

**Human Rights Meeting #17 (20 December @ 19:00 UTC)**

## Attendees:

**Sub-group Members:** Anne Aikman-Scalese, Avri Doria, Cheryl Langdon-Orr, Daniel Appelman, David McAuley, Greg Shatan, Griffin Barnett, Harold Arcos, Herb Wayne, Janet Shih Hajek, John Laprise, Jorge Cancio, Kavouss Arastah, Mark Carvell, Markus Kummer, Matthew Shears, Niels ten Oever, Paul McGrady, Rudi Daniel (19)

**Observers/Guests:** Beth Bacon, Javier Rua-Jovet (2)

**Staff:** Brenda Brewer, Elizabeth Andrews, Karen Mulberry, Nathalie Vergnolle, Tristana Webster (5)

**Apologies:** Tatiana Tropina

*\*\* If your name is missing from attendance or apology, please send note to [acct-staff@icann.org](mailto:acct-staff@icann.org) \*\**

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## Transcript

- [Word Doc](#)
- [PDF](#)

## Recording

- [Adobe Connect Replay](#)
- [mp3 Replay](#)

## Agenda

### 1. Administrivia

Roll call, absentees, Sols, etc

### 2. Evaluation, or: reculer pour mieux sauter

a. To what extent does our work entail recommendations for implementation? If so, how detailed should we be? Is this in our mandate or remit?

b. Should we review the Fol in the light of the tension between annex 6 and 12) ?

### 3. AOB

## Notes (including relevant parts of chat):

### 1. Administrivia

Roll call, absentees, Sols, etc

- No updates to SOI noted
- No questions or comments on draft presented to the Plenary for reading. Very positive result
- Working with standard drafting team, wondering if we should take a step back, and discuss our path forward.

### 2. Evaluation, or: reculer pour mieux sauter

a. To what extent does our work entail recommendations for implementation? If so, how detailed should we be? Is this in our mandate or remit?

b. Should we review the Fol in the light of the tension between annex 6 and 12) ?

· Annex 6: [https://community.icann.org/download/attachments/58723827/Annex%2006%20-%20FINAL-Revised.pdf?version=1&modificationDate=1456255586000&api=v2\[community.icann.org\]](https://community.icann.org/download/attachments/58723827/Annex%2006%20-%20FINAL-Revised.pdf?version=1&modificationDate=1456255586000&api=v2[community.icann.org])

· Annex 12: [https://community.icann.org/download/attachments/58723827/Annex%2012%20-%20FINAL-Revised.pdf?version=1&modificationDate=1456255865000&api=v2\[community.icann.org\]](https://community.icann.org/download/attachments/58723827/Annex%2012%20-%20FINAL-Revised.pdf?version=1&modificationDate=1456255865000&api=v2[community.icann.org])

· **Jorge Cancio (GAC Switzerland):** To sum up my thoughts on the pending assignments: with the Fol we have covered everything relevant to the interpretation. What is left are aspects of implementation: 1) what policies and frameworks do we need or do we need to improve; 2) how do we do this in a bottom-up and multistakeholder fashion; 3) how does this interact with existing and future policies and procedures; 4) how does this impact on GAC Advice; 5) what is the effect on ICANN operations. We have to decide how deep and far we can and want to get on these 5 topics...

- David: I agree that the FoI is done, and we should discuss terms of implementation.
- Paul: it seems to me that the FoI should be referred to as necessary by ICANN moving forward, and it's not for us to nail all the changes that it could imply.
- Greg: we are not asked to implement the bylaw, in the ICANN sense of implementation.
- **Jorge Cancio (GAC Switzerland)**: I feel we have to touch on the 5 left issues on a very general level, giving some guidance and recommendations on how we think that ICANN (the corporation and the community) should deal with these topics. Agree with Greg: we do not implement, we just give some guidance on how we think implementation should be tackled considering the 5 pending topics we have according to Annex 6 and 12.
- **Rudi Daniel**: agree Greg...on providing signposts as within the framework of interpretation.
- **Kavouss Arasteh 4**: We have done what we asked to do and there is no more works to be done
- **avri doria**: if we have a question about our scope, why dont we go back to the main group for an answer?
- Anne Aikman: I agree with Avri.
- **Jorge Cancio (GAC Switzerland)**: We can go back to the CCWG Plenary with some idea on what we would prefer to do...
- Greg: I agree we should maybe make recommendations or give options to the plenary on how we'd like to handle this, rather than ask an open question.
- Niels proposes to draft an email for the CCWG plenary, explaining what we are struggling with and listing several scenarios to move forward.
- Anne: would we use the rest of this call to discuss the content of this email?
- **Kavouss Arasteh 4**: This group should not be engaged to reconciling between annexes 6 and 12
- Niels: we have 3 options: 1) we are done 2) create a new document with the other elements that we should cover 3) providing examples and adding to the FoI
- Greg: there is a 4th option: to test the FoI.
- Anne: we could ask the plenary for examples if we were to pursue option 3).
- Show of hands: 5-6 Participants agree with this approach.

3. AOB

## Action Items

- none

## Documents Presented

- none

## Chat Transcript

Yvette Guigneaux:Welcome all to the Human Rights Subgroup Meeting #17 | Tuesday, 20 December 2016 @ 19:00 UTC!

Kavouss Arasteh 4:Yalda, which means birth, is a Syriac word imported into the Persian language. It is also referred to as Shab-e Chelleh, a celebration of winter solstice on December 21--the last night of fall and the longest night of the year

Kavouss Arasteh 4:This is an Iranian / persian tradition

Brenda Brewer:Kavouss, dial out in progress to you.

Anne Aikman-Scalese (IPC):Hi Cheryl. Happy Holidays

David McAuley (RySG):Hi Brenda, as usual I am 4154

Cheryl Langdon-Orr (CLO):thanks Anne and Seasons Greetings to you and yours

Brenda Brewer:Thank you, David!!

David McAuley (RySG):sweet 16

Jorge Cancio (GAC Switzerland):Hi all

Javier Rua-Jovet:Happy Holidays to all

Markus Kummer:Hi everyone

Rudi Daniel: thx....& seasons greeting to all

Niels ten Oever:Annex 6: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_community.icann.org\\_download\\_attachments\\_58723827\\_Annex-252006-2520-2D-2520FINAL-2DRevised.pdf-3Fversion-3D1-26modificationDate-3D1456255865000-26api-3Dv2&d=DglFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=x1Q8MgAF6zyy66pD1V0R1OlrcLIWTSxL9fmbiVpjSas&s=inmvTK1ofgaOU6FRoud\\_zK-iJIUVZTxZgu7DAifkJ6A&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_download_attachments_58723827_Annex-252006-2520-2D-2520FINAL-2DRevised.pdf-3Fversion-3D1-26modificationDate-3D1456255865000-26api-3Dv2&d=DglFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=x1Q8MgAF6zyy66pD1V0R1OlrcLIWTSxL9fmbiVpjSas&s=inmvTK1ofgaOU6FRoud_zK-iJIUVZTxZgu7DAifkJ6A&e=)

Jorge Cancio (GAC Switzerland):Hi, fyi: I'm with no usable audio

Niels ten Oever:Annex 12: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_community.icann.org\\_download\\_attachments\\_58723827\\_Annex-252012-2520-2D-2520FINAL-2DRevised.pdf-3Fversion-3D1-26modificationDate-3D1456255865000-26api-3Dv2&d=DglFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=x1Q8MgAF6zyy66pD1V0R1OlrcLIWTSxL9fmbiVpjSas&s=C92qfhpqNFCRmdSzGntmi2qoli2sxxg7rR9G-SS6FgWs&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_download_attachments_58723827_Annex-252012-2520-2D-2520FINAL-2DRevised.pdf-3Fversion-3D1-26modificationDate-3D1456255865000-26api-3Dv2&d=DglFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=x1Q8MgAF6zyy66pD1V0R1OlrcLIWTSxL9fmbiVpjSas&s=C92qfhpqNFCRmdSzGntmi2qoli2sxxg7rR9G-SS6FgWs&e=)

Jorge Cancio (GAC Switzerland):active audio I mean (mic)

Kavouss Arasteh 4:Dear brenda

Kavouss Arasteh 4:pls advise to dial me up

Niels ten Oever:Annex 6 p. 5

Brenda Brewer:Kavouss, I have dialed out to you twice with no response. Will be happy to try again. Please stand by.

Niels ten Oever:Annex 12 p.6

Kavouss Arasteh 4:Grec is the omni present every where with long long intervention

David McAuley (RySG):The "Main Report" is consistent with Annex 06 in this respect: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_community.icann.org\\_pages\\_viewpage.action-3Fpageld-3D58723827-26preview-3D\\_58723827\\_58726532\\_Main-2520Report-2520-2D-2520FINAL-2DRevised.pdf&d=DglFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=x1Q8MgAF6zyy66pD1V0R1OlrcLIWTSxL9fmbiVpjSas&s=v-G66shvPGZHAKku-B3gxzZ3Iy9UX11ZwkcXH6boMw&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_pages_viewpage.action-3Fpageld-3D58723827-26preview-3D_58723827_58726532_Main-2520Report-2520-2D-2520FINAL-2DRevised.pdf&d=DglFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=x1Q8MgAF6zyy66pD1V0R1OlrcLIWTSxL9fmbiVpjSas&s=v-G66shvPGZHAKku-B3gxzZ3Iy9UX11ZwkcXH6boMw&e=)

David McAuley (RySG):And Annex 12 is as Greg describes

Kavouss Arasteh 4:Pls allow others to also talk

David McAuley (RySG):Thank you Greg for summarizing that discussion we had yesterday

Jorge Cancio (GAC Switzerland):To sum up my thoughts on the pending assignments: with the Fol we have covered everything relevant to the interpretation. What is left are aspects of implementation: 1) what policies and frameworks do we need or do we need to improve; 2) how do we do this in a bottom-up and multistakeholder fashion; 3) how does this interact with existing and future policies and procedures; 4) how does this impact on GAC Advice; 5) what is the effect on ICANN operations

Kavouss Arasteh 4:David thanks GREC AND grec thanks David

Jorge Cancio (GAC Switzerland):We have to decide how deep and far we can and want to get on these 5 topics...

Kavouss Arasteh 4:Niels, we should not create job for ourselves

avri doria:if we have a question about our scope, don't we go back to the mail group for an answer. as for Ruggie coming up again in other issues, I though we had been barred from discussing that, no matter how useful, important and relevant we thought it was.

avri doria:... to the main group ...

Rudi Daniel:I am also wondering what we understand by the word "framework"....

Greg Shatan:It helps to look at the two documents.

Cheryl Langdon-Orr (CLO):agree Jorge and therefore separate documentation in, my view

avri doria:also Greg kept confusing framework of interpretation and implementation

Cheryl Langdon-Orr (CLO):Yes agree Avri

Cheryl Langdon-Orr (CLO):Greg transposed terms but a few times in his verbal

Cheryl Langdon-Orr (CLO):update

avri doria:i think this discussion confuses the two.

Greg Shatan:I was only intending to refer to the Framework of Interpretation. There is no Framework of Implementation.

David McAuley (RySG):good point Paul, maybe examples is better phrasing

Jorge Cancio (GAC Switzerland):I feel we have to touch on the 5 left issues on a very general level, giving some guidance and recommendations on how we think that ICANN (the corporation and the community) should deal with these topics

Paul McGrady:Examples at most, I think.

Jorge Cancio (GAC Switzerland):Agree with Greg: we do not implement, we just give some guidance on how we think implementation should be tackled considering the 5 pending topics we have according to Annex 6 and 12

Cheryl Langdon-Orr (CLO):Guidelines and Recommendations documentation

avri doria:we can call ourselves done with a hearty pat on our collective backs.

Rudi Daniel:agree Greg....on providing signposts as within the framework of interpretation

Jorge Cancio (GAC Switzerland):We can go back to the CCWG Plenary with some idea on what we would prefer to do...

Cheryl Langdon-Orr (CLO):next Plenary is when in January?

Niels ten Oever:Yes

matthew s:agree we need to have something for the plenary to chew on rather than an existential question

David McAuley (RySG):i think plenary on Jan 11

Kavouss Arasteh 4:We have done what we asked to do and there is no more works to be done ,otherwise those profession Talkers intervene and intervene on some thing which is not required

Cheryl Langdon-Orr (CLO):yes Agree Greg. ( and Jorge / Avri)

Cheryl Langdon-Orr (CLO):agree on the pause.. Jan 11 not too far off

avri doria:i think asking the plenary the existential question of whether this subgroup still have a purpose beyond the second reading of the framewrk and fixes as required is an ok thing to do.

Cheryl Langdon-Orr (CLO):yes Matthew andem Greg we need to give something to the CCWG to consider not just a 'question:

avri doria:i favor a minimalist interpretation of this groups charter.

Greg Shatan:We should see if we have a preference.

Kavouss Arasteh 4:May we ask people to reduce tgeir no. of intervention to minimum necessary and also the length of intervention shouldc be drastically shortened

Jorge Cancio (GAC Switzerland):I would keep the distinction between interpretation and everything else as clear and neat as possible

Kavouss Arasteh 4:This group should not be engaed to reconciliating between annexes 6 and 12

Rudi Daniel:agree

Greg Shatan:Agree with Jorge

avri doria:i can live with it. depends on what the letter actuay says

Jorge Cancio (GAC Switzerland):there are 5 Kavouss today :D

avri doria:as i said, i think we should be done except for FoI edits based on comments from Plenary and beyond. i do not think we should take up, or offer to take up any other work unless the planary says we must.

avri doria:i NEVER said you should not speak becasue you were coughing. NEVER.

avri doria:i said , on another call, anyone coughing and not speaking should mute their line.

Greg Shatan:Ironic remarks will be suppressed in order to comply with the Guidelines on Behavior.

David McAuley (RySG):early holiday gift

Anne Aikman-Scalese (IPC):No. Thank you Niels and Happy Holidays! Anne

David McAuley (RySG):Thanks Niels, staff and all - happy holidays

Greg Shatan:Happy Holidays!

Paul McGrady:Yay! Happy Winter Holiday of Your Selection, including "none"!

Jorge Cancio (GAC Switzerland):Thanks and happy holidays!

Rudi Daniel: ). seasons greetings all

avri doria:he was slef censoring

Greg Shatan:I am suppressing my own ironic intervention.

Cheryl Langdon-Orr (CLO):Seasons Greetings to you all

Paul McGrady:@Greg - ha!

avri doria:happy silvester

Markus Kummer:Bye all and happy holidays!

Cheryl Langdon-Orr (CLO):bye for now

avri doria:yay for Festivus

Greg Shatan:I've noticed that too, Kavouss.

David McAuley (RySG):+1 Cheryl

avri doria:and do not forget the solstice

Herb Waye Ombuds:Happy holidays all

David McAuley (RySG):bye

Jorge Cancio (GAC Switzerland):bye!

Greg Shatan:Happy Holidays!

Javier Rua-Jovet:ciao