

Frank Fowlie

Office of the Ombudsman

Remarks at San Juan Public Forum

June, 2007

Check against delivery

Mr. Chairman, Vint Cerf, President Paul Twomey, members of the Board of Directors and Liaisons, esteemed members of the ICANN community, ICANN staff, ladies, and gentlemen, thank you for your warm welcome here today.

Mr. Chairman, I have a number of items that I would like to share with you this afternoon. First, I can report that to June 24, 2007, my Office has received 173 complaints and contacts from 30 countries. This is well above the pace from the previous years.

Many of these complaints have dealt with Registrant issues concerning registerfly. My Office has provided as many positive referrals and as much self help information as possible to registrants. While I can

understand that registrants would turn to my Office in these circumstances, the jurisdiction for my Office is created in the Bylaws, and this does not include oversight of registrars. The complaints concerning registerfly have all but ended since GoDaddy took over the registrar services.

Second, in accordance with the Bylaws, I have released a report concerning needed process improvements in a supporting organization. I believe that the matter was discussed at the Special Meeting of the Board on June 18, and I look forward to receiving the Board's correspondence on this issue.

Since we last met in Lisbon in March, I have attended the United Nations sponsored International Forum on

Online Dispute Resolution and chaired a panel entitled “Conflict Transformation and Peacebuilding”.

I am pleased to inform you that ICANN Ombudsman’s Office has the honour of holding the Chairmanship for this UNODR conference in June 2008. The forum will be held at Royal Roads University in Victoria, British Columbia. Mr. Chair, you, and Dr. Jose Ramos – Horta, Nobel Peace Prize Laureate for 1996 will be the Forum’s keynote speakers, and we look forward to welcoming you to British Columbia next June. I should note that the next ODR Forum will take place at the Hong Kong International Arbitration Centre, under the chairmanship of Christopher To, a member of the ICANN Nominating Committee.

I believe that the continued involvement of the ICANN Ombudsman with the peer Ombudsman and Online Dispute Resolution communities is important.

Through these associations my Office stays abreast of the best practices in the field of dispute resolution, and by participating in the various fora, increases the reputational value of both the Ombudsman and ICANN as a world leader in online Ombudsmanship.

Since our last meeting I have also attended the annual conference of the International Ombudsman Association, where I presented a session on Ombudsman evaluation. The presentation was made with Mr. John Zinsser, who conducted the third party reviews of the Office of the Ombudsman evaluations.

This session was very well received by the nearly 100 participants.

I, and Mr. Herb Wayne, the Adjunct Ombudsman, attended the Forum of Canadian Ombudsman meeting in Montreal in May.

I have also submitted a paper based on ICANN Ombudsman's client survey experience to the International Ombudsman Institute, and this will be published in the organization's Ombudsman Yearbook.

My Office continues its work on developing and implementing an evaluation strategy. We continue to conduct a client satisfaction survey, and are a good

way through the steps to complete a mid term or formative evaluation of the Office. I can say with some degree of pride that the ICANN Ombudsman program is the world's leader in Ombuds operation evaluation, and I have been asked to give presentations at upcoming Ombudsman conferences on this Office's accountability and review program. We have recently received a third party review of the first client survey conducted last summer. The third party reviewer has made the following comment:

Therefore, the Office of the Ombudsman is likely serving, at a more than acceptable level and has once again proven itself to be potentially the single most completely assessed Ombuds Program in existence.

Mr. Chairman, this essentially concludes the formative, or mid-term evaluation process. I can report to you that the Office has been well formulated, and is discharging its duties in an efficient and more than satisfactory manner. We continue with an ongoing client satisfaction survey; however, as the formative evaluation is complete, the next evaluation activities will take place in FY 09-10, with the final, or summative evaluation.

In the coming months I will be attending the United States Ombudsman Association annual conference in Anchorage. This is the organization of classical, or governmental Ombudsman in the United States. I have been asked by the organizing committee to conduct a session based on my ongoing research in



the field of Ombudsman evaluation. I am confident that the ICANN Office of the Ombudsman is now one of the world's leaders in the area.

That concludes my report. Thank you for the opportunity to address the Public Forum this afternoon.