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ICANN72 GAC Human Rights and International Law Working Group (HRILWG)

Suada Hadzovic and Lina Rainiene, HRILWG Co-Chairs
Giacomo Mazzone, WBU

Tuesday 26 October 2021
10:30-12:00 PDT session block

Session Agenda

1. **Background** and Objectives of the Session
2. Item for Discussion: Work Stream 2 Recommendations Implementation - Recommendation 1 - **DIVERSITY**
3. **AOB/Next Steps**

Background and Objectives of the Meeting

- The [Work Stream 2 \(WS2\) Final Report](#) includes a comprehensive list of nearly 100 individual recommendations that were arranged into eight topic areas.
 1. **Diversity**
 2. Guidelines for Good Faith removal of Board members
 3. Human Rights
 4. Jurisdiction
 5. Improving the ICANN Office of the Ombuds
 6. Increase SO/AC Accountability
 7. Staff Accountability
 8. Transparency
- ICANN70: The GAC Human Rights and International Law Working Group to consult with UNESCO on the Internet Universality Indicators that may pertain to the GAC's work on implementing Work Stream 2 Recommendations relative to Diversity.
- Post ICANN71/Pre-ICANN72: The GAC HRILWG coordinated with the Underserved Regions Working Group (USRWG) and UNESCO on a draft definition of diversity from a GAC perspective (WS2 Final Report Recommendation 1.1 - Definition of Diversity).
- ICANN72: Proposal for GAC input and feedback



Definition of Diversity - Proposal

- Work Stream 2 Final Report:
SO/AC/Groups should agree that the following seven key elements of diversity should be used as a common starting point for all diversity considerations within ICANN:
 - Geographic or Regional Representation
 - Language
 - Gender
 - Age
 - Physical Disability
 - Diverse Skills
 - Stakeholder Group or Constituency
- Draft GAC perspective for consideration on each of the diversity considerations from the Report

Definition of Diversity - Proposal

- **Geographic or Regional Representation**

- WS2 Rec 1.1: Ensures that there is a balanced geographical representation throughout the organization. While already applied to the selection of ICANN board members, discussions have indicated that this criterion should be extended to all levels within ICANN.
- Draft GAC perspective: The GAC agrees with the WS2 Final Report approach to ensure a balanced geographic and regional representation, taking into consideration the country of birth, and/or residency and foremost considering not only developed but developing and underserved regions or distinct economies.

- **Language**

- WS2 Rec 1.1: All languages should be possible to be represented in ICANN for the organization to position itself as a fully global multi-stakeholder entity. There is a need to improve the balance at least between the six official languages at ICANN: Arabic, Chinese, English, French, Russian and Spanish. However, ICANN manages the IANA functions that offer IDN services to some entities who do not use any of these six official languages, and it is very important that ICANN improve its ability to communicate with this group of stakeholders so that they can be better engaged.
- Draft GAC perspective: The GAC agrees with the WS2 Final Report approach. It is of high importance to give the opportunity to users of minor languages to enjoy their right to access information in cyberspace, by promoting the inclusion of new languages in digital ecosystems. Additionally, the GAC believes that language should not only be restricted to a spoken language. For instance, during ICANN Meetings, regular sessions could continue offering closed captioning, while plenary sessions should additionally include sign language. **The GAC suggests introducing sign language during plenary sessions, as a pilot project for Community feedback, due to the broader group of participants attending those sessions.**

Definition of Diversity - Proposal

- **Gender**

- WS2 Rec 1.1: Equitable gender representation should be sought at all levels of ICANN. Currently, ICANN’s approach to gender is binary: male or female. The representation of women in all areas of ICANN remains a challenge. It is critical that in all official Community roles, equality between genders be achieved. It is no longer acceptable that there be a gender difference of more than 10 percent in the makeup of any leadership group with regard to the community from which it is drawn. It is also important for ICANN to note the evolving issue of equitable consideration of more complex gender identification.
- Draft GAC perspective: To the GAC, gender can be viewed as a person's inner perception based on how much a person agrees or disagrees with a traditional view of gender as a sociocultural expression of special characteristics, and roles associated with certain groups of people with respect to their gender and sexuality.

The GAC believes that continuous work to make freedom of gender expression and gender equality a reality, while ensuring the removal of barriers to equal participation in ICANN, could guarantee the sustainability of the ICANN multistakeholder model.

- **Age**

- WS2 Rec 1.1: This element refers to variations that facilitate inclusion of the range of age groups across ICANN, from older generations through to the next generations. Moreover, youth engagement should be taken into consideration whenever possible in the activities of the ICANN community, fostering the exchange of experience between generations.
- Draft GAC perspective: The GAC agrees this element of diversity should be measured and collected through a “voluntary process”.

Definition of Diversity - Proposal

- **Physical Disability**

- WS2 Rec 1.1: This element refers to the consideration of individuals across a range of different physical disabilities to participate in ICANN activities at various levels.
- Draft GAC perspective: The GAC believes that disability should not be restricted to a particular disability, i.e physical disability as noted in the WS2 Final Report. In fact, disability needs to be perceived as an interaction between an individual's personal condition and the environmental factors an individual may encounter. Both factors together may lead to a disability and affect an individual's participation in ICANN.

Continuous improvement should be made in order to ensure that accessibility and equality go hand in hand by removing barriers to participation of people with disabilities in ICANN, hence guarantying the sustainability and viability of the ICANN multistakeholder model.

ICANN needs to enable people with disabilities to access the information provided, regardless of their physical, cognitive, or sensory abilities.

Definition of Diversity - Proposal

- **Diverse Skills**

- WS2 Rec 1.1: Diversity in skills contributes to the quality of ICANN policy formulation, decision-making and outreach. It is important to highlight and advocate the advantages of individuals bringing different and diverse skill sets into ICANN's many activities. All activities and groups within ICANN will benefit from having a diverse range of skills available. Outcomes formulated from diverse skills and knowledge will have a higher probability of being accepted by a diverse community. Increased diversity would help expand the diversity of skills within ICANN. Thus, achieving diversity in skills should not be seen as a choice between skills and diversity which excludes participation, but rather one which values many skill sets and facilitates inclusion and broad participation.
- Draft GAC perspective: The GAC agrees with the description of this element of diversity. From a GAC perspective a wide range of skills should be considered within ICANN in terms of “policy formulation, decision-making and outreach”. In this regard, ICANN should consider skills such as expertise, experience, and knowledge of a certain topic. Skills that are measurable and usually obtained through formal education and participation in ICANN should be considered.

Definition of Diversity - Proposal

- **Stakeholder Group or Constituency**

- WS2 Rec 1.1: Diversity of stakeholder group or constituency participation in ICANN is important in meeting the multi-stakeholder goals of ICANN. This may or may not require a designated representative of a stakeholder group to participate in the various activities. However, attention needs to be paid to the selection process to ensure participation by both declared stakeholder groups with direct interests as well as minorities and underrepresented groups. Related to, but broader than, stakeholder group diversity is the requirement that all relevant views, opinions and perspectives are appropriately considered in decision-making. ICANN will not be a truly diverse organization if it merely conforms to diversity relating to the fixed characteristics of participants, while systematically marginalizing minority viewpoints or beliefs from consideration in decision-making.
- Draft GAC perspective: The GAC agrees with the WS2 Final Report approach.

Definition of Diversity - Proposal

Cultural Diversity

- Improvements to ICANN's standards for diversity at all levels;
- Measuring and Promoting Diversity - WS2 Final Report notes:
 - Recommendation 4: Each SO/AC/Group should use the information from their initial assessment to define and publish on their official website their Diversity Criteria objectives and strategies for achieving these, as well as a timeline for doing so.
 - Recommendation 5: Each SO/AC/Group, supported by ICANN staff, should undertake a regular update of their diversity assessment against their Diversity Criteria and objectives at all levels including leadership. Ideally this update should be carried out annually but not less than every three years.
- Draft GAC perspective: The GAC agrees with the WS2 Final Report approach.

Diversity is not only determined by geographic and linguistic matters, but has also a very large cultural dimension. Digital divide, for instance, can exist within the same geographic area and within the same language and age groups.

Access to Internet and to ICANN services is largely determined by the availability of products and services locally produced by those that can adapt it to local needs shaped by cultural attitudes. In order to make it really universal, you need to take in account this cultural diversity, that derives by the diversity of the actors, defined also by their economic dimension and by their links and roots into territories and communities.

AOB/Next Steps

- GAC consideration and review period