

## **Comment from ARTICLE19**

Dear Sir or Madam,

Please find below ARTICLE19's comments to the CCWG-Accountability - Draft Proposal on Work Stream 1 Recommendations.

Sincerely Yours,

Niels ten Oever

ARTICLE19 appreciates the opportunity to submit comments on the CCWG-Accountability Draft Work Stream 1 Recommendations. We would like to thank the CCWG on Accountability for its hard work in compiling this report. This is a crucial step in the transition of the oversight over ICANN from the US government to the global community, which is generally welcomed.

ARTICLE19 especially welcomes the inclusion of the bylaw language reaffirming and clarifying ICANN's obligation to respect human rights.

We find the proposal for bylaw language on human rights to be clear and balanced. We appreciate the fact that it limits the commitment to ICANN's mission and operations only and provides a clear distinction between ICANN's adherence to respect human rights and obligation to enforce human rights, placing the latter outside of the scope of the ICANN's mission.

We are aware of the discussions on the inclusion of particular human rights related international legal instruments, such as Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), into the bylaw language. We welcome the proposed version of the bylaw language, which does not refer to particular international legal instruments. In our view, there is no need to outline specific international documents in the bylaws since there is no reason in principle why particular instruments (e.g. the UDHR) should be referenced at the expense of other important international treaties.

At the same time, we agree that the issues related to the applicability of international instruments in the context of ICANN's commitment to respect human rights must be addressed in Work Stream 2. We strongly support the proposal to include the interim bylaw for the purpose of ensuring that Work Stream 2, which will facilitate the development of the framework for interpretation of the human rights commitment, will take place.

We further agree with the issues identified in Annex 6 of the Draft which will be the subject of further work in Workstream 2.

We hope that Workstream 2 will be carried out in the same collaborative, inclusive and open manner as the whole work of CCWG up to now and will result in a clear framework for interpretation and

implementation of ICANN's commitment to human rights.

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Niels ten Oever  
Head of Digital

Article 19  
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