karanicolas: So we will basically monitor developments there. And are there any action items in terms of the - for those of you - we'll take the GNSO model conversation to the list and aim to develop that into a final document.

Collin Kurre: A final draft document.

Michael Karanicolas: And - final draft document, sorry. And the only other action item that I have would be to schedule our next meeting. Collin, am I missing anything?

Collin Kurre: No, I think you - I think you covered it and a lot of this we'll be able to reiterate on the list in the meantime. As for…

Michael Karanicolas: Yes, and perhaps we should aim for early June? Sorry.

Collin Kurre: Yes, yes. That's what I was - that's what I was about to say. Early June sounds like a good time. It will be after RightsCon and before the next ICANN meeting, so we can come back and show you all of our wonderful, wonderful progress. And yes, there is - there seems to be a small dog in the room somewhere who is also anxious to make his voice heard.

Michael Karanicolas: I have no comment on that.

Collin Kurre: All right, maybe we can wrap up with Ayden. Is there any other business?

Ayden Federline: Thanks. Ayden Federline again. So just wanted to quickly note, I was at the European launch last night for the Ranking Digital Rights Corporate Accountability Index and they mentioned something that I thought was very interesting. So the director of the project, Rebecca MacKinnon stressed that their methodology and their indicators are open and licensed under a creative common and that they would really like others to apply their methodology to evaluate more companies than they themselves have the capacity to do. So just thought I'd put that out, that idea out there that perhaps someone would have the capacity to evaluate ICANN against this scale and to see how ICANN compares on issues like corporate governance, freedom of expression and privacy, which are three of the main indexes that Ranking Digital Rights measures. Not all are going to be 100% applicable to ICANN, because they are predominately measuring dominant platforms and telecommunication companies but all the same, I think that there could be some potential for

some collaboration between this working party and Ranking Digital Rights. Thank you.

Collin Kurre: Fabulous. Thank you so much for that point there, Ayden. It's always great to have synergy, especially among people who are doing this kind of work. All right…

Michael Karanicolas: Yes, I know that Rebecca will be at RightsCon so that's another potential area to look into there.

Collin Kurre: Great. All right, if we don't have any other - any other business then I think that we could go ahead and wrap up the call.

Michael Karanicolas: Thanks to everyone for joining us. Twelve o'clock on the dot.

Collin Kurre: We will…

Maryam Bakoshi: Thank you very much for joining the call.

Collin Kurre: Yes, we'll send out call information for the next call as soon as it's scheduled. Thanks, everybody.

Maryam Bakoshi: Thank you. Stan, you may stop the recording and disconnect all lines. Thank you very much, Stan.

END