

ICANN

Moderator: Maryam Bakoshi
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8:00 am CT

Niels Ten Oever: Very much to this first call of the cross community working (party) on ICANN corporate and social responsibility to human rights (to respect) human rights after the Dublin meeting. We already had quite some traffic on the list and I think also already (unintelligible) productive work. I'm really happy about this and I'm really happy to capture all that work already here and see how we're going to make steps forward in preparation for Marrakesh.

We have an agenda for today to which I would like to add one little point at the end. And that is a short discussion about a date and time to insure that everyone can participate. Because as we have on the call now people ranging from San Francisco to Tokyo, so we're spanning quite some time zones. So let's see how we can setup something so that it's accessible for everyone and everywhere.

I would like to start with a very short overview of what we've done in Dublin. First of all, we met with the (GUCH) working group on (human rights and) international law and we gave them a presentation of the report that was prepared by the close community working party and gave them an overview

of our next steps. The (GUCH) working group very much welcomed our work and really appreciated our efforts to reach out to them and reiterate on the importance of collaboration and collaboration in the future. The (GUCH) working group itself is working on reaching consensus on their own terms of reference and another positive account of this meeting was part of the (GUCH) community.

A small little part is that the (GUCH) working group (human rights) international law also has a new co-chair, which is probably familiar to many of you, (unintelligible), who is also often present on our cross community working party mailing list (unintelligible). And it's great that we'll help and strengthen the collaboration now there's even more contact back and forth.

Secondly, there was a meeting with - in the meeting between the non-commercial stakeholder group and the board. The question was the issue of human rights was brought up. The ICANN board reiterated their commitment to human rights and upon request indicated (that Marcus Kummer) and (Unintelligible) are the appointed board liaisons for the topic of human rights. And (Fadi) also mentioned that (Unintelligible) could perhaps be a right contact person on this issue within ICANN staff.

Thirdly, there was the cross community working (unintelligible) public meeting. The session was very well attended. The visualizations and a new report were presented (unintelligible) which were both very well received. There were great inputs from the (unintelligible) council of Europe, (IXP), (Twitter and Ombudsman) so I think there was a great success.

In the afternoon there was a cross community working party human rights working session where quite some of you were there. There was a lot of enthusiasm for the session. A lot of (new volunteers) and this has resulted in a

very clear topics for the CCWPHR to work on in the time up to the meeting in Marrakesh, which also has led to the definition and the construction of the different subgroup, which we will then review today.

Are there any comments, questions or things that I might have missed in this short evaluation of the Dublin meeting? (Unintelligible), please come in.

Woman: (Thank you Neils) and good afternoon everyone. Just a small point not related to the Dublin meeting, but to the fact that there was a session in the (unintelligible) on the notion of public interest when being applied to critical internet resources. It was proposed by (unintelligible). It was very well attended and through the affiliation of the speakers, (Drake) and the (GACH) representative and myself and everyone else, it ended up being a discussion on how the notion of public interest applies to ICANN. And there was some references with regards to how human rights principles could be a notion to anchor on the discussion on the public interest and (Norah) was there too and she seemed to be interested. I think it's an avenue to explore. They need to have something to start their work on the public interest with (Norah) and her team.

So maybe it is the right time to approach her and if anyone is interested - I don't remember exactly the date the discussion took place, but if you look at public interest and critical internet resources I think it will be interesting to go through that transcript and maybe we will have some ideas on how to move forward this discussion (unintelligible) to the public interest (unintelligible).

Man: Thank you very much for this useful contribution, (Unintelligible). I've reached out to some of (Norah)'s staff in - at (ITS), but I don't think it would hurt to do that again. So as the first to-do of today I will send our recent report to (Norah) and to insure that she (unintelligible) a note about the work that has

been done. Are there other comments on the Dublin meeting or otherwise?
(Unintelligible) is this an old hand or would you like to bring up another
point? Great, no problem at all. No problem at all. I love hands.

So then we get to point three, which is a short update on the cross community
working group on accountability especially considering the issue of human
rights. On that point I would like to ask Tatyana to give us a very short update
of the recent developments. Sorry to put you on the spot, but I'm sure you can
handle it.

Tatyana Khramtsova: (Unintelligible) can you hear me? Tatyana is speaking for the record. Well
I wasn't prepared to intervene, but I will try to give a short update. So some of
the members of these cross community working party have participated in the
discussions of (CCW) (unintelligible) on human rights and if you have seen
the draft of the (CCW) jury pool you can go through the (unintelligible) six,
which is the (unintelligible) human rights and we ended up with the kind of
compromise consensus that the (unintelligible), which will commit ICANN to
respecting human rights, but not enforcing them. This is the first point.

Secondly - the second point of consensus was to come up with the transition
bylaw to insure that the ICANN will adopt framework for interpretation of the
human law (unintelligible) of these bylaws to respect human rights. And these
(unintelligible) bylaws bound ICANN to implement these framework within a
year after bylaw is enacted.

And the third point, which you can see in the (unintelligible) six - I really
recommend everyone to go through it who hasn't done it yet. We highlighted
some points for (unintelligible) activities, which will include development of
the framework of interpretation of the human rights bylaws and different
considerations on which specific human rights will be applicable within the

ICANN (unintelligible), which instrument should be used, which (unintelligible) these bylaws will have on ICANN's operation and mission and so on. So all this will be carried out in the work stream two and we hope that we will actively participate in this. So I hope this was short enough, but informative. Thanks.

Man: This is really a really great overview Tatyana and I think that we might go a bit deeper into this when we discuss the work - the terms of reference of subgroup number three, but I would still like to give people opportunity to questions if they have based on the great overview that Tatyana just provided. Are there any questions or comments that people might have? Either from - either from the phone (unintelligible) or not. No? Nothing? Yes, (Matthew)? Come in, (Matthew).

(Matthew): Yes, thanks (Neal). Can you hear me?

(Neal): Very well, thank you.

(Matthew): Brilliant. Just to add - this is an issue that we need to keep monitoring very closely as we go through this as the (unintelligible) proposal from the (CCWD) is put out for comment. Because there is still hesitations in different parts of the community as to the (unintelligible) of the language and whether or not the language should be in the bylaws in the first place without this - there being further elaboration and further stakeholder discussions. So it's very important that we keep an eye on how this issue evolves as the consultation on the third version goes ahead and that we work hard also with the - with all our colleagues across the (CCWD) and different chartering organizations to insure that their support for the language continues to be there as we get into this - the last part of this long (CCWD) process that we've been

involved in. So just that we can't - we cannot still yet assume that language is going to be there. We need to continue to fight for (unintelligible). Thanks.

(Neil): I couldn't agree more with you, (Matthew). And I see that (unintelligible) would like to respond as well.

Woman: Yes, thank you very much. (Matthew), it's very important that you (unintelligible) and I also think it's very important to highlight that we will have on the 21 days. So it's going to be a short (unintelligible) comments, first of all. And, secondly, as (Matthew) already noted we can't be sure about anything in this regard with human rights bylaws (unintelligible). And I think that if it will not be - I mean we will not have any other chance. Because this is (unintelligible) draft an it would be final. So let's (unintelligible) this and (unintelligible) our communities and our networks to comment on the necessity of human rights language. Thanks.

(Neil): Yes, and I think we'll get back to this when we talk about the terms of reference of subgroup number three. So I would like now if there are no further questions of - on this term directly I would like to go ahead to the first terms of reference of the first subgroup that we will be discussing. And that is subgroup number one. And if I am not mistaking that is the subgroup working on the visualization and I think that was volunteered for by (unintelligible) and someone else that I do not have directly to mind. Is (unintelligible) on the call and would they like to comment on what they've been able to discuss and how they see their work going forward in the coming time?

Woman: Thank you very much (Neil), this is (Unintelligible) speaking. Actually, first of all, thank you very much for setting up the mailing list. It will be really useful for communication and for new people to join and for us to keep a record of what we discussed. So that was a very good move from you and

(Mary). And we actually did not have a first call. Our first is going to be scheduled for next week. (Unintelligible) to the mailing list today. What I am going to propose in the first call is that we use calls to agree on our working plan and agenda. Very broadly speaking - I will not take much of your time with that, but I imagine that from here until the holidays and the end of the year what we're going to do is to finish the policy mapping. We started this during our public session, but we were approached afterwards by some people, such as (Chris), that would like to enhance what we have already mapped in terms of new process in ICANN (unintelligible).

So I feel that the map is already on a good track, but that there are points that we need to complete and we're going to reach out to other parts of the community to try to complete this map. (Unintelligible) from here and until the end of the year what I imagine is that we're going to start the research on the design of the actual visualization. We're not departing from scratch. We have the (unintelligible) of rights that were proposed by (APC) and the group that was working on that. And departing from that we will try to (unintelligible) that this is indeed the best model and how we can enhance it in terms of visualization.

Then after the recess I believe that we will circulate a (unintelligible) on the first quarter of January to be able to circulate this with you towards the end of January and the beginning of February to be able to receive (unintelligible) from the feasibility and other parts of the community to have a consolidated version by the end of February. So these are the main milestones that I envision, but again, this will be discussed with the group in the next call that will likely take place next week. So when we come back to you with a consolidated agenda. Thanks.

(Neil): Wow, this smells like a lot of productivity and a great overview from you (Unintelligible). Thank you very much. I see that there is an icon that I'm not necessarily (unintelligible) know behind (unintelligible)'s name. (Unintelligible), does that mean that you would like to add something or not specifically? No? Okay, then I guess that (unintelligible).

So in that case I would like to go ahead to an update on the terms of reference from subgroup number two, which would be working on the documenting casing and - cases and examples in which ICANN is potentially impacting human rights. And in there are (Pranesh), (Chris), (Stephanie), (Monica), (Carl), and (unintelligible). Of which, several are on the call (unintelligible) group can I give the work? Because I have been seeing some great work coming by from them. Who from this group?

(Pranesh): (Unintelligible).

(Neil): I can hear you (Pranesh). (Pranesh), we heard you very well and I hear your background noise - or beautiful music. So if you want to speak, speak up please.

(Pranesh): Hello, (Neil), can you hear me?

(Neil): Yes, we can hear you very well. Please continue.

(Pranesh): Okay, so my colleague (unintelligible) circulated a meal yesterday for this subgroup and one of the things that the (unintelligible) in that meal was the question of the mandate and this (unintelligible) of this subgroup. Right now in the meal that you circulated, (Neil), it currently states that this subgroup would seek to document cases and examples which ICANN is potentially impacting human rights. Now that leaves a little bit of scope for ambiguity

and in a (unintelligible) subgroup three and four and - so we need to perhaps narrow down the focus in some ways and also there's the other question about when we're talking about cases and examples are we talking about policies or are we also including instances of practices of applications of policies?

For instance, when we're in the new GTLD process something is being allowed or not being allowed and things like that, which aren't quite policy but are applications of policies. So one is - these two questions lead to (unintelligible) source it out before the proof can really start its work (unintelligible). And also we haven't received any responses and the people who signed up for it though are more than what you (unintelligible).

I'll just read out some of the names that I have currently as being part of this group includes: (unintelligible), (Monica), (Carol Douglas), (Chris Lahey) and also includes another person who I am forgetting which might come back to me. There's one other person that - oh yes, (Unintelligible). So it includes all of them and I'm sure I'll log in today to the mailing list that has (unintelligible) add these additional email addresses as well. Otherwise I'll email (Unintelligible) to add the email addresses for these other people who currently aren't listed.

Apart from the mandate (unintelligible) question (unintelligible) and one potential out could be that of having an issue brief of the analysis that this - that comes out through this group. And I'm guess this would be a document that is around 25 to 30 pages long and would be (unintelligible) in time for the Marrakesh meeting. But, again, this - I haven't heard any (unintelligible) on the others group so far. And I don't want to go into any of the logistical details that we certainly could (unintelligible) questions or the potential topics that will be discussed in the group and I'll just end it here. Any specific questions that you'd like me to address?

(Neil): Well, first of all I'd like to thank you very much (Pranesh) for this great overview and also for the great review (unintelligible) you've put into this already. And I see that there is a lot of potential there and my (unintelligible) for the people. I have not mentioned (unintelligible) for this work. You pose a few questions and I'd just like to make it clear that these questions that you seek to answer within your subgroup or are these also questions that you'd like to answer with the general group?

(Pranesh): This is (Pranesh) for the record. I think it's a question that should be answered by the general group, especially when it comes to scope because there's the question of overlap with other groups. So it's not a decision that I think we should take wholly within subgroup two. It's something that we should take in consultation to the others in this larger group.

(Neil): I see that (Unintelligible) would like to response. So, (Unintelligible), please come in.

Woman: (Unintelligible) speaking for the record. Yes, (unintelligible) during this overview I also told that it might overlap with the subgroup three, but again, we can just coordinate the activities and see what can be taken by us - taken over by us and what can be addressed within the subgroup to - on the latest stage maybe. I don't know. Thank you.

(Neil): Very good. I would also suggest that we go ahead with an overview of the other group and then when we hone in a bit it might also be a - have a big clearer overview for you where there are - where there's overlap from the. From where I am standing I think there is more a case where the working groups would - the subgroups would strengthen each other and we just need to insure that we're not doing any double work, but for that this is really good

and example that if - are given by (unintelligible) on the new (GTLD) sequence procedures, who has privacy, freedom of expression, concentrate, concentrations with (GTLD) applications, (URDRP), name (unintelligible) framework and (unintelligible) in privacy is - are really really good topics. And really interesting - relevant to work on.

But Tatyana has her hand raised and after that (unintelligible).

Tatyana Khramsova: Tatyana speaking for the record. Actually, when I think about subgroup two and subgroup three how we're overlapping I'd rather think that the subgroup three can use the examples produced by subgroup two in the work of work stream two, but this is just an idea. Because I don't think that we will be concentrating exactly on this, but we will be focusing rather on how this all effects work stream two and the application of the bylaw. This is the (unintelligible), thanks.

(Neil): That's perfect. Come in (Unintelligible).

Woman: Hi (Neil), this is (Unintelligible) speaking. Just a quick suggestion that maybe the people that are members of this working group two they could join the other working group, particularly the one on privacy as observers. Because I think that it would be great to document the cases that we're going to need very soon (unintelligible) to write comments because we are going to (unintelligible) on the new (unintelligible) and we have (unintelligible) privacy issues being discussed in the (DNSO) (unintelligible) on going and we do need help right now to be able to cope with the comments that we need to write. So they can join - maybe we can (unintelligible) resources as well in our comments. Thanks.

(Neil): And we'll get back to that when we get through subgroup number five. Thank you very much (Unintelligible). So if that's okay and everything is clear (unintelligible) you all right now. We'll go ahead with subgroup number three. Is it okay with you all? Okay, that sounds like it.

I just sent a short overview of the terms of reference to the list of subgroup three and for this I used the model that was given by (unintelligible). So the mandate of the subgroup three we loosely discussed on a call earlier this week and had some follow-up emails on that. It would be advancing the work on proposing specific internal processes and procedural aspects on how ICANN can operationalize its commitment to human rights, specifically in the context of implementation of the potential human rights bylaws in work stream two. So this is very very clearly inspired by the work done in the cross community working group on accountability, especially working party four, so that if this (unintelligible) gets added to the bylaws then we - then we'll get into work stream two.

Mainly the finite series after the transition in which we'll work on an interpretation and framework for implementation of the human rights bylaws. And this subgroup aims to combine the report that was the previous product of this working party and combine it with the leverage and the power and the (unintelligible) opportunity we have in work stream two to see how we can combine that.

So that's also aligned with output, mainly provide input in terms of process for work stream two ahead of the Marrakesh meeting because it is not unthinkable that work stream two will already start forming before the Marrakesh meeting to have a clear and concise input document for work stream two for Marrakesh on content and that we will comment on the cross community working group on accountability (unintelligible) draft report. And

we'll probably open up (unintelligible) people to simulate more people to respond and read the draft report because we're really in the end of times where it comes to the cross community working group on accountability and at this phase of the transition, which is always good because by now it's started to become a stress test a bit itself.

So we'll plan to have monthly calls because this is going to be (unintelligible) quite a body of work and in terms of the topics we'll work on the overall interpretation of the bylaws, what instruments should be used for the implementation and then also work on (unintelligible) of a framework of interpretation for the bylaws. And it is expected that the people who will be active here will also be active in the cross community working group even though (unintelligible) is not necessary because this will give the people time to think about issues and also other people to work more on the tactics and strategy and negotiation.

So (unintelligible) people will have an expert brain, but maybe not the time to go into the nitty gritty. The opportunity to (unintelligible) processes. That's a bit of an overview (unintelligible) of subgroup three. Does anyone have any questions or comments or a suggestion for this work? And this work is done by Tatyana, (Peter) (Unintelligible), (Lucy) and myself. And I'm very happy to say that everyone has already been on the call, but we still of course welcome very much people who want to - who join. And I see (Matt) wants to join this really great (unintelligible). So does anyone have any questions, comments or suggestions? No? Okay, let's hope - and I hope it was clear.

And let's then go over to subgroup number four and that would be the subgroup who provided input to the policy development process on the new (GTLD) from a human rights perspective. (Unintelligible) word for that? The

people who volunteer for that because I have it in my list, but my list was not perfect. Is (Unintelligible), (Pranesh), (Peter Kempion) and (Unintelligible). (Unintelligible) please come in.

Woman: Thanks, (Neil), this (Unintelligible) speaking. The first call is, I think, scheduled for next week or beginning of the other week (unintelligible) that has just been (unintelligible) this morning. So I would appreciate if you can answer it by Monday and we will find a time to speak. (Unintelligible) that the first thing to do in this working group would be to try to identify where our priorities are in that table that we have presented through our public meetings.

We have mentioned all the issues that are touched upon by the new gTLD program rising from (unintelligible) exception with community based (unintelligible) replication and (unintelligible).

And we do have many processes and public considerations that have just recently (rose) about documents that (unintelligible). So considering our resources and the people that have listed there, I think that the first task will be - and I'm going to send you an email over the weekend mentioning which are the most relevant processes and documents have just been circulated.

But to identify what our priority will be because this group will do quite a lot of work. So if you want to volunteer for more work, you're not doing enough, this would be a working group that would really need your help if you can join. Thanks. I'll keep you updated on the call next week.

(Neil): That's great (Marilia). Thank you. Thank you very much. And I really hope that we can find the people to work on this. And with this, I would like to leeway slowly into a description of Subgroup Number 5 and then to (unintelligible) to the PDP on the new Whois.

And for this I got (Peter), (Monica), (Stephania), (Jeremy), (Buffian), (Pernish) and (Alan). I see (Jeremy) on the call. (Jeremy), could you perhaps give a short overview or (Stephania) give a short overview what has been happening within this subgroup.

(Jeremy): Can you hear me?

(Neil): We can hear you loud and clear. Thank you.

(Jeremy): I'd rather hand to (Stephania) if she might have a better idea than I do. Is she available here?

(Neil): I see (Stephania) but - no we cannot hear you (Stephania). (Stephania) checked. She seems to have audio problems. And she is being dialed out to right now.

(Jeremy): Anyway, so I think while we're waiting for her, unless I've missed something, we haven't had a call yet. So that's still ramping up I imagine. So we're - it's unlikely that she can report very much although because she's saying the same - in the chat she's saying not much has been done yet. Organize a call for next week, so. That sounds like my perception as well.

(Neil): Okay. That's great. And if you could also then see if you could work on the mandate and output in the schedule and some topics of discussions, that would be really great. Because I think I'm going to as Maryam but we'll see if that would be possible.

I can try to do it now. But if there could be a little subpage for the subgroup where we could then paste the terms of reference so that people who are

potentially interested in this work (unintelligible) the Web site of the CCWG. That's (for them it's) also really clear how they can - how they can participate. Do you think that sub Web pages would be possible Maryam?

Maryam Bakoshi: Hi (Neil). So I responded in the chat but I said yes, definitely. I'll get that to you. By Monday it should be ready.

(Neil): Wow. This is great. And for the people who do not know what I'm talking about, I pasted the URL of the Web page of the - on the CWG below. I also got a tiny URL for that.

But I can also tell you that I am going to work on revamping the Web site a bit of the Cross Community Working Party because we're getting quite a lot of interest. Maybe we can make it a bit more pretty and a bit more clear. But I'll be working on that and talking about that with Maryam what would be the best way forward. And if people who are interested in working with me on this, they can ping me for that.

And thanks so much Maryam for being so responsive to all the requests and the great support we're getting from you. (Marilia), come in.

(Marilia): Thanks. (Neil), this is just a quick update on what happened in the last GNSO call with regards to the new Whois. I don't know if you remember but in the Dublin meeting a motion was presented for us to start setting up the working group and start this policy development process.

There was a request for a referral, which means that the motion was postponed to be analyzed in the conference call of the GNSO that happened last (week). We did analyze this motion. There was a big point of contention with relation to human rights.

(Some more thoughts) in the NCSG has requested to include in the working group charter a mandatory (point) that we would - we should carry human rights in that assessment when we are developing the PDP in every phase of the PDP. This PDP is kind of divided into two main tracks.

And we would like see include that in each of the tracks a human rights impact assessment. This was sent to a vote inside the GNSO because there was no consensus. And we lost this vote. So it was not included in the charter.

What we did include in the motion is that all the comments that were presented during the public comment period to this particular point it would be taken into account when the working group is formed.

And one of the comments that the NCSG particularly presented was to let - ask for a human rights impact assessment. So there is a window of opportunity that when we create the working group and this will probably take place after holidays. A public call is going to be should - so this will be an open working group and anyone interested should join. And we - I think that we all should try to at least be present there.

So we try to - we will try when this working group is formed to include this human rights impact assessment. So this was the main point. The motion is approved and the work will start by the beginning of next year. And this will be a really (massive) (unintelligible). So we will need help. Thanks.

(Neil): Wow. Thanks (Marilia). That's actually really interesting. Can I - I hope I can ask a question of clarification. Mainly I thought that a rights assessment is part of the - is already part of the PDP process and can be requested upon initial

report phase. So for that it wouldn't necessarily need to be part of the charter.
Am I right?

(Marilia): You're right. Yes. You're right in the sense that the GNSO operational procedure document asked for impact assessment on several issues, economic impact assessment and impact assessments on rights. This is very broad. It's not specific about human rights.

So that's definitely our point when we defended that it should be included on the charter because it is part of our operational procedure document. But by earlier experiences in other working groups even though it is part of the operational procedure document, it is not easy to include this when we are actually doing the work inside the working group.

So it's not kind of a constant. There's some points and some exercises (push it back). That's why we wanted to see it in the charter as a starting point. But we did not make it. But that's exactly the point that we're going to make when the working group starts. That it is in the operational procedure document and it was a point physically raised during the public comment period.

So I think that we have good arguments to include it. But it will depend of course on the working group and its composition. Thanks.

(Neil): Very good (Marilia). Very, very useful indeed. Thank you very much. So I would like now to go to the next point, which is a - which is the point of concrete follow up. But I think we already heard quite some concrete follow up on all the subgroups and I'm really, really, really thankful about activity and the ideas that have been going on in all subgroups.

Are there also some subgroup transcendent issues that we might need to follow up to? Anything anyone would like to bring up? If not, I have some issues that I need to bring up. So I had a few things on my list namely a separate mailing list for all subgroups. So I've done that.

Aim to organize a joint session with the GAC Human Rights International Law Working Group in Marrakech. I still need to do that. And I think that a request for a sessions process hasn't started yet but I will send out an email - no. I will start with a description of the session to send it out to all of you. And I want to have done that where we can go into the request process. So I'll make that a to do for myself after this meeting.

Then furthermore when thinking of the Web site for the Cross Community Working Party or trying to think of a URL. And I was thinking of the URL icannhumanrights.net or [icannhumanrightsboard](http://icannhumanrightsboard.com). Does that sound okay to you all or do you all have a more creative idea that does not involve more abbreviations in the URL? Because I could think of ccwghr.io but I think that will not be a very popular URL for most people. No. No comment.

Man: There's no [.rights gTLD](http://.rights.gTLD) is there? That would be a good choice there.

(Neil): That would be - that would be nice. That would be nice. No. I don't think there is. There's maybe .solutions. I don't think - no. So let's go with .net or with .org. Does anyone have any strong feelings about .net or .org; icannhumanrights.net or icannhumanrights.org? Even if not big feelings speak up. Okay. I just (bought) .net. Great.

Ah yes. Then about the times and dates for the call. So we have calls lined up for December 21, January 21, February 10 and February 26 for the coming

time. First of all, do people have issues with the dates? No. No issues with the dates. That's great.

Then we need to see what we can do with the time because I know that Rafik wanted to be on this call but for Rafik it is now 1:00 am in the morning. But I'm really happy to see (Robin) and (Jeremy) on the call who are on the West Coast. So do people have an idea to alternate times? Would that be okay for them or how could they deal with these. (Tatiana), go ahead.

(Tatiana Tosino): Hello. Hi everyone. (Tatiana Tosino) for the record. I was thinking that I was taking into account timeline for CCWG. Wouldn't be a January (unintelligible) somewhere in the midst of (unintelligible) of CCWG portion of the (unintelligible), then its okay. But I suppose that it might be. Thanks. That was just a (unintelligible) (service).

(Neil): Oh, okay. Okay. I see that there are some issues with the December date. Would it be much better for people if the December date - if I would move that to a Friday, Friday the 18th? Would that make people potentially happier? Okay.

(Matt), do you have some feelings because you seem to have feelings about it? Eighteen is better? Boom. Meet December 18 - 21 become December 18. Perfect. But (sometimes) you said you couldn't attend anyhow. Okay.

Now to the more serious issue now we've tackled the dates. Where are we - what is - yes, what is this idea concerning time? West Coast people in the U.S., so what time is it with you right now?

(Jeremy): It's 8:51 am.

(Neil): All right. That is pretty - so I think I would propose that we do a - that we're going to open it so that the next call will be on a more - a bit better time for people in Japan. But then it will be a quite late time for you people on the West Coast.

Do you people have any preferences or Maryam, do you have any suggestion on how these times mostly are divided over international conference calls within ICANN? Are there like rules or standards for that or do we just make something up? It depends on people.

So do people have any suggestions because we've got quite a bit of Indian subcontinents? (Alan) in Australia, which is also quite far from any time zone. Anyone get any - ah yes. So maybe -all right. So mostly 1300 and 1600 UTC works.

So yes. But I think that if we do 1300 UTC it will be practically - it will be completely impossible for (Jeremy) and (Robin) to participate. Right (Jeremy)?

(Jeremy): Yes. I don't need to be on the next call. I'm happy to alternate.

(Neil): Okay. Great. Then we do for the next call on December 18 - we do 1300 UTC. Then we do January 21, we do it at 1600 UTC. Then February 10 we do on 1300 UTC. And then February 26 we do on 1600 UTC again. Is that acceptable and okay for everyone? No objections. Very good. We've got a consensus decision.

So if you would like - if you would update the invitations Maryam and send amendments out again, we would be (eternally) thankful. Great. Other issues. Other things? Do people have other topics they would like to discuss?

Lee Hibbard: Hi (Neil). Can you hear me?

(Neil): Yes. I hear you Lee. Welcome. How you doing?

Lee Hibbard: Lee Hibbard from the Council of Europe. Can I speak?

(Neil): Yes Lee. Already speaking.

Lee Hibbard: Okay. Thank you and hello everybody. So Lee Hibbard for the record, Council of Europe. And I came to the call late so I apologize. Just one - just a couple of things just to say that I know that you - some of you in Dublin met a colleague, an expert in sort of data protection, (Peter Kingpin).

And just to follow up on that to say that (Peter)'s report and his assessment, if you like, have been put - it will be put to the convention committee in the Council of Europe dealing with data protection from the 9th to the 11th of December.

And that means that this is the bureau - meeting of the bureau like for this - that smaller group, which (is) the (plenary) of the 47 countries. And it will be looking strategically about what to do with regard to further work in the field of data protection and privacy with regard to ICANN.

So I will know more next time around about how this convention committee sees its role because of course there's plenty of work there. But I guess it means choose which are the most - which areas are the most priority.

So just to tell you that is a step and there's going to be some thinking about that in the near future. But where to - which things are worth - are important to address.

My second point is just to recall that for those of you - I know many of you will probably know this. But in June - the 3rd of June there was a declaration adopted by the (member states) and the Council of Europe in ICANN human rights and the rule of law. That's the first IGO declaration of its kind with the words ICANN in it.

And just to say that there's a standing item there at the end of that text, which invites - it invites the Council of Europe (particular) ways to fit GAC, ICANN and its communities to make arrangements and to ensure human rights and the rule of law are referred to and considered by ICANN in its policies and procedures.

So why I say that is that's an open let's say mandate to be done. And my job is, as you know, many of you know I take part and try to contribute different ways. We've done that already.

But as you know and probably - you're probably aware, it's very difficult to keep on track with all those different lines of work. So I really - in terms of helping the communities, it's right there in the middle of that text (in helping) you guys would be a really good at some for some reflection about where is it that we can have added value role.

We are having that role in the GAC because, you know, we're involved with the working group and the finalization in terms of reference. That's moving. And I just want to point out that really I - there's a need for a conversation perhaps in the future about what - is there any (aligns) of substantive analysis

which need to be done in good time, which allows - which can be useful for you, for the community, also for the GAC, member states, et cetera.

So it's difficult, you know, we're individual people to follow everything. But strategically it's a good move to think more seriously about where you think for example the Council of Europe could have a meaningful role in writing, you know, to conduct the next analysis and go further and deeper perhaps in specific fields. Not in too many broad fields but in specific fields where it might have particular expertise (in a queue) or which it could develop that.

So I'll stop there. But I think that's worth - it's worth bearing in mind that there are - there could be resources in the future provided we're narrow, we're specific, we're targeted and we know exactly where that - what that will achieve. Thank you.

(Neil): Thanks for that offer and that request Lee. I think (Peter) has already given quite an input and he's also on different subgroups. But I think that there will be quite concrete work and ask for that and then I'm sure that we will find a way quickly to you, (Peter) and the Council of Europe in general. That's really valued. Thank you very much for the offer.

Lee Hibbard: (Neil).

(Neil): A quick...

((Crosstalk))

(Neil): ...go ahead Lee.

Lee Hibbard: Sorry. Just to say (unintelligible). We're not just talking about data protection. Okay. We could be talking about other issues, which are not data protection. So it's - that's only one strand of expertise. There could be others. Probably gTLDs, could be communities, you know, it could be other things.

So I'm just asking you to think about - to bear in mind that any of these other fields too, if there are other (talks to) issues, which merit further substantive analysis. Thanks.

(Neil): Okay. Great. And I was not aware that I limited it to data protection. I would never do - I'd never do that because the Council of Europe does much, much more.

While you're here, a quick question Lee. Do you have an update on - has GAC Working Group on Human Rights and International Law moved ahead on the terms of reference because last week they - two weeks before the Dublin meeting a new terms of reference was shared that was too close to the meeting to be able to properly discuss it. So I was wondering whether there has been more activity on the list and whether it's going toward consensus.

Lee Hibbard: Yes. Okay. That's - yes. So what's happened is that there were - yes. It was too close and there was a call for a deadline. So there was a new deadline set after the Dublin meeting.

And a few extra days on top of that were given for member states - for members of the GAC to comment. There's been comments received from the U.S., from Germany and from India if I'm not mistaken. And the co-Chairs have been looking at those comments and working them into the draft in terms of reference.

I think it's almost there. It's not quite there but it's almost there in terms of a consolidated revised draft. And that's where it is. But I guess I'm assuming that things will have to be wrapped up and agreed at some point quite soon; certainly before Christmas if we can get moving.

So I think there's - that consolidation is almost final. Maybe there needs to be a few more - a bit more discussion with some of the contributors. But I really hope that that's going to be wrapped up. So there's progress. Yes. I think the terms of reference are clearer and clearer because of the contributions.

And of course it's - they're very mindful of the need to contribute to the Cross Community Working Party work. They're very mindful of the need to show synergy and to take part as well.

And so, you know, there shouldn't be any overlap or duplication. But once again, it requires a little bit of strategic thinking regarding what's the role of GAC compared to the role of the working party and how, you know, where are these, you know, the strength of each space.

So certainly there'll be some collection of information following the agreement to the terms of reference, that relevant law, et cetera. So that's (unintelligible) for sure. Now what can be achieved after that we will see. But it's moving. I hope that's - I hope that helps. Thank you.

(Neil): Wow. That's a great update Lee. And yes, well, I hope we can find a new charter for the GAC working group under our joint Christmas tree. There will be a great present for community. So we can increase our work with them as well. That's super.

So if there are no other points to be address - so if people have questions, comments or suggestions. If not, then I think we can happily continue our successful streak of keeping our meetings under an hour.

And I would like to thank you all very, very much for this constructive and fruitful meeting, for your contributions on the list and for your attention and caring about this topic. And I am looking very much to hear you all again on the next call and for your great contributions on the mailing list and the subgroup mailing list. Thank you all very much and enjoy your well-deserved weekend. Bye.

Lee Hibbard: Thank you. Thank you. Bye bye.

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