

The Cross Community Working Group on Enhancing ICANN's Accountability Human Rights Subgroup would like to sincerely thank those who have taken the time and effort to submit public comments to the Framework of Interpretation and Considerations document during the Public Comment Period [0].

The Subgroup has analyzed and discussed the comments at great length and came to the following conclusions:

The mandate of the group does not include suggesting any changes to the ICANN Bylaws; this includes the Bylaw on Human Rights. As such, any comments that would require changing the Bylaws cannot be accepted.

This is the case for comments recommending changes in the hierarchy of Core Values as outlined in the Bylaw or for comments pertaining to the use of the term "applicable law" which is part of ICANN's Human Rights Bylaw.

The Subgroup recognizes that the documents mentioned in the footnotes are not necessarily an exhaustive list of human rights documents, and therefore the text has been changed from 'including:' to 'including, but not limited to:' for purposes of clarity.

Finally, no new references to any instrument in general or the UN Guiding Principles for Business and Human Rights in particular have been added. The conclusion of the Subgroup is that the current proposed wording is a careful balance between the different opinions held in the ICANN community, particularly considering the remit of ICANN's Mission.

The HR Subgroup has developed a document which lists a response to each of the major comments submitted to the public consultation and is including it in this email for reference by the CCWG-Accountability-WS2.

This will be published on the public consultation web site as part of the standard process.

As such, the HR Subgroup is submitting its final recommendations for an HR FoI to the CCWG-Accountability-WS2 for approval. Given the submissions made in the public comment process and the minimal changes that have been made to the document to address these, the HR sub-group does not believe it is necessary that this version be posted for a further round of public comment.

[0] <https://www.icann.org/public-comments/foi-hr-2017-05-05-en>