

# At-Large Briefing on the ALAC Response to the CCWG Accountability 3rd Draft Proposal 2015-12-17 AC Chat.

Gisella Gruber: Welcome to the At-Large Briefing on the ALAC Response to the CCWG Accountability 3rd Draft Proposal on 17 December 2015 at 11:00 UTC

Gisella Gruber: meeting page: <https://community.icann.org/x/kl1IAw>

Gisella Gruber: Third Draft Report (published on 30 November) <https://community.icann.org/x/eLRYAw>

Gisella Gruber: 'main document' (3rd Draft Proposal): <https://www.icann.org/en/system/files/files/draft-ccwg-accountability-proposal-work-stream-1-recs-30nov15-en.pdf>

Kaili Kan: Hi, I turn out to be the early bird today. Any worms ? : )

Gisella Gruber: Good morning Kaili!

Harold Arcos: Good morning Kaili, Gisella, all

Kaili Kan: Good evening to all from China !

Ron Sherwood: Good morning everyone

Ariel Liang: Hello All!

Ricardo Holmquist - ISOC Venezuela: Good day to all

Gisella Gruber: Welcome to all!

Dev Anand Teelucksingh: Hello All

Satish Babu2: Hi All!

Holly Raiche: I had lots of trouble connecting

Holly Raiche: Size is fine by me

Siranush Vardanyan: hi all

Dev Anand Teelucksingh: There is a slight cutoff on the right side

Dev Anand Teelucksingh: fixed

Gisella Gruber: meeting page: <https://community.icann.org/x/kl1IAw>

Ricardo Holmquist - ISOC Venezuela: audio is gone

Cheryl Langdon-Orr (CLO): Is it back yet Ricardo?

Ricardo Holmquist - ISOC Venezuela: yes, thanks

Cheryl Langdon-Orr (CLO): OK :-)

Alan Greenberg: Any idea where echo is coming from yet?

Ariel Liang: You may download and review the ALAC Statement on the CCWG-Accountability Work Stream 1 Recommendations here: <https://community.icann.org/x/d4NIaw>

Sivasubramanian M: Q: Is the 120 requirement to "name a replacement" post the process or the lengthy process of removing a director ?

Sivasubramanian M: Please read out this question to Alan

Ariel Liang: We have noted your question Siva. Will note to Alan

Sivasubramanian M: Thanks Ariel

Gisella Gruber: We are working on the echo

Sivasubramanian M: More than the liability of defamation, the threat of defamation, threat of the possibility of defamation would deter potential nominees from accepting nominations to serve the ICANN Board or Community.

Sivasubramanian M: That was a comment.

Sivasubramanian M: Thanks Alan for your reply

Gisella Gruber: Tijani Ben Jemaa has joined the audio bridge

Ariel Liang: Olivier is referring to paragraph 205 (page 37) in the Proposal: <https://www.icann.org/en/system/files/files/draft-ccwg-accountability-proposal-work-stream-1-recs-30nov15-en.pdf#page=37>

Sivasubramanian M: Alan: Why not aspire to "preserve and enhance"?

Sivasubramanian M: Clarification: I am not suggesting the word aspire to be included in the bylaws, but what is already stated could be an aspiration, without being constrained by what is possible for ICANN at present

Holly Raiche: We should include the term

Sivasubramanian M: Thanks Alan

Dev Anand Teelucksingh: Have to leave the webinar. take care all

Sivasubramanian M: "We respect human rights" could also be a statement of "good practices" rather than enforceable terms of contract. This one with suitable words stated in the bylaws.

Ariel Liang: thanks Dev

Avri Doria: it is necessary in order to make the coproataction committed to human rights. without a corporate self affirmation there is no obligation.

Siranush Vardanyan: sorry, need to leave now

Avri Doria: why are people so afraid of human rights

Sivasubramanian M: i.e. The idea of "ICANN's commitment to respect human rights" could be stated in bylaws in such a manner that it is articulated as a commitment to endeavour to follow good practices related to human rights, while making it clear in legal terms that this would be an "endeavour", not a legally binding contractual obligation.

Holly Raiche: @ Avri - I don't think it is fair to say people are 'afraid' of human rights. It is about what it means in the context of ICANN

Avri Doria: yes, but some people are afraid of the implication. they are afraid of human rights

Avri Doria: it is restricted to mission, so if we do not regulate content, that is not a risk.

Sivasubramanian M: Avri, I am a little cautious, think it is a slippery slope, and introduces complexities, opens up more avenues for expensive law suits. I am saying all this, while acknowledging that I am not well read on Human Rights issues.

Avri Doria: Board is afraid of human rights

Holly Raiche: @ Avri - now that is just plain unfair. It is an honest concern that I share, and I am not afraid of human rights

Avri Doria: I do not think it is unfair with respect to the Board

Avri Doria: I think it is FUD

Sivasubramanian M: @Avri again.... While the debate on whether or not the Board should be afraid of Human rights goes on (I agree with the Board here), referring to an endeavour to "respect" Human rights as a non-punitive good practice would be a good compromise

Holly Raiche: @ Avri - that may be true about individual members, but I would not say it applies to 'the Board', except to the extent that there may be genuine concern on ICANN powers over the issue

Sivasubramanian M: @ Avri May be I should write to you to ask about what scenarios of specific Human Rights violation you visualize in the management of Critical Internet Resources

Olivier Crepin-Leblond: @Tijani: thanks for your explanation - I totally understand now

Avri Doria: using these reasons to drop back to nothing would be a really bad thing that would put many of us against any completion of the work.

Avri Doria: yes, better language would be better, dropping the compromise means those who want to avoid human rights altogether win and we continue

without even a semblance of commitment.

Sivasubramanian M: Yes Avri, it could start with a semblance of, or symbolic reference to Human Rights in a harmless manner, and could take shape in future as appropriate

Holly Raiche: @ Siva - I'm not sure we would want to use the term 'harmless' - I think we may be looking for language that talks about 'respect' for human rights - but leaving it high level

Sivasubramanian M: no, not suggesting "harmless" as a term to be used. I used the word in conversation with Avri

Sivasubramanian M: Yes, "respect" for an a commitment to endeavour to encourage (or foster) good governance practices to respect human rights

SeB: in 2009 it was JPA?

Holly Raiche: @ Seb - yes, the Joint Project Agreement

Avri Doria: even using this to kill human rights?

Tijani BEN JEMAA: No

Avri Doria: just alac or anyone

Gisella Gruber: 11 Non staff

Cheryl Langdon-Orr (CLO): Remember if you responded to the poll in the earlier call you should NOT vote now...

Cheryl Langdon-Orr (CLO): Alan that will drop your number a tad

Holly Raiche: Question 2 in the poll is different

Avri Doria: q2 seems to ask a different question

Holly Raiche: It is a different question

Cheryl Langdon-Orr (CLO): I keep trying to try to speak and am not being heard I mute my phone locally so do not understand why I would have been muted via operator \*sigh\*

Kaili Kan: No

Ariel Liang: @kaili - The poll is to the right of the Chat pod

Cheryl Langdon-Orr (CLO): I tried to SEAK to that point ALAN

Kaili Kan: Sorry that I lost internet connection before the poll and just got back in.

Cheryl Langdon-Orr (CLO): it is not even the BEST kick of the can Alan

Avri Doria: anyone have the details on the AC room for the Board CCSg meeting?

Cheryl Langdon-Orr (CLO): I would say goodbye but no one would hear me

Kaili Kan: Thanks to Alan for working so hard!

Ron Sherwood: Thank you everyone... Bye

Satish Babu2: Thanks and bye!

Cheryl Langdon-Orr (CLO): bye

Ariel Liang: Sorry about the audio issue Cheryl

Ricardo Holmquist - ISOC Venezuela: thanks, bye

Harold Arcos: Thanks to David & Claudia

Cheryl Langdon-Orr (CLO): GRRR

Ariel Liang: thanks all for attending

Harold Arcos: Bye all, have a nice day or night