

WP4 Meeting #2 (2 September)

Sub-group Members: Carolina Rossini, David McAuley, Ellen Blackler, Finn Petersen, Greg Shatan, Leon Sanchez, Marilia Maciel, Matthew Shears, Melanie Penagos, Nigel Roberts, Phil Buckingham, Robin Gross

Staff: Alice Jansen, Brenda Brewer

Apologies: Martin Boyle

Please let Brenda know if your name has been left off the list (attendees or apologies).

Transcript

- [WP4 Meeting #2 2 September.docx](#)
- [WP4 Meeting #2 2 September.pdf](#)

Recording

- The Adobe Connect recording is available here: <https://icann.adobeconnect.com/p6rxigmkgbe/>
- The audio recording is available here: <http://audio.icann.org/gnso/gnso-wp4-02sep15-en.mp3>

Notes

These high-level notes are designed to help you navigate through content of the call and do not substitute in any way the transcript.

Draft is available in google for edits/comments.

Comments received on mailing list:

- It does not capture discussions;

Feedback:

- Stick to alternatives in paragraph 151. This should be addressed in WS2.

- Declare intent instead of a statement. It can be addressed in WS2. We need a rationale.

--> Suggestion to stick to paragraph 151 and further develop this item in WS2.

- We should have a document explaining why we need that statement in the report.

- The rationale is going to require fact-based analysis.

- Clarify whether replacing a human rights backstop had in place or are we rebalancing ICANN. We need a detailed proposal.

--> Suggestion to continue to build document and put forward proposal to implement item 2 of paragraph 151

- We can agree a simple text with rationale and provide a supporting doc that outlines the issues that would be discussed in WS2

- Suggestion to remove "internationally recognized"

ACTION ITEM: Include suggestion to drop "internationally recognized" for group consideration

- Which rights are fundamental and which aren't? Unclear which is why rationale is important. Definitional work is needed.

- Internationally recognized --> we refer to laws that have an international status. Recommend to leave it there.

- "Fundamental and human rights" raises confusion.

- Human rights are related to the inherent dignity of human kind and are equal and inalienable rights of all members of the human family, forming the foundation of freedom, justice and peace in the world." - <http://www.un.org/en/documents/udhr/>

CONCLUSION: State in our document that we will propose the CCWG embraces the second proposal in paragraph 151 of the report and draft a very concrete guideline that could serve as a framework of interpretation that we will suggest including in Bylaws with a note that this would be developed in WS2.

- How would it fit in public comment period?

---> We will have larger CCWG to approve, comment or modify whatever we are proposing to larger group.

- We should bring in public comment from the community into our work.

Action Items

ACTION ITEM: Include suggestion to drop "internationally recognized" for group consideration

Documents Presented

Chat Transcript

Brenda Brewer: (9/2/2015 12:34) Welcome to WP-4 Meeting #2 on 02 September 2015 @ 18:00 UTC! Please note that chat sessions are being archived and follow the ICANN Expected Standards of Behavior: <http://www.icann.org/en/news/in-focus/accountability/expected-standards>

Leon Sanchez: (12:59) Hello everyone

David McAuley: (13:00) Hello

Ellen Blackler: (13:01) Hello

Greg Shatan: (13:01) Hello, all!

Alice Jansen: (13:02) gdoc link https://docs.google.com/document/d/15t32Y7DyzGCAR21XT9koN9y2hNK_nAifuNZGwaFfnIQ/edit

matthew shears: (13:05) hi

David McAuley: (13:10) Agree with your comment @Leon

David McAuley: (13:12) That's right Greg, that's what I said. Not opposed to framework doc but suggest we don't do the work of WS2 in WS1

David McAuley: (13:13) You got mine right @Leon

Greg Shatan: (13:14) I don't think we can change the bylaws in WS1 and then figure out what it all means in WS2.

David McAuley: (13:14) Agree with Matthew re option 2 of paragraph 151

Robin Gross [GNSO - NCSG]: (13:14) Agree with Mathew.

Greg Shatan: (13:14) That strikes me as a "Ready, Fire, Aim" approach.

David McAuley: (13:14) Not opposed to framework doc, @Greg

Tatiana Tropina: (13:15) Agree with Matthew. Option 1 is too narrow

matthew shears: (13:15) agree we still need a framework doc

matthew shears: (13:17) we can agree a simple text with rationale and provide a supporting doc that outlines the issues that would be discussed in WS2

Carolina: (13:22) agree with the commentary on dropping the words

matthew shears: (13:22) agree that it needs some wordsmithing

Tatiana Tropina: (13:23) agree - we had discussion on Google Doc, too

matthew shears: (13:23) lets just keep the text development in the existing google doc

Tatiana Tropina: (13:23) The google doc would be very helpful! Thanks!

Carolina: (13:23) I agree

Carolina: (13:23) with Matthew, one only google doc

Carolina: (13:24) or at least, pls list the links ..so folks can navigate the documents

Carolina: (13:24) and know which one is the valid one

David McAuley: (13:24) I agree with Greg that we need at least some definitional term to use for human rights

matthew shears: (13:24) its typically fundamental rights (which is more than human rights UDHR) or human rights

Carolina: (13:25) definition from <http://www.un.org/en/documents/udhr/>

Carolina: (13:25) here

Carolina: (13:26) "Human rights are related to the inherent dignity of human kind and are equal and inalienable rights of all members of the human family, forming the foundation of freedom, justice and peace in the world."

David McAuley: (13:27) Fundamental and human rights, though, could pose problems of being very broad and imprecise though @Leon

Robin Gross [GNSO - NCSG]: (13:27) I think "fundamental and human rights" raises confusion.

matthew shears: (13:28) fundamental rights include the ICCPr for example, not just the UDHR

Carolina: (13:28) +1 on Matthew

Greg Shatan: (13:28) Marilia, that is definitely highly welcome!

Tatiana Tropina: (13:29) + 1 to Robin. I think the term fundametal rights might have different meanings

Marilia Maciel: (13:29) Great :)

Marilia Maciel: (13:29) Happy to!

Carolina: (13:30) it is ok., no need

Carolina: (13:30) plus I do not think I have permission to talk

Carolina: (13:30) but I wrote what I needed to say

Ellen Blackler: (13:32) can anyone point me are there other explanatory notes that have been used - so i see where we are aiming?

David McAuley: (13:36) @Ellen, Nigel posted a note to the WP4 list a bit ago that was fairly extensive, I can forward following call

Ellen Blackler: (13:36) i can find it i am sure.

David McAuley: (13:36) I think it was about two weeks ago

David McAuley: (13:36) maybe more but not much

matthew shears: (13:37) there is plenty of info on ICANN and HR - CoE, Article 19, etc, have written on the issue

matthew shears: (13:37) as background

matthew shears: (13:37) for this discussion

David McAuley: (13:37) on mute?

Greg Shatan: (13:37) I would look at some of those writings with a rather critical eye...

David McAuley: (13:38) I misunderstood Ellen, not sure where you can find that

matthew shears: (13:38) @ Greg - other dox specific to ICANN?

David McAuley: (13:43) Thank you Leon, good bye all

Greg Shatan: (13:43) Bye all!

matthew shears: (13:43) thanks Leon, all

Ellen Blackler: (13:43) didnt mean to send us down a rabiit hole!