

Raw Captioning Notes _ Human Rights Meeting #26_18 July 2017 @ 19:00 UTC

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MR. NIELSTEN OEVER: Okay. Hello everyone. Would you please be so kind to start the recording.

It is 1900 J U C at July 18, 2017 and welcome all to the 28th meeting of the cross community working group on I con ability workstream two, human rights subgroup. It is great to have you all here after a break for the public comments and I am eager to dive right into the work with you all.

Thank you very much. I can start facilitating this meeting. We also have captioning now, which is a great improvement. Thanks so much.

Let's start with add minute strif I can't. I can stop, we can take a role call from the Adobe connect room. Can everyone on the audio bridge and not in a Adobe Connect room, make themselves known for the archives.

We have received apologies from [A*F] [RA*] dor ya and if anyone has a update for their statement of interest, please let us know now.

Great. Then we can go, I see Greg is here. Please come in.

>> This is Greg shop/laundromat taken for the record, I'm not sure I mentioned it for the group, but I've changed employers, now working for a boutique technology transaction all law firm called bore steen legal group. So I'm feeling more like a techy than usual, even though I'm clearly not one. Thank you.

MR. NIELSTEN OEVER: Congratulations on the transfer, Greg. And great to have you here again.

So, does anyone have any additions, suggestion ings or comments on the agenda?

If not, then I would propose that we're going to pull up the highlight sheet which have been so grace fully prepared by Bernie. Thanks so much for that bern ee.

Then I propose we go jointly through the columns and see where the (indiscernible) are, and where we need to address our interpretation or considerations document.

Does everyone feel that is a constructive way to go forward or do people have other suggestions of going forward?

If not, then I propose we go forward with the working document that is in front of us. And, the first two paragraphs are comments from ALAC, therefore I'm very happy we have Cheryl lan done [O*R] with us as well, so they can help us with interpreting the paragraph.

I'll do a quick read and as soon as people feel that there is something that they would like to comment on, of course please raise your hand and we'll take a cue from there.

So, the first compliment. Pre(indiscernible) prepared to discuss human rights are clearly scoped bin I ka*n agreement, as shibtd.

(indiscernible) agreement. Assigned, assignment. Main names, inprotocol addresses, system numbers and parameter numbers, and the he is six stated briefly, assessment date on content assessed through these unique I had fires, should not be in xoip tore discussions regarding human rights in I ka*n organizational context. This means any dined are language. Which holds by core value, should fall within the scope of I can limited read being.

Such minding language can be only applicable awe an sbemtd by a human rights access implement. And will followed by development of soernl responsibility policy for [*iz] ka*n.

This is the first comment, I think that it's exactly in line with the text that we currently have in the. I did not see a hand, but I heard some audio. Is that someone who would like to come in?

>> I recognize Ann's voice. Could you mute your microphone on your computer also, Ann.

MR. NIELSTEN OEVER: So, this first comment from a*i lack, does anyone think we should add or change something? I see no [-P] hands. So I propose we continue with the next comment. Which is also from ALAC. As a final consideration the ALAC would like to ask the subgroup to clarify the statement on human rights impact assessments on page 8 of the draft FO I. H R I A should not consider particular human rights in isolation since they're universal, inhav I disenter dpent dend and interrelated. How does that relate to the creek tumt that human rights are only respected by I can as required by pribl law [-P]ment and if applicable law does not require this written certain jurisdiction that is the particular human rights is not relevant to I ka*n.

That is something that which we need to provide clarification. I have some ideas about it but I would be very curious to hear the thoughts from the room.

What are the thoughts of the people in the room about this?

>> David Mc kaully for to record T. this is language, this phrase that we used throughout our work in workstream two here, but I think it's, it is obviously that in certain situations, human rights are not indid I vice I believe whatever the magic language is, it's a little too small for me to look at right now. And the obvious example is sometimes someone's right to privacy clashes with another person's right to freedom of expression. And so, I do think, the idea of clarify sayings a good one here with respect to that phrase. Thanks.

MR. NIELSTEN OEVER: Okay. So, I propose that I go to the Google doc and I'll put the link to that in the chat. And then we make a note there on page 8. And add the need for us to clarify; clarify in the light of comment to in the highlight by ALAC.

So, I think what we will need to do is make it clear that human rights needs to be balanced and that in our consideration of them, of course we need to look at applicable law, but we also need to look at the width of the different human rights across the spectrum. So we will work on that. That's good.

So, now we go, I propose that we do not try to solve everything here at once, but we try to develop a heat map of things we need to work on and then we try to tackle them one by one instead of trying to address everything at once. I think that will be a bit too ambitious.

So, the third comment is by Sdak, even though it says but SSAC. And that comment reads since there are no associated security or stability aspects the SSAC is pleased to offer its support to the draft framework of interpretation of human rights. The SSAC notes that as chart [ERG] organization of the CCW G accountability formal strction Strction A. ploofl will be required in due course.

So, that's, that reads as an approval and as a reminder of the process of which we are all very well aware.

So, I don't think that requires further action from at this moment, so I propose we continue to the next paragraph, which is priefded for it says the business. International law recognized resume rights, in the By-Laws, considered together with the reference as required by applicable law. As recommended by the working group under the human rights core value, existing international human rights international and could have nens continue to have no affect -- no direct application to I ka*n as they create obligation only for nation states. Well note that question of applicable law in any given situation will need to be defermd on a case by case basis.

I think this is, oh, I'm very sorry captioning. I will slow down a bit. (thank you).

I think this also reiterates what if they're in text and does not warrant any changes or comments. And it continues. In addition to the F O I itself, the sub continuing also set a set of tcition, the sub team took into account in preparing the F O I to serve as further guidance regarding F O I and I ka*n application of the human rights by law. We support these considerations which reiterate that I ka*n is a nonstate private entry is not party to any human rights instruments per se, and acknowledges that human rights are universal, indid I visible and enter dependent and as such no particular human rights to be considered in isolation.

So, I think that's again a mark of approval. So I think thus far, we've been doing pretty well, so that's really good. So I think this does not warrant any change thus far.

Now, we continue with the comments from the G N S O, IPC. And IPC wrote. The IPC believes implementation of the F O I on human rights will require considerable additional work and input from the I ka*n community. If the F O I, H R impacts I ka*n policy development tore G P L directly, the IPC strng low suggests that how the human rights by law should be implemented in really. G L C policy agreement. G M J working groep, and G N S O working procedures, generally all most appropriately left to the G N S O. Policy experts within the G N S O kmoon are well situated how best to determine a structure suism implementation. This is all con sin at the time with I can longstanding practice regarding the relative roles of different structures in the larger I ka*n ecosystem.

This is also exactly what they've been saying in the considerations document that it's absolutely different S O and A C, to integrate the obligations that come with the by law in their respective bodies themselves.

So, for this, I don't think we need any changes, but it seems like a reiteration of what we said.

So, then we continue with the next comment of the IPC, and kneel free to comment at any time of course.

The revised I ka*n By-Laws specify that no request for reconsiderations or independent reviewable sole leave based on the human rights By-Laws may be invoked unless and until the F O I H R is adopted; however if one assumes that these grievance procedures apply as soon as the F O I H R is adopted by the bored, then I can should be careful to understand and document all applicable grievance procedures which may [PR-P] rately apply before these more formal he remedies come into play. For example, put the human rights by law serve as the basis for an empowered community enforcement sanction. What is the roofl of the openly buds men or the complaints officer? In connection with implementation of the F O I H R, or the application of the human rights by law. A limited public interest objection has been filed against an application for a new detail on the human rights grounds and fails that the precludes other avenues to pursue grif vandsz dates and claims human rights violations. Again we believe these questions need to be answered in an orderly manner with multiple participation. The bored should consider whether formal adoption by the gord of the F O I H R prior to such questioning being answered would be prem Ma ture.

-- Premature.

I think these are very valid questions. And, I am not sure whether we should answer this. I am not sure that this is a question that's asked to the subgroup. But I would very like, much like to hear the comments from all of you on this. Perhaps maybe even from someone who has contributed to this.

Maybe Greg? Or Ann? Is it question you think we should look at in this subgroup or (indiscernible) of the bored.

Ann, please come in.

>> Yes. Thank you, neels. This is Ann for the transcript. I think that the comment really comes in the nature of a, sort of a forwarding comment when we go to the plenary and we are asking for approval of the charting organization, that there is just, you know, further work to be done before the bored adopts, so that there is not you know mass confusion created within the organization about remedy.

I think that was some of the thought behind this comment that it might be more by way of a cover letter of some sort; from our group. Thank you.

MR. NIELSTEN OEVER: Thanks so much, Ann. And I think or I expect we will hear from the bored on this, because as many of you might have noted, we haven't had a comment from the bored and I expect that we will hear from the board soon; before August because they've also been starting to look at what a human rights impact assessment should look like. So, I think we might be getting some answers to these questions sooner rather than later, and in the meantime I think there is another question for us to answer. Because for the board and different S O and A C, not so much us.

I see bern ee's hand is up. Bernie.

>> Just a slight reminder as this group went back to the plenary late last year. I believe we went around the topic of implementation at that point. And that we were, the general understanding of the co-chairs in the plenary was that we stay out of implementation in the human rights group, and as such, I would support your take on that kneel, thank you, as consistent, but what has been brought back by the co-chairs.

MR. NIELSTEN OEVER: Thanks so much, Bernie. And indeed, so I, I think we're all eager to see how this would play out in implementation, but let's first finish this part of our work so that we can go on and in a standard way and check off things one by one, as agreed.

So, we can already go to the next page. And that is a comment from the GNSO, SGNC. We are pleased to see that the F O I H R made it clear that I n n k a * n should to the expand its mission bile applying to human rights core value. But rather even insuring the (indiscernible) processes that it does not negatively impact human rights. We are also pleased to see that F O I H R clearly outlines also supports the organizations and committees ings as well a I k a * n organization should take the core value into consideration in its policy development or advisory role, and it's up to each S O A consider and I k a * n organization to develop their own policy and framework to core value. We welcome the dopg of I H O I R and secret valuation of the human rights By-Laws.

So, again, that is, I think a compliment of the work we've all been doing in past years together, so, that's great.

And, here we go to with the comments of the G N S O. The registry, we start from this assumption that I k a * n is a larnlly open community driven organization with a solid history of respect for human rights. Registry S G is fully committed observing human rights as per the I k a * n by law. We appreciate the flexibility given to the S Os in considering the usefulness and appropriateness of human right impact assessments. Well pay heed to the framework adopted by I k a * n so that its provisions are prop latly considered in a manner with I k a * n mission goals as well as G N S O and L Y S sty * Meth goal and methodology.

So, here we again see that our work really reverb rates within the different community so they are aware that work needs to be done, and that it falls logically on the work we've been doing.

In full or in part, the Y S G is concerned that owning. I k a * n community mechanism to broad human right based claims would present a potential risk of unused Conn resources. Lastly I k a * n must take steps to ensure the public and community at large recognize that reconsideration request and independent review process matters are limited to issues where I k a * n order stop allegedly violated articles or By-Laws and are not suitable forms for any and all human rights based claims that might involve the Internet or D N S.

I think this is also still very well within the scope and mission documents unless someone else thinks differently. I think this is a reiteration of what we've been discussing and thinking and be putting into words in the F O I.

With respect to reference, to internationally recognized human rights, we wish to emphasize that these existing resume lights the dlark ration and [PR] (indiscernible) for nation states not private entities, as acknowledged in the accompanying framework of the invitation. I can I k a * n is a nonstate private entity, it is not part of any human rights declaration could have naent or instrument. These deck lar consideration of Convention should to the be taken to create any [A * UD] oo * ud for I can a nonstate act tore particularly in lefrnling any of the existing accounts or mechanisms for human rights based claims.

Again, nothing new.

Further we support the need for flexibility in applying the core values. As compared to binding commitments including in the context of the district recommendation (indiscernible) as noted in the framework introduction on page 3. The first sentence of the first paragraph reads. Finally there is no standing hierarchy in a treatment of a different core values.

Oh, I see, I have here mentioned in an interesting remark, the, I continued from the registry into the comment of the government of Brazil. So I think the registry did not leave us any specific comments, they reiterated what we had said, and now let's see what our dear colleagues from the (indiscernible) have suggested to us.

Bernie is that a new hand or old hand?

An old hand, I see.

So we go to the comments from the government of Brazil. On page 3, the first sentence of the third paragraph reads, finally there is no standing hierarchy in the treatment of different core values. As a suggestion of commencement, Brazil proposes redrafting the first sentence of the first paragraph on page 4 as follows. Finally there may be a higher [AR] key in treatment of a different core values, according to the values they embody and importance the multi stakeholder community attaches to these values.

That is a comment not only on the basis of text but also on the basis of comments. So, that is something that we will need to discuss. So I will go to the Google doc. [-P] and I note there, insert comment, address comment, Brazil.

And I see a, David Mc Kauly's hand is up. David, please come in.

>> Neil, hi, David here. I just had a question; as to what we are doing. And as we review, I'm very much, I think you have it right as we reviewed the comments up to this point. You know, they're very much in line with what we did in the F O I, but with respect to a comment like this where there might be a substantive matter to bring up, are you looking for those now or are we simply going through to catalog what the comments are and we'll bring up substantive issues later?

MR. NIELSTEN OEVER: Maybe we can do a bit of both. So, maybe we can get a bit of a sense of the room object this, without doing it into detail. So would you like to comment or have some initial ideas based on this? Of course this warrants for --

>> My only comment here is, their suggestion reads finally there may be a hierarchy in the treatment of different core values according to the values they embody and the importance of multi stakeholder community attaches to the values what this leaves out from the by law language to the, from the core, I forget exactly where it was, but what it leaves out is that, is the context of the issue that's presented. So the, the hierarchy of the discussion of hierarchy, took into account the nature of the issue that's presented to I ka*n and I think we should sort of look at that to reincorporate that, I don't think a change is necessary here, but I think this suggestive language if it were to be considered, is just lacking some part of the, of the context that the bill has. Thank you.

MR. NIELSTEN OEVER: Thank you very much, David. I will try to capture your comment in the Google doc. I see Greg hand is up. Please go ahead.

>> Thanks, Greg Shan Tan for the record. I would, first disagree with this concept and then indicate that this may be beyond our remit as well. It's not our job to assess and opine and guide on how the core values as a whole will be interpreted. I think what's there now is kind of

the current wisdom and generally accepted understanding of how the core values are interpreted. And that there is no standing hierarchy.

As David rightly mentions, depending on the issue to which the core values are being applied, some core values may be more relevant than others, more important than others, more necessary to help clues to than others; but that's not a standing hierarchy, that's a kind of a purpose-driven hierarchy; or a factor of a hierarchy based on the particular circumstances.

So, I think what this suggestion does is actually stands, it takes up 180 degree change from what our position in the, in our draft is, is that there is no standing or hierarchy between the core values; and that it gets looked at fresh each time.

So, if it were within our remit to provide guidance on how core values as a whole should be involved, I would reject this, but I would also reject it on the basis that it's going beyond our remit; unless people believe that there really is no learning on how the core values should be applied, which I think again based on recent legislative history, if you will, I don't believe to be the case.

So, I would approach this comment awarely -- war rily, if at all. Thank you.

MR. NIELSTEN OEVER: Thank you very much, Greg and David. I've taken your comments in the Google doc. I see Mark car v*el is one of the GACvice chairs, and one of the co-chairs of the human rights working groups on human rights and international law. And he rights that degree seems to be -- agree teams beyond W G remit, as it is fundamental position about how core values may interact to on vael might override another. Suggestion Brazil raises this in another ICAN N form.

Oh I'm going to say I paste it in the Google doc. It seems we are in violent agreement here, but let's not come to conclusions yet at this first reading of the heat map. But of course it gives me pleasure if there is a feeling of concern in the -- consensus in the room.

So, let's go to the next paragraph; with your permission. On page 4, the first two snfts of the fifth paragraph read, applicable law reference to the body of the law that binds ICAN N at any given time in any given circumstances in any relevant jurisdiction. It's statute, rules, regulation et cetera, as well as judicial opinions were appropriate. Bra educational suggestions substituting the word binds are applies to. Brazil also suggest including before the word et cetera, express reference to customary international rules and principles.

These are very concrete guidance that I will directly put in the Google doc, and in the meantime invite comments and thoughts from the floor on this.

David Mc kaully, David please come in while I comment the gook he will dock.

>> Hi noo*els, this is David again. With respect to this comment, I have a concern, and that is prior to the call, I read the comments from Brazil and tall other comment [TERS] in full. And I can't, but I can't recall yet their reasoning for this, but there was as I recall, in their reasoning for, you know, using, applies to instead of binds, there was an element of watering down some of the language that we had come up with. Those are my words, watering down.

And so, I'm concerned here, I think my suggestion would be that before we agree to do anything like this, we go back and look at the full comment and get the rationale for why this was proposed.

I personally, and I was involved in drafting a lot of this. I personally believe that we had it right the first time and would want to stick with the language we have. Thank you Neils.

MR. NIELSTEN OEVER: Thank you [-P] very much, David. I see Greg's hand is up. Greg, please come in.

>> Thanks. I think David has perhaps said what I wanted to say largely. But, I am concerned about the, also the addition of customary international rules and principles that I think is, there is no mention in the language that's there about international law, but international law not the same thing as international rules and principles. Frankly, I have no idea what international rules and principles are. And I think we've been trying to stay away from, if you will, kind of soft law. We do have rules mentioned as well, which perhaps is a mistake on our part. Statutes and regulations are fairly well understood. Rules starts to get a little bit fuzzy. So, if anything, I would think we might want to change our language to remove rules and just refer to statutes and regulations. Thanks.

MR. NIELSTEN OEVER: Okay. So I have taken that into, and David Mc kauly says that the customary language would under cut by law language. Okay. So I got that covered in the doc as well.

We could also consider inviting a representative of the government of Brazil maybe to explain their position in a bit more detail, or reach out to them in a following call. And else we just consider it as we do with comments that we receive from everyone.

So, now we continue with the next paragraph. On page 6, the first full sentence at the top of the page reads. However, I C A N N community and the organization could refer to any of the widely adopted human rights dollar rations Conventions or other instruments while taking human rights into account in its policies and operations. Brazil suggest ings redrafting the above sentence as follows. However business can be subject to international customary law rules and principles as they evolve in the field of human rights. Further, I ka*n community and ore sayings should refer to any of the widely adopted human rights declarations con vengsdz and other strumtsz while taking human rights into account its policies and operations.

I guess people have comments. Greg, please come in.

>> Thanks. This is Greg Stan tan again. The first sentence of Brazil change intro doosz an entirely different concept. And one that I think really does us, it gets us off into a whole different kind of, into the weeds in many ways. You know, I'm not really sure what the point of saying this is, and saying they can be subject. I'm not sure this, maybe just an English language thing. Either they are subject or aren't subject. Again, we're back to this international customary laws, rules and principles concept, which I'm this, I am very squeem Michigan about, because we're not talking about laws.

So, I would the first sentence I think, while duly taking into account the suggestion, I would reject they. The second chance could refer to should refer. And I think we don't want to be that directive. And you know, the rest of it, I think is largely like our sentence, I find ours to be fine as is. Thank you.

MR. NIELSTEN OEVER: Thanks so much, Greg.

David, please come in.

>> Thanks Neils. Again I think it's along the line of Greg does, I'll state it a little differently. There is really going to be two bodies of human rights law. Those which are binding upon ICANN in the situations it's presented with, and those clearly it has to abide by. And I'm addressing the language, the language about can refer to various widely adopted rules.

But beyond those that are binding, there are also human rights instruments that may not be binding on ICANN and there I think instead of saying it should accept widely adopted ones, it's up to the community in IJ, CAN N to decide which ones of those they want to follow. So I'm sort of right with Greg in that this is another way of saying something we labored on quite a bit and we came up with the language we did for the reasons we did and I think we captured it right the first time.

And so, I agree with Greg, that we should stick with what we have. Thank you.

MR. NIELSTEN OEVER: Thank you very much, David. This is indeed something that we've discussed extensively. And maybe we should explain it again to people; to also really make sure that we've taken their comments into account, thought carefully about it and came to a conclusion. But coming to the conclusion now is too early.

I see the hand of Bernie comes up. And Bernie also brings in with him. So Bernie please come in.

>> Thank you, Neils. Just a point T. this highlights document was really meant to be exactly that, a highlight to give a good idea of what the commenters put in, but it is not the full comment. And now that we're in the government section of the comments, the government comments were quite lengthy nr certain cases and so, any real discussion of the comments should be based on their full text which has been transmiptd to the -- transmitted to the group. Thank you.

MR. NIELSTEN OEVER: Thank you, Bernie. And that's exactly why, why I shared them as provided by you in PDF form with the whole group, and we'll go through that. But I propose we do not all read the kmints in full on the call, but consider that as a bit of homework, just the first early heat map to see where the comments are. Thus far it seems from the, from the GNSO, it seems we are quite good and seem that we might need to dig a bit deeper into the gap comments so it might be on our work plan. But let's first continue with examining the highlight. And then we get to the next level, the next part, which is the comment of the government from switser lands.

Accordingly, we propose the following paragraph on page 4 under it's nationally prediabetes dollars resume rights be reworded as follow. However because they only create obligations for states by committing to one or more of these international instruments nation state are expected to embed human rights in their national legislation. Business should respect human rights asset out in the human guiding principles on business and human rights.

Ooh. I think I remember talking about that before, and maybe others may remember that too. David, please come in.

>> Thank you, I'll be very brief. And it's just along the lines of how I've been speaking before, but also with the human guiding principles, the Ruby principles. I mean we have spent considerable amount of time on that, and I think that we should stick with what we have. Thank you.

MR. NIELSTEN OEVER: Greg. Please come in.

>> Thanks. Sorry to sounds so agreeable to David, but I will. This really woo reopen, you know, months of discussion about the relative, about how we relate to the (indiscernible) principles. And I think we, we as working groups do, established a consensus that balances, you know, a variety of, of which this would have been one had it been expressed in the group.

So, I think our careful balancing act is where we should stay. So, just trying to you know, put that all aside, for a whole [HARTD] embrace of a particular position about the working principles, it would then be much different than other positions that inform the consensus would basically just throw our work, you know, back. It's like trying to make, make the omelettes back into an egg.

MR. NIELSTEN OEVER: Thanks so much for that comment, Greg.

Now, we get to the next comment, the comment of Switzerland. As to internationally recognized resume heights, a reference to the U N G P as standard core business enterprise should be included above. In addition references to other universal human rights agreements from the U N should be included such as the Convention on the rights of the child, the international Convention for the protection of all persons from enforced disappearance, Convention against torture and other cruel, inhuman degrading treatment or punishment.

And furthermore, also the human treaty international public law should be considered such as the Jean Eveva Conventions. Finally there are also relevant regional agreements which should be considered such as the European Convention on human rights and the Budapest Convention on cyber crime.

[-P] comments? David, please come in.

>> Thank you, Neils. In my opinion, we are better left with a general reference to ICAN's obligation to respect internationally recognized human rights as applicable, or as required by public law. And the reason I say that, when you start cataloguing human rights as done in this suggestion, and I haven't read these, all of these, but you can easily see how these might come into tension with the idea of administering a top level domain. And when you recognize that the IRP may be open to human rights claims, we would be creating perhaps an impossible situation for ICANN, so before we sign onto these catalog of rights, we would need to understand exactly what they say and what they mean, how they interact with TLDs and I think we are much better off with the Rubric we've come up with, and we've done this with some intention, you know, and the rubric actually states, internationally recognized human rights as required by applicable law. Thank you.

MR. NIELSTEN OEVER: Thanks so much, David.

Yeah. I think we'll need to look at of course some of these documents. We've he enumerated some documents where we have said, we have enumerated some instruments, and I think it was not an exhaustive list so it could be interpreted that these are informally referred to.

Let's have a look and discuss what we could include. What would be harder is a regional agreement, such as the European Convention and the Budapest Convention, because - - Budapest Convention, because then we would be including things in jurisdictions where countries have not adopted or rectified these and that would bring ICANN also in a very strange position. But again, this is very early thinking.

I see that Mark [KAF] v*el is Switzerland and UK government (indiscernible) where he's preparing his response, and we can expect this discussion to be revisited. Yeah. So the careful balance that we have, that careful balance would not play a role in interpretation because it could lead to chain responsibility, especially with TLD, that we did not want, but we could use, careful balance for implementation, was the careful balance that we agreed. So there is the reminder or the suggestion will in the comments from UK and Brazil to reopen that and discuss that.

So, we might revisit parts of that discussion and see where we get on that. It's noted in the Google doc.

So, let's continue with the next comment regarding the interpretation of the section as required by applicable law, we consider that this element should never be used as a means to implicitly relativize the universal of human rights and subjecting and/or training them to national legislation. It would be desirable to include expressly this means to comply with all applicable laws and respect internationally recognized human rights.

I will note that, in the Google doc. Any responses to this? No hands.

Okay. In that case, I will continue with the next paragraph. The argument that the entirety of the -- I see, oh, I see a hand up.

>> Greg shop/laundromat tan for the record. First off, I'm not sure exactly what is meant by implicitly relativize the universal of human rights. But I think what we have, we have determined is that, what the by law itself states is that ICANN's obligations to go beyond limits of what is required by applicable law. And if it is in fact in national legislation, then that's fine.

What they want is for this to go beyond applicable law and to respecting internationally recognized human rights whether or not they're embodied in law. And, now, I hope that some of the reasoning rather than just the conclusions can be shared with this group. As the conclusions are just basically undoing a lot of very careful discussions. And I think the reasons would need to be very persuasive as to why we got it wrong.

All this is saying, you got it wrong, I like it some different way. Which isn't going to be terribly persuasive to anyone. I understand this is only the highlights. And maybe the full comment actually says why this is what ICANN should be doing and why this is consistent with the by law; rather than an attempt to reopen, to spread its By-Laws wings wider than it should be, but without any attempt to persuade, it's just basically a rehash of some of the raw elements that went into our ultimately well-cooked stew of consensus. Thanks.

MR. NIELSTEN OEVER: Thank you, Greg. With 8 minutes left on the call, let's see if we can also finish the next paragraph. For this very first gloss ree high level reading of the highlights.

The argument that the entirety of the UN guiding principles could not be cited as a reference point or source of guidance for interpreting the human rights core value is readily understood and [SAEPD]. Much of the text is concerned with the state responsibilities. However, it is very disappointing that there is no reference in the framework to the UN guiding principles despite direct plib built of key elements of the second pillar relating to corporate responsibilities. These relate, for example, to conduct of due diligence and true transparency. And taking assessments, introducing mechanisms for correcting impacts and generally integrating a culture of commitment to respect human rights throughout the organization. As such, they provide [-P] fundamental elements of universal best practice of for effective adherence to human rights and therefore merit (indiscernible) reference in the framework of the interpretation.

Yeah, I think we've tried to directly address this by taking all these parts that are exactly about implementation, into the implementation where we said that the UNG P might be the inspiration to do that work, not interpretation, because if we would do that, then it would lead to the chain responsibility problem.

It seems that the, carefully, the consensus on which we carefully arrive in the previous period did not satisfy the UK government. That is what the comments from the UK. Which will then need to take into consideration; with the risk that the consensus comes apart, which I think would be a shame at this time in the process.

So, let's have a look at the next paragraph before we end our call. Given the private sector led multi stakeholder Constitution of I ka*n there seems to be no inherent disruptive conflict or inconsistent ee created by reference to these elements in the universally accepted U V guiding principles. It is hoped nrfer in the course of the facility fame, of the interpretation. Following it will current public [-P] consultation. There will be further consideration of the pli built of those elements and corporate responsibility contained in the U N dividing principles or business and human rights and the value of doof reference cited in the final document as an will grumt for all the S O, and A C. And G A C for their respective sub groups [-P] and con at this time Wednesday city martsz to take fully account stoo that stat tcees for sblemting the human rights core.

We can take that into account in further discussions.

With five minutes left, we can do one more.

Furthermore, if these U N guiding principles are not directly cross referenced in part, the framework of interpretation, it will be a lost opportunity for the I ka*n community to be a global transnarfl bee con for advance willing corporate respect for human rights.

I think the, the comments from the, from the UK government and the bra educational ya*n government, need further read. So I guess I will share them again, as homework for the next meeting chrction July 25th at 1900 U c*e C. An that's when we also discuss and study the final two individual submissions.

Here, I would like to thank everyone who committed a public comment, all of you for being on this call. I can stop to make it possible and excellent captioner for captioning our work. We also have people, everyone participate in this work.

thats so much for that, have a great evening. And from the I T, I wish you a great week. Bye all.