COLLIN KURRE: Okay. This meeting is now being recorded. Great. I was going to let everybody know that we're just waiting on one or two more people who were meant to be on the call, so I'll just give it just another minute given the room change and then we'll go ahead and begin. Thanks.

MARYAM BAKOSHI: Thank you, Colin. Please let me know when you're ready to start and I'll start the recording. It's on pause at the moment. Thank you.

COLLIN KURRE: Okay. Mike, are you here? Are we ready to go?

MICHAEL KARANICOLAS: Here and ready to go.

COLLIN KURRE: Okay, great. I think that we're waiting on maybe one more person, but maybe we can go ahead and kick things off.

MICHAEL KARANICOLAS: [inaudible].

COLLIN KURRE: Oh, okay. Great. Good to have you. Alright. Good morning, afternoon, and evening, everyone and welcome to the September 2018 meeting of

the Cross-Community Working Party on ICANN and Human Rights. I am Colin Kerr and I'm here with my co-chair, Michael Karanicolas. We've got a relatively loose agenda for today. The last time that we met, we overpacked the agenda and didn't leave quite as much time for community feedback and for exchanges amongst the participants, so we tried to make this agenda a bit more breathable, so we can all get a chance to point to anything that we need to be focusing on and have our voices heard as we go into the planning for the next ICANN meeting in Barcelona in October.

Have I missed anything in that introduction, Mike?

MICHAEL KAPERNICOLAS: I think that's everything. Should we kick it off with the first item on the agenda?

COLLIN KURRE: Yeah. Sure. That sounds great. Okay. So, as you are probably aware, the CCWPHR was involved in a human rights mapping program a couple – well, over the past couple of years. That was actually a part of work stream one of the cross-community working group on enhancing ICANN's accountability.

Actually, I was not an active part of the ICANN community at that point and we were unable to find – to make contact with the people who were more directly involved in this activity. I see that Niels is on the line, so please feel free to correct me or to chime in if you would like to speak to that activity because afterwards we're going to talk a little bit

about how this type of work is evolving. Were you involved in the mapping program?

NIELS TEN OEVER: Yeah. I [inaudible] part of it.

COLLIN KURRE: Okay. Would you mind giving us just an overview of what that consisted of and then I will paste a link to my favorite image in the chat, which is the beautiful infographic that it produced.

NIELS TEN OEVER: Yes. So, what we did is that we went to different communities and went through I think what is called a speculative process trying to get a [inaudible] we tried to [inaudible] looking at the practices in ICANN and looking at the list of human rights, trying to think where there could be [inaudible].

COLLIN KURRE: Sorry, Niels. Could you get a little bit closer to your mic? We're having a hard time hearing you.

NIELS TEN OEVER: Oh. Does it work better like this? I can also put up the volume like this. Does it work better?

COLLIN KURRE: Yeah. That's much better. Thank you.

NIELS TEN OEVER: Okay. Sorry. So, we engaged in a speculative explorative approach and we tried to understand ICANN's processes and things and also take the list of all human rights treaties and principles and enumerate them and see, looking from both angles, where we could see an interaction between those two fields. Then, we tried to also ask people where they think in which part of ICANN's work there might be human rights implications and we then came up with an initial assessment. We tried to verify that, both on this list and in the community to see where that made sense. Then, interestingly, people mentioned new points when we tried to – when we started socializing this graph. Then, we amended it a bit more. So, I think with this, we've been trying to map and visualize for ourselves where there might be connections without being fully exhaustive. So, this was definitely an explorative process, which I think really helps relate more formal processes to understand which grounds we could and should cover. I hope [inaudible].

COLLIN KURRE: Great. Thank you. Yeah. That is really useful. Thank you so much. It is my understanding that one of the main outcomes of this really important work was contextualizing [inaudible] enhancing the understanding of ICANN as not only a technical organization but also a body that has influence on human rights. So, it went a long way in kind of building up that understanding.

So, now, what we've continued to do with the ongoing work of the CCWP is to come at this from another angle. Now that human rights has carved out [inaudible] within the ICANN community and we've succeeded in – I won't belabor the history, but having the core values added to the bylaws and then getting the Framework of Interpretation approved, we're continuing to flesh out this relationship between ICANN policies and human rights, but from a different angle. And this is the human rights and policy development processes paper that we presented, that has been presented previously in meetings of the CCWP. I'm really happy to report that it is final stages and maybe I can turn it over Vidushi to give us maybe an update. Again, I will paste the link in the chat to the documents that are being referenced. Vidushi, are you there?

VIDUSHI MARDA: Yeah. I'm here. Thanks, Collin. I think the [inaudible] given updates and basically talk about where we left off. So, the last time that we discussed the paper, a lot [inaudible] feedback was given to us by a couple of PDP chairs who thought that maybe we could be more granular or more accurate in how we think about [inaudible] with respect to PDPs.

When we got back to the drawing board after, that kind of feedback, what we found was that even though we know PDPs have tremendous impact, we want to know exactly which work track and which subgroup within the PDP is actually looking at a particular [right] or has implications for a particular [right]. This is actually what a newcomer or somebody interested in human rights wants to know.

So, what we've done is this version [inaudible] out exactly the inner workings of each PDP, so to speak. So, we've looked at particular work streams. We've looked at particular groups. We looked at if some groups are having trouble taking … [inaudible] having followed the [inaudible] having a really granular focus on human rights and the different policy development processes.

I think the biggest difference between the last version that folks have seen and this one is that its written really very much like a [inaudible]. I think the previous version was more of like a briefing document, like a mapping document. But, this is more explaining the basics to somebody who is interested in ICANN but doesn't know how to get involved.

I think, at this point, I [didn't] share the link on chat, Collin. At this point, what we're really looking for and what would be useful would be to have the PDP chairs look at that particular section and tell us if we've missed something or if there's something that we should add. Also, for people who are interested in this space, tell us what else they need to know, because a lot of us within ICANN, although there's a lot of information and one of the [inaudible] we had is what do you leave out at the cost of being accessible. So, those two pieces of feedback would be really great at this point. Thanks.

COLLIN KURRE: Thanks, Vidushi, for that overview. I just want to underscore the conceptualization of this paper as a primer. It's quite interesting because not only is this building on the work of work stream one and all of the efforts to really tease out the links between concrete human

rights and concrete ICANN policy, we've kind of [inaudible] this analysis a bit and gone from, okay, these ongoing processes, what is happening in these ongoing processes? What is the stage? What are the resources that you need to have on hand to be able to understand and subsequently engage in these different policy development processes? And then being able to further tease that out and say these are the parts that might be potentially problematic in terms of human rights or these are the issues that we should be focusing on as ICANN community members who are interested in or proponents of human rights.

So, I just wanted to underscore those two elements and then maybe this will also speak to the persistent problem of getting more people involved, getting more people engaged. We have shared this document previously and it's been put in a PDF in this later version, although I also submitted and editable version of the text as well in the chat.

I would encourage you, if you have some time to look over and leave feedback on this final version, then please do. Our intention is to go ahead and share the final version of this paper not only in the CCWP but also in other stakeholder groups or perhaps with the incoming fellowship cohort to be able to allow the maximum number of people to make use of this primer and to make use of this groundwork that we've done.

I realize we haven't had very much time to review, but does anybody have any comments on the utility of this kind of approach or any feedback on the paper as it's been presented? Yes, David?

DAVID MCAULEY:	Thanks, Colin. Hello, everyone. This is David McCauley, for the record. As I've done in the past, I'd like to again thank Vidushi for the work that's gone on on this. I haven't looked at it recently, but I would note that there are three PDPs underway that conceivably could touch on human rights. One is on subsequent procedures for new gTLDs. Another – and I'm not a participant in that, although I am a participant on what they call work track five which deals with geonames.
	The next would be the Rights Protection Mechanisms PDP Working Group. I am a participant in that. And that deals with RPMs that have been implemented as part of the Applicant Guidebook and it deals with things like URS, UDRP, Trademark Clearinghouse, etc. So, that could touch on human rights.
	Then, the third is the currently underway expedited policy development process to try and bring the temporary specification forward as consensus policy and I think that, as an expedited one, that is my understanding – and I'm not part of that group – that they have until next May to try and do that. And since that is trying to bring the GDPR-related considerations into the WHOIS process, conceivably, that could touch on human rights.
	One suggestion I would have is as we approach this document we might want to think of creating a document light. In other words, a more focused document that encapsulates a lot of what's in it but is intended for those PDPs that are under way. And it sort of brings up something I said before and I think is quite important and that is with PDPs that are underway, I think it's important that if the human rights considerations are going to be raised, they should be raised in the nature of impact

assessment and things like that. They should be raised as early as possible because these groups are moving on and will be forming recommendations, etc., and I think it's only fair to let them know as early as possible if this group or any other group thinks that this is something that they need to consider. Thanks very much.

VIDUSHI MARDA: Collin, can I just quickly jump in with a couple of comments? Sorry, I'm not on the chat, so I don't know if there's somebody else in line.

COLLIN KURRE: No, that's fine. Go ahead, Vidushi.

VIDUSHI MARDA: Okay. So, thanks, David. As always, your feedback is very, very constructive and actionable. I appreciate that. I just wanted to get your thoughts on … So, you mentioned two PDPs. You mentioned subsequent procedures and RPMs. They're both in the document and I think at this point what they're really missing is sort of an insider … Like an insider looking out for the view. If you have the chance to go through the document, I think what would be great would be to hear from you as to what other key issues a newcomer should be aware of or people looking to get involved should be aware of.

I take your point about making this work more visible to particular groups so that they know that we're looking at it and opportunities for collaboration but also what does the group want to convey. I think it's useful to think of this document as sort of like – for lack of a better

[inaudible], like an elevator pitch for each PDP and for your input would be very, very welcome on that. Thanks.

DAVID MCAULEY: Collin, it's David, if I could make one more comment.

COLLIN KURRE: Yes. Please go ahead.

DAVID MCAULEY: Thanks, Vidushi. Good suggestion and I will try to do that. I have to note that I'm on some special projects right now, so my calendar is very full, but I will try and do that and try and get back to this group within the next week or two. That's probably the best time I can promise on something like that, but it's a good idea and I will take it to heart and try and do something. Thank you.

COLLIN KURRE: Thanks, David. I wanted to chime in on the other, the third PDP that you had mentioned, David, very rightfully so, which was the EPDP. Of course, human rights are ever present in the conversation of the EPDP given that GDPR is rooted in privacy protection and data minimization and these kinds of principles that can ultimately be traced back to human rights, to the European Declaration of Human Rights and other foundational documents.

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That being said, as someone who is very involved, spending a lot of time on the EPDP at present, it doesn't necessarily mean that human rights are always in consideration in a positive way or that they are always taken seriously.

We definitely need some more work on that and more input from the CROP community participants that have interest in human rights. It's not limited to non-commercial users.

However, the EPDP was not focused or does not feature as prominently in this [primer], per se, for three main reasons, because it is outside of the norm. It is an exception to the rule of the GNSO policy development process in that it does have a very constrained timeline and then it also has restricted membership that was by nomination, selection, and appointment.

Then, it was also unique in that it has … It includes representation from different advisory committees which is quite unusual because, generally, advisory committees only engage at the point at which the working group has already done the preliminary work and has put it out for comment.

So, these reasons for why the EPDP is exceptional and not focused on in the same way in the paper are outlined at the bottom of the paper, but I agree that given the clear relationship, maybe having a special light version or even just a one-pager that looks at the key human rights issues and that process in particular could be useful. So, I will note that as a potential work item moving forward.

If we don't have any other thoughts or comments on the human rights and PDP paper, perhaps we can move on to the next agenda item. Going once, going twice.

Okay. So, the next thing that we're going to be talking about is the GNSO PDP 3.0. To give you some context, we're looking at this from the vantage point of the CCWP, obviously. One of our main goals in the wake of the CCWG work on enhancing ICANN's accountability and developing the Framework of Interpretation for the human rights bylaw is considering ways that this bylaw can be operationalized, ways that it can percolate down into the community and ultimately be reflected and supported in the different decision-making processes or policy development process of the different parts of the community.

So, I see that we actually have a couple GNSO councilors on this call, so I might pick on you guys to maybe give us a bit of an overview on the PDP 3.0 discussion. Rafik or Stephanie, would you be able to do that?

RAFIK DAMMAK: Alright. Just to be sure, Collin, you are asking about introducing the paper or what are you asking exactly?

COLLIN KURRE: Apologies. Maybe if you could just give … I don't think that … I'm sure that there are some people in the group who are not following the GNSO Council proceedings as closely as maybe we could be. So, could you just tell us what the GNSO PDP 3.0 is all about? Then, I'd be happy to chime in after and tie it back into the work that we're doing. But, if

you could give us a brief overview about what is the PDP 3.0 and at what stage are we right now?

RAFIK DAMMAK: Okay. Thanks. So, maybe in terms of context, [inaudible] the GNSO Council [inaudible] meeting that we had early this year in LA. The council [spent time] to discuss how we can make … I mean, to begin organizing all the issues for several PDPs in terms of [inaudible] being effective and they are functioning as expected and so on. So, we started that [inaudible]. Also, based on staff paper, the GNSO policy staff prepared a paper from [inaudible] trying to identify several issues they are observing in several PDP working groups and trying to initiate a discussion. So, we used that. And [agreed] that we need to start this, what we call the PDP 3, [this whole] process.

So, what we did is that in San Juan the GNSO Council modified its usual schedule and [inaudible] Sunday working session allocating all morning to discuss about those issues and to get input from the community, asking the leadership of the PDP working group to share their thoughts and what are the issues they see from their side.

So, based on that input and on the staff paper, we created the PDP 3.0 paper. If I recall, it was [inaudible] and we put it for input from the stakeholder group and constituency and also we asked again working group leadership to review it.

So, the council was [inaudible] to the PDP and it was I think the same for all groups. We had to extend the call for input to August and we got several. Let me [inaudible] paper.

Just to clarify what the remit of this paper [or effort], it's really about the effectiveness of PDP. We identified several areas for improvement. It's really about how working groups are functioning. So, it's not about the PDP per se, but it's really about working group and also the council itself.

So, we identified, for example, working group dynamics to ensure that when people or members join the working group to participate in good faith, make sure that we create the environment for that. Also, with regard to the working group leadership, because we recognize there is much more expectation from the chair of the working group leadership in general in terms of work and so on. So, we tried also to … I think one of the issues regarding the consensus call for designation, this is the case in some working groups lately, people challenge the consensus designation from the chair. Again, it's also about the consensus [inaudible].

The other [inaudible] was really about the role of the councilors, the manager of a PDP, because I think we recognize that when we started the Rights Protection Mechanism Working Group, the Subsequent Procedures Working Group, and the RDS Working Group we [inaudible] working group at the same time with huge expectations and a lot of goals to achieve and [inaudible] issue in terms of timeline, the workload, and so on.

So, we [inaudible] from the council how we can improve that [inaudible] to maybe give much more realistic scope for working groups and also that we monitor more closely the work plan and also to manage the

resource, [inaudible] update from the PDP that can be used for further management.

So, as you could see, it's really about how to make working groups function better. What are the areas that we can do to improve the working group more than we have? It is possible by the GNSO operating procedures to have a different format or structure if needed. The EPDP is one of the examples of how we did that. So, we moved it from what we did before and create this small team, recognize the previous issues and try to set the condition for [inaudible]. So, we're seeing if this is really effective or not.

So, I hope it was clear. It's not easy to summarize all the recommendations, but it's really about the working group but not the PDP as a process [inaudible].

COLLIN KURRE: Thanks. That was really helpful. Thank you so much, Rafik. So, two things that caught my eye. As I was looking over the PDP 3.0, originally I was thinking that it might be something like a restructuring and we might be able to put in, include a more human rights [considered step] in the process, but I realized, as you say, that this is more about the construction and the kind of interactions between working group members.

That being said, I wonder if I could pose a question to you and the group more broadly. Do you think that, as the cross-community working group on enhancing ICANN accountability, recommendations are edging ever closer to being approved? Do you think that there could be some sort of

synergy between a revision of GNSO operating procedures that could perhaps work in coordination with CPWG implementation team to consider ways that we might be able to work towards enhancing the effectiveness of the GNSO PDP while simultaneously trying to contemplate implementing work stream two recommendations?

RAFIK DAMMAK: So, yeah. As you saw, PDP 3.0 is about effectiveness. But, my interpretation of what is suggested here on operationalizing in particular or implementing the CCWG recommendation, it's really about amending the GNSO operating procedure. The question here is to identify and reach a stage to do so.

So, for example, and in fact we had a discussion in the GNSO Council with regard to one working group and there was a question why we didn't have the policy [inaudible], to which I think is quite similar to other impact assessment that you have in mind.

So, that can happen if we, for example, on the GNSO implement, we amend the operating procedures to add a checklist or a condition that during the drafting of PDP charter, the working group should do a human rights impact assessment, for example. That something is, for example, maybe adding, amending the template, adding the checklist, and so on. Usually, this task is done, handled or delegated by the GNSO Council, for example, to the staff to do ground work or like what happened for the case of the bylaw change, it was a drafting team including councilors and [inaudible] outside the council to make, to

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identify what are the areas in the operating procedure that needs or the section that needs to be changed.

So, [inaudible] synergy, it's hard to say how it can work because you really for this kind of work, the GNSO Council will decide either the team of councilors or drafting team that includes members from the stakeholder group and constituencies. So, I think that will be the usual [inaudible] if we have to implement the CCWG recommendation.

Just a caveat, we didn't have any discussion yet on the council level. We have the CCWG recommendation to be approved in our next meeting next week, so as we are, GNSO is a chartering organization, but after that, when the board approves, probably it will come to us again and the GNSO Council has to plan for that activity and put it in its long to-do list.

Maybe it's possible to give input, but at this stage, it's really hard to state how it will take [form]. Sorry for [inaudible]. I just tried to expand how usually [inaudible] on that.

COLLIN KURRE: Yeah. Thanks for that. To put a bee in your bonnet, as these discussions progress, one opportunity that I thought, that I spotted, could be as the GNSO considers alternate to the working group model, such as the EPDP, which personally I'm not sure if it's good for the human rights of the participants, given the amount of time and effort it takes – a joke, a joke.

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But, for example, if working groups will be constructed in a purposeful manner to ensure expertise and objectivity, perhaps we could be looking at, in addition to the different stakeholder groups and different constituencies, perhaps we could be looking towards including, ensuring that subject matter experts are included in such discussions, such as not just human rights experts but maybe data protection experts or people who are skilled at carrying out different types of impact assessments, privacy impact assessments, data protection impact assessments, etc.

So, I would see that as perhaps being in line with the spirit of the human rights core values, so that's a potential way that this could maybe be seen as killing two birds with one stone.

Do we have any other comments or thoughts on the GNSO PDP 3.0? Yes, Rafik, come on in. Or was that an old hand?

RAFIK DAMMAK: No need to kill birds. Okay. Maybe just a clarification. In fact, existing GNSO [inaudible] to have the different type [inaudible] drafting team expert group, task force, and so on. The [inaudible] usually is made during the charter drafting. It depends. Now we have the working group model since the last, the previous GNSO review which happened in 2007-2008, so this is kind of, there is now … We are assessing the impact and the issues.

So, with regard to bringing expertise, it's already possible. If you change, for example, the EPDP charter, there are [provisions] allowing to bring independent experts and so on. So, it's always a question here how the working group or teams to leverage and use [that]. So, it can be possible

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that in the future when you have any new PDP to be initiated, it's just important to ensure that in drafting the charter to add this provision about bringing expertise or even [defining] subject matter and so on.

So, while the charter template is quite standard, some standard language there, like with regard to membership, consensus, designations and so on coming from the GNSO Operating Procedures, it's possible to add more with regard to bringing expertise or identifying the domain that needs to be filled by subject matters and so on. So, we just need to be sure that it's done during the scoping discussion.

COLLIN KURRE: Thank you, Rafik. Do we have any other comments from participants on the GNSO PDP 3.0 and how it may be articulated with the CCWG recommendations?

Okay. I think we can move on to our next agenda item then, and for that, I'll turn it over to my co-chair, Michael Karanicolas. Mike, come on in.

MICHAEL KARANICOLAS: Thanks so much for that and for that very interesting discussion. So, the next item that we have on the agenda is the recent Domain Tools decision.

As some of you may have been familiar with, some of you may be familiar with it, may have seen the buzz around about the decision, but just reiterate. There was a preliminary injunction issued a few days ago in favor of the Domain Name Commission, which is dot-NZ, against

Domain Tools in order to stop Domain Tools from using its users, dot-NZ users' data, continuing to [strike] their information or to return dot-NZ in terms of the searches that are made into Domain Tools [inaudible].

The grounds for this were that the use of that information and the processing of that information is a violation of its Terms of Service and underlying that is the idea that Domain Tools, work in this area, is a violation of privacy of the dot-NZ users.

Now, I should point out that this was just a preliminary injunction that was issued. It is not a final decision. But, in this case, to get that injunction, there was a relatively strong legal burden. Specifically, it was a requirement that the Domain Name Commission would've had to determine that the law, in fact, were clearly in its favor.

So, even though there's just been a preliminary injunction issued, this is probably pretty telling about where this case is likely to end up.

Given the buzz around this case, given the interest in it, and given the potential relevance to questions about enforcements of users' rights, and particularly internationally [inaudible], I thought it might be useful to tee up a conversation to kind of raise the issue and see if people might be interested in chatting about the implications of this case, about enforcement of rights, and also going forward, if anybody has thoughts about how privacy as a right is going to be balanced in future cases, and this is I think very relevant to what we're doing as a cross-community working party. This case in particular is about balancing privacy against commercial value, which is maybe an easier determination, but going forward we're going to have to think carefully

about balancing between privacy and security, where access to the data is important to crack down on phishing, crack down on malware, and then more broadly, privacy versus access to information where there's a transparency interest in sometimes knowing this underlying data.

So, with that as sort of a brief introduction to the case, I was hoping to tee this off to the group and see if there's any thoughts about this case, where it's heading, and what it might say towards [inaudible] human rights issues that we may be dealing with in the coming years. I see typing and I see Collin with her hand up, so Collin, do you want to jump in? "The discussion could take [inaudible]." Yes, that's a fair point, and obviously the call is wrapping up in 13 minutes, so I don't think we're looking to fully flesh out this case. Just maybe if anybody has some thoughts that they want to share about the idea. Stephanie? You may be muted, Stephanie. In fact, it looks like you are muted.

STEPHANIE PERRIN: How about now? Can you hear me now?

MICHAEL KARANICOLAS: Loud and clear.

STEPHANIE PERRIN: I would agree this is just a preliminary case, this New Zealand case. However, there are plenty of other instances in the CCWG space where they have restrictions and Domain Tools has been ignoring it. Now, that also applies to the gTLDs and it's clear in the 2013 RAA that they are not supposed to be doing the kind of scraping they're doing. The registrars

have complained about it, but nobody has bothered to do anything about it. I think ICANN as data controller is or ought to be on the hook because they're not enforcing any of the restrictions on scraping.

So, I think it'll be an interesting case, particularly if somebody files some amicus brief. But I don't see much action on that front and I'd love to know what … This is the first call I've tuned in on in a long time. I'd love to know what folks feel about filing amicus briefs on these cases. Thanks.

MICHAEL KARANICOLAS: Yeah. It does raise an interesting issue. I think that for this case in particular … This is not … I wouldn't see this call as part of an advocacy process in support of a particular side in this proceeding, but rather to kind of flesh out the implications for ICANN itself. But I do think that the idea that this has been a recurring problem does, I think, raise really interesting issues about ICANN's role in this and potentially in enforcement. And I see a couple of hands going up now. Or I see Collin with her hand up. Collin, do you want to jump in? Collin no longer has her hand up.

COLLIN KURRE: Yeah. Sorry. No, I was just fiddling around with mute over here. I just wanted to point out that I also find the notion of amicus brief quite interesting to see how this will continue to influence or how other contracted parties, registries, or registrars might digest this ruling. But I will say that in terms of applicable law and applicable legal frameworks, this did come up in the EPDP in the context of our conversations,

internal conversations about that. And it is quite interesting because it speak to the role of ICANN and enforcing contractual obligations or permitting access. This kind of is what ties back into ICANN, the ICANN community, and draws it really front and center into what we're trying to do, what kinds of tiered access models or technical specifications are in the pipeline.

So, I think that moving forward we can keep these kinds of evolving jurisprudence, evolving [inaudible] law front and center as we're considering not only work stream two recommendations but ICANN's evolving role as a standard-setting body and what the kinds of obligations that it does or does not put onto its contracted parties. My two cents.

MICHAEL KARANICOLAS: David McAuley has asked in the chat whether we have any members from [inaudible] or CDT. We don't have anybody from CDT. I'm not sure if Mitch Stoltz … Mitch Stoltz is usually the point person from EFF at ICANN. I'm not sure if he's a member of the CCWG. I don't think I've seen him there before and I don't think we have anybody from [inaudible] here either. We do have people from Article 19 which sometimes does, including my co-chair, of course, which sometimes does amicus briefs. But I'm not sure if we want to go too far down the route of individual advocacy strategies and I do think we should try to keep the discussion focused on our [inaudible] for ICANN as an organization, and to that effect, Stephanie has put in the chat that ICANN is the data controller and accounts [inaudible] commercial rights and [ignore] registrant's rights.

I think the implications if an organization like Domain Tools is consistently [inaudible] the law and the policy implications of that and what ICANN's ... Not only what ICANN's responsibility might be but also whether it's in their interest to try and enforce these rules more clearly. I think that's definitely a very potentially fruitful area to look at in terms of the human [inaudible] of this issue.

So, this is a really interesting area to dig into, but we may ... We had a request from staff to wrap up very sharply at 10:00 to make sure that the next call can go ahead on time. So, unless there's any further points, maybe we should move on to some discussion about ICANN 63. I see my co-chair has her hand up.

COLLIN KURRE: Yeah. I just wanted to suggest that maybe in the interest of engaging we could kick this discussion to the list and then we could actually even kick the discussion of topics for ICANN 63 to the list to be able to give people ample time to reflect and comment. Maybe what we could do is just skip over to the last agenda item to make sure that we're not leaving anybody with any kind of burning comments that they want to express to the group, and if not, then we can jump back to planning for ICANN 63. I can see that Mike has agreed to that approach.

So, I'd like to open the floor for these next five minutes and just as participants in terms of ICANN and human rights, it's a pretty wide focus. Is there anything in your work or in your studies or in your engagement with ICANN that you might want to flag to us as things that

the group should be aware of, should be looking into? Things that are interesting?

Okay. It doesn't look like it. So, I will go ahead and – sorry?

MICHAEL KARANICOLAS: Oh, never mind. Just when you were moving it on, I was seeing typing in the chat, but that was back to a previous issue.

COLLIN KURRE: Okay. That's okay. Once again, I will toss the topic to the list, but just to give you guys an idea of things that are kind of cooking in terms of the ICANN 63 session which has been scheduled for Monday morning, great time slot, and we'll have a nice little cozy room as we did in San Juan. So, the thing that we're looking at at ICANN Org is finally wrapping up its HRAA and will be in a position to share preliminary findings by ICANN 63. So, we have been in contact with staff and they are planning to attend and give us the lowdown on what happened with the [process] and outcome of ICANN human rights impact assessment. Hopefully, this will be able to lead into a conversation about community-led human rights impact assessments or other kinds of human rights considerations. That will be the main feature of the session at ICANN 63 in Barcelona.

Other things that we could have on the agenda include updates from the EPDP or other PDPs, like the three that were identified, subsequent procedures, rights protection mechanisms, or EPDP that can affect human rights. And perhaps a bit more on due diligence and how not

only structural inclusion such as a checklist or an [inaudible] could be added to ICANN processes but how we could maybe from the bottom-up be infusing more human rights considerations into the process ourselves, whether that's better communication amongst stakeholder groups or better coordination amongst human rights interested members active in a PDP. Those are other things that we could potentially explore in our face-to-face session.

Just as a quick poll, if you are planning to attend ICANN Barcelona, could you please indicate so with a green tick next to your name?

VIDUSHI MARDA: I will be attending, Collin. I'm on the audio bridge, so consider this my metaphorical green tick.

COLLIN KURRE: Great. Thank you, Vidushi. Alright, we've got quite a few folks. Great. I just wanted to have a quick straw poll. So, I think in the interest of wrapping up on time, I will go ahead and kick these and other discussions to the list, which has been suffering. I personally have been buried in EPDP. We'll make a conscientious effort to keep you guys, to keep the list active, and I hope to hear your thoughts on not only planning for ICANN 63 but ongoing events both within and beyond the ICANN community that have potential to impact human rights. Anything to add, Mike?

MICHAEL KARANICOLAS: No, I think that's a great move forward and I think this has been a really interesting discussion. I'm glad we were able to have it and I look forward to further conversations in Barcelona.

COLLIN KURRE: Alright. Thank you. Maryam, we can stop the recording. Thank you very much.

MARYAM BAKOSHI: Thank you very much, everyone, for attending.

[END OF TRANSCRIPTION]