

Summary Report of Public Comment Proceeding

Draft Framework of Interpretation for Human Rights																			
Publication Date:	3 August 2017																		
Prepared By:	Patrick Dodson																		
<table border="1"> <thead> <tr> <th colspan="2">Public Comment Proceeding</th> </tr> </thead> <tbody> <tr> <td>Open Date:</td> <td>5 May 2017</td> </tr> <tr> <td>Close Date:</td> <td>16 June 2017</td> </tr> <tr> <td>Staff Report Due Date:</td> <td>16 August 2017</td> </tr> </tbody> </table>		Public Comment Proceeding		Open Date:	5 May 2017	Close Date:	16 June 2017	Staff Report Due Date:	16 August 2017	<table border="1"> <thead> <tr> <th colspan="2">Important Information Links</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="text-align: center;">Announcement</td> </tr> <tr> <td colspan="2" style="text-align: center;">Public Comment Proceeding</td> </tr> <tr> <td colspan="2" style="text-align: center;">View Comments Submitted</td> </tr> </tbody> </table>		Important Information Links		Announcement		Public Comment Proceeding		View Comments Submitted	
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Section I: General Overview and Next Steps																			
<p>The CCWG-Accountability’s final report for Work Stream 1 (WS1), Recommendation 12 proposed that a number of topics which were not essential for the transition to take place and that could not be completed in WS1 (due to time constraints of the transition) be undertaken in a Work Stream 2 (WS2) effort by the CCWG-Accountability. This recommendation was approved by the CCWG-Accountability’s Chartering Organizations as well as the ICANN Board at its 10 March 2016 meeting. Annex 12 of the final report required:</p> <ul style="list-style-type: none"> Developing and clarifying a Framework of Interpretation for ICANN’s Human Rights commitment and proposed Draft Bylaw. As part of its standard processes the CCWG-Accountability will seek public input on all its proposed recommendations. <p>This Public Comment sought community input on the CCWG-Accountability Work Stream 2 (WS2) draft Framework of Interpretation for Human Rights. This draft was developed by the CCWG-Accountability as required by Annex 12 of the final report of the Cross Community Working Group on Enhancing ICANN Accountability, Work Stream 1 (CCWG-Accountability, WS1).</p> <p>The CCWG-Accountability reviewed this draft at its 25 April 2017 plenary meeting and approved its publication to gather public comments.</p> <p>The inputs from the public comment will be analyzed by the CCWG-Accountability WS2 who will consider amending the Framework in light of the comments received and will publish a report on the results of the public consultation. If significant changes are required as a result of the public consultation the CCWG-Accountability WS2 may opt to have a second public consultation on the amended Framework. If there are no significant changes required, the CCWG-Accountability WS2 will forward the final Framework of Interpretation for Human Rights to its Chartering Organizations for approval and then to the ICANN Board for consideration and adoption</p>																			

Section II: Contributors

At the time this report was prepared, a total of eleven (11) community submissions had been posted to the forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.

Organizations and Groups:

Name	Submitted by	Initials
ALAC	Bastiaan Goslings	ALAC
gNSO – Business Constituency	Steve Delbianco	GNSOBC
gNSO – IPC	Greg Shatan	IPC
gNSO – NCSG	Rafik Dammak	NCSG
gNSO – RySG	Paul Diaz	RYSG
Government of Brazil	Thiago Braz Jardim Oliveira	GOVBR
Government of Switzerland	Jorge Cancio	GOVCH
Government of the United Kingdom	Mark Carvell	GOVUK
SSAC	N/A	SSAC

Individuals:

Name	Affiliation (if provided)	Initials
Ricardo Holmquist	ISOC Venezuela	RH
Shiva Kanwar		SK

Section III: Summary of Comments

General Disclaimer: This section intends to summarize broadly and comprehensively the comments submitted to this public comment proceeding but does not address every specific position stated by each contributor. The preparer recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).

Although the responses to the public consultation were generally supportive there were two major threads within these:

- A number of comments re-iterated the need for any implementation of human rights requirements in ICANN to be limited to ICANN's technical remit and only in the context of "applicable law." ALAC, GNSOBC, NCSG, RYSG)
- A number of comments suggested widening the scope of applicability of human rights instruments within ICANN such as the Ruggy Principles as well as requesting that a number of other instruments be considered. (GOVBR, GOVCH, GOVUK)

A few comments raised a concern that the human rights issues could impose a significant and possibly crippling load on ICANN's various dispute resolution mechanisms. (IPC, RYSG)

Section IV: Analysis of Comments

These inputs will be analyzed by the CCWG-Accountability WS2 who will consider amending its recommendations in light of the comments received and will publish a report on the results of the public consultation. If significant changes are required as a result of the public consultation the CCWG-Accountability WS2 may opt to have a second public consultation on the amended recommendations.