

Recommendation 6 third draft language:

- *“Within its mission and in its operations, ICANN will respect internationally recognized human rights. This commitment does not in any way create an obligation for ICANN, or any entity having a relationship with ICANN, to protect or enforce human rights beyond what may be required by applicable law. In particular, this does not create any additional obligation for ICANN to respond to or consider any complaint, request or demand seeking the enforcement of human rights by ICANN.”*
- In order to ensure that the Human Rights related tasks that are allocated to Work Stream 2 take place, the CCWG-Accountability proposes a draft interim Bylaw, which must be adopted as part of Work Stream 1. The interim Bylaw would convey the following:

“Bylaw xx will be implemented in accordance with the framework of interpretation to be developed as part of “Work Stream 2” by the CCWG-Accountability or another cross-community working group chartered for such purpose by one or more Supporting Organizations or Advisory Committees. This group must be established promptly, in order to develop an appropriate framework of interpretation as promptly as possible, but in no event later than one year after Bylaw xx is adopted.” (This interim Bylaw will exist temporarily in the ICANN Bylaws up until a Framework of Interpretation for the actual Human Rights Bylaw is published.)

Recommendation 6 final language for supplemental:

Within its Mission and in its operations, ICANN will respect internationally recognized Human Rights. This commitment does not in any way create an obligation for ICANN, or any entity having a relationship with ICANN, to protect or enforce Human Rights beyond what may be required by applicable law. This provision does not create any additional obligation for ICANN to respond to or consider any complaint, request, or demand seeking the enforcement of Human Rights by ICANN. This Bylaw provision will not enter into force until (1) a Framework of Interpretation for Human Rights (FOI-HR) is developed by the CCWG-Accountability as a consensus recommendation in Work Stream 2 (including Chartering Organizations’ approval) and (2) the FOI-HR is approved by the ICANN Board using the same process and criteria it has committed to use to consider the Work Stream 1 recommendations

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Within its Core Values, ICANN will commit to respect internationally recognized Human Rights as required by applicable law. This provision does not create any additional obligation for ICANN to respond to or consider any complaint, request, or demand seeking the enforcement of human rights by ICANN. This Bylaw provision will not enter into force until (1) a Framework of Interpretation for Human Rights (FOI-HR) is developed by the CCWG-Accountability (or another Cross Community Working Group chartered for such purpose by one or more Supporting Organizations or Advisory Committees) as a consensus recommendation in Work Stream 2 (including Chartering Organizations' approval) and (2) the FOI-HR is approved by the ICANN Board using the same process and criteria it has committed to use to consider the Work Stream 1 recommendations.

Differential from recommendation 6 final for supplemental and Board Proposal:

Within its ~~Mission and in its operations~~ Core Values, ICANN will commit to respect internationally recognized Human Rights as required by applicable law. ~~This commitment does not in any way create an obligation for ICANN, or any entity having a relationship with ICANN, to protect or enforce Human Rights beyond what may be required by applicable law.~~ This provision does not create any additional obligation for ICANN to respond to or consider any complaint, request, or demand seeking the enforcement of Human Rights by ICANN. This Bylaw provision will not enter into force until (1) a Framework of Interpretation for Human Rights (FOI-HR) is developed by the CCWG-Accountability (or another Cross Community Working Group chartered for such purpose by one or more Supporting Organizations or Advisory Committees) as a consensus recommendation in Work Stream 2 (including Chartering Organizations' approval) and (2) the FOI-HR is approved by the ICANN Board using the same process and criteria it has committed to use to consider the Work Stream 1 recommendations

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Summary of changes:

- Removed "Mission and in its operations" and replaced with Core Values.
 - Analysis: Core Values are Bylaws should be acceptable.
- Change "ICANN will respect...." To "ICANN will commit to respect"
 - Analysis: Readability edit and should be acceptable.
- Added "as required by applicable law"
 - Analysis: This was present in the third draft:
 - *This commitment does not in any way create an obligation for ICANN, or any entity having a relationship with ICANN, to protect or enforce human rights beyond what may be required by applicable law.*
- Removed "This commitment does not in any way create an obligation for ICANN, or any entity having a relationship with ICANN, to protect or enforce Human Rights beyond what may be required by applicable law."
 - Analysis: This was added to try and address ICANN concerns – should not be an issue to remove it.
- Added "(or another Cross Community Working Group chartered for such purpose by one or more Supporting Organizations or Advisory Committees)"
 - Analysis: This was present in the third draft:
 - *Bylaw xx will be implemented in accordance with the framework of interpretation to be developed as part of "Work Stream 2" by the CCWG-Accountability or another cross-community working group chartered for such purpose by one or more Supporting Organizations or Advisory Committees.*