



ICANN OMBUDSMAN

Ombudsman 101



Welcome

- Haere mai ki te Kaitiaki Mana Tangata
- What is an Ombudsman
- Who am I?

Ombudsman

- Protector of the people
- Investigator
- Impartial
- Neutral
- Confidential

Office of the ICANN Ombudsman

- The ICANN Ombudsman is:
 - Independent, impartial, neutral;
 - A reviewer of facts;
 - An investigator of complaints about unfairness;
 - An ADR practitioner
 - One of three ICANN ADR systems
 - Ombudsman
 - Reconsideration Committee
 - Independent Review Panel

Ombudsman Value Statement

The Values of this Office are:

- *Confidentiality;*
- *Impartiality;*
- *and Independence.*
- *Professionalism;*
- *Respect for Diversity;*
- *Excellence in Ombudsmanship;*

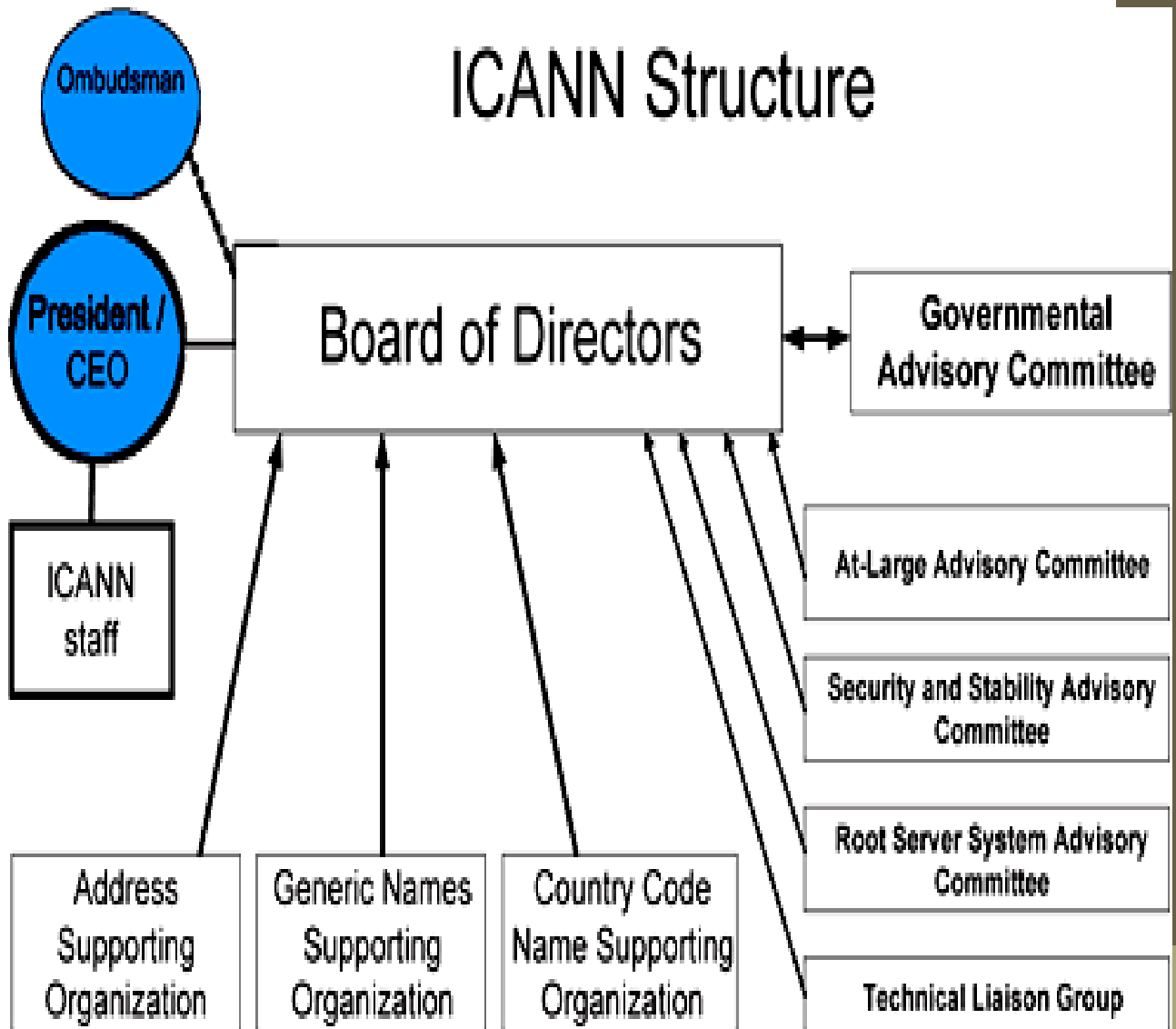
ICANN Office of the Ombudsman

- Ombudsman's jurisdiction as defined by Bylaw V relates to **actions, decisions, or inactions by ICANN staff, board, or supporting structures.**
- Ombudsman's role is also to provide a single place for all consumer issues

ICANN Office of the Ombudsman

- ICANN Ombudsman
- Office opened in 2004
- Dr Frank Fowlie
 - I was appointed as of July 2011;
 - Chris LaHatte of New Zealand;
 - Take authority from Bylaw V;
 - <http://www.icann.org/en/general/archive-bylaws/bylaws-28feb06.htm#V>
 - Sole practitioner office
 - 1/10th post for Adjunct.

ICANN Office of the Ombudsman



Office of the Ombudsman Website

<http://www.icann.org/en/ombudsman>

- Key elements:

- Complaint form – Case Management system
- Ombudsman Framework
- Logic Model
- News – Speeches
- Self help FAQs

What I can do

- The ICANN Ombudsman has jurisdiction over complaints about:
- Things done (or not done) by one or more members of ICANN staff Board or an ICANN constituent body.
- Things done (or not done) by the Board of Directors which may be inconsistent with the Articles or the Bylaws.

What I cannot do

- Look at internal administrative matters;
- Investigate personnel issues;
- Look into issues relating to membership on the Board; nor
- Investigate vendor/supplier relationships

How to make a Complaint

- Complaint form
<https://omb.icann.org/portal/complaint.php>
- Email ombudsman@icann.org
- Letter
- Come and see me at an ICANN meeting

COMPLAINT FORM

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See More: ICANN Ombudsman Online Complaint Resolution

Ombudsman Complaint Form

Items marked * are required

* Language:

Please note: If writing in a language other than English the process may be delayed due to translation. If you selected "Other", please specify the language in the text area below, for your comments

* First Name:

* Last Name:

Address:

Country:

Phone:

Fax:

* Email:

* Incident Date:

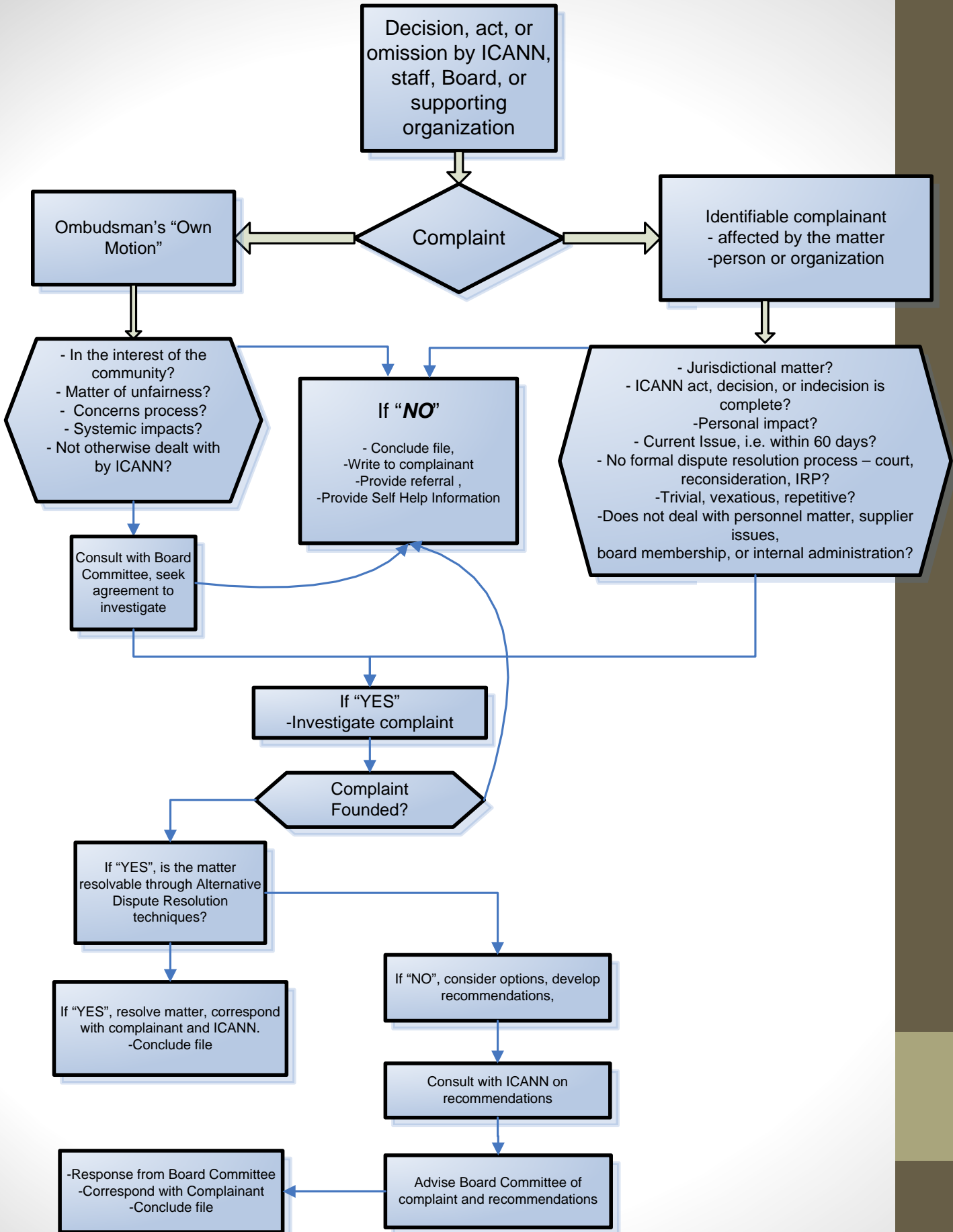
Registry:

Registrar:

Domain:

* Description of act, omission or decision:

Please describe how this ICANN issue impacts you:



Decision, act, or omission by ICANN, staff, Board, or supporting organization

Ombudsman's "Own Motion"

Identifiable complainant
- affected by the matter
- person or organization

Complaint

- In the interest of the community?
- Matter of unfairness?
- Concerns process?
- Systemic impacts?
- Not otherwise dealt with by ICANN?

- Jurisdictional matter?
- ICANN act, decision, or indecision is complete?
- Personal impact?
- Current Issue, i.e. within 60 days?
- No formal dispute resolution process – court, reconsideration, IRP?
- Trivial, vexatious, repetitive?
- Does not deal with personnel matter, supplier issues, board membership, or internal administration?

If "NO"
- Conclude file,
- Write to complainant
- Provide referral,
- Provide Self Help Information

Consult with Board Committee, seek agreement to investigate

If "YES"
- Investigate complaint

Complaint Founded?

If "YES", is the matter resolvable through Alternative Dispute Resolution techniques?

If "YES", resolve matter, correspond with complainant and ICANN.
- Conclude file

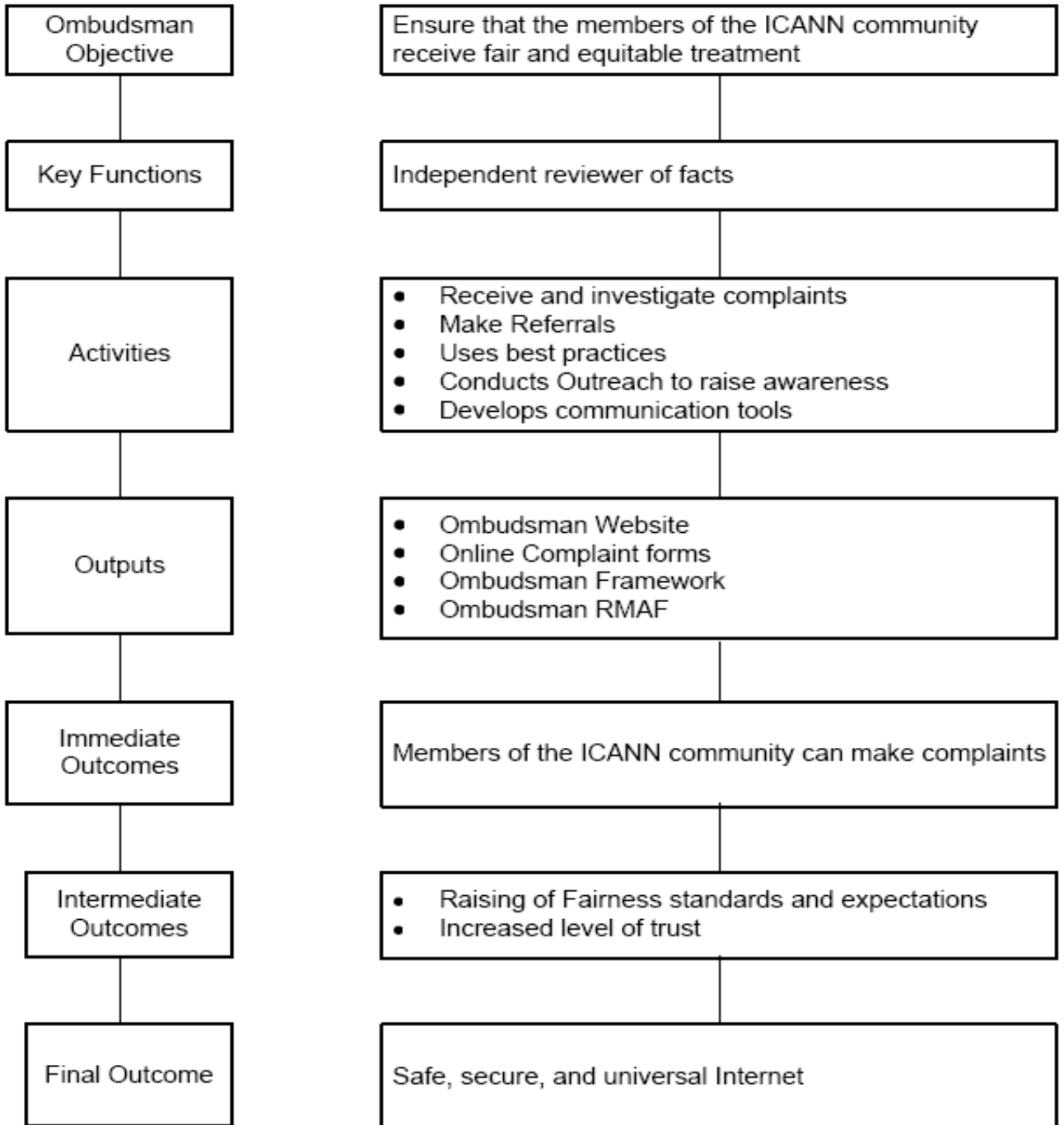
If "NO", consider options, develop recommendations,

Consult with ICANN on recommendations

Advise Board Committee of complaint and recommendations

Response from Board Committee
- Correspond with Complainant
- Conclude file

Operating Model



Office of the Ombudsman

- Questions?

How to contact the Ombudsman

Chris LaHatte
Ombudsman

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Office of the Ombudsman

- Thank you
- Merci Beaucoup
- Kia ora