

CCWG-Accountability Work Stream 2

ICANN Ombuds



Meeting #3
22 August 2016

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From Agenda Meeting #2 Ombuds

- Herb Waye & Chris LaHatte
- Independence
- Neutrality and impartiality
- Confidentiality
- Informality and other standards (IOA)

Independence

1. Is perception of independence an issue?
2. Better understanding of relationships?
3. Term of office. Two year renewable by Board.
4. NomCom or Board appointment?

Neutrality & Impartiality

- Fairness
- Unbiased
- Advocate for equality among groups?
- Give voice to smaller groups when larger groups control? Balancing of power.

- Danger of emails & social media.
- Limited control over disclosure if one party does not adhere to confidentiality.
- Maintains open lines with organization regarding complaints and issues.

Informality

- Coca Cola Ombuds does not even carry a pen vs. our CMS with online complaint form & use of emails.
- **Privacy issue: storage of complaints (archives).**
- Requires organizational trust in Office.
- Requires community trust in Office.
- Must not be seen as IRP or Reconsideration appeal but can be used at any stage around either.
- Process review not decision appeal.
- First stop not last stop.
- Should represent opinion of « reasonable person »?

Challenges

1. Technical vs. common sense.
2. Formal vs. Informal.
3. Big issues and small issues. All problems come in regardless of importance/size.
4. Reaching the community.
5. Orientation to newcomers/staff/nextGen should be built in.
6. Being used to game system.
7. Ombuds shouldn't require a team of lawyers.

- New bylaw changes: Reconsideration
- Formal vs. informal?
- Involvement with community?
- Involvement in policy development to ensure fair input from all parties?
- Should policy issues be run past the ombuds office?
- Advocate for ethics/code of conduct?
- Harassment – bullying – behavior?

Priorities

- In-reach to community.
- Relationships with Board & Community leadership.
- All new Board and community leaders have Ombuds orientation?
- Give voice to everyone (regardless of size or perceived unimportance of group)
- Advocate for ethical behavior

Interaction (last week's presentation)

- How the new role of the Ombudsman would interact with other mechanisms, to avoid duplication and optimize effectiveness?

Conclusion

- Accountability Framework?
- Informality?
- Communication?
- Relationships?
- Trust?
- What will ICANN look like after transition?