

# **Anti-Harassment Policy Implementation: Best Practices Research**

ICANN organization

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# Best Practices Research Overview

This document provides a summary of best practices for ongoing education, awareness, and outreach for anti-harassment policies and procedures. The purpose of this document is to inform the thinking of the ICANN Board Working Group on Anti-Harassment about best practices ahead of forming recommendations for implementation at ICANN; it is not in itself a list of recommendations.

Current practices and policies are provided in italics in blue boxes. In some cases, this document also contextualizes how some best practices from other organizations might apply to ICANN; this does not signify that all suggestions would be implemented.

The best practices contained herein reflect the policies of organizations with global and volunteer-based communities; in addition, those that organize global events and operate in similar sectors were considered. As the links in the appendix show, the best practices highlighted in this report draw from a range of sources.

The principal sources for this document are implementation practices for community policies of other global and volunteer-based organizations. For example, the Internet Engineering Task Force (IETF) is a non-profit involved with Internet standards with a large volunteer community, global meetings, virtual meetings, and mailing lists. Similarly, Access Now hosts RightsCon, a global summit on human rights, has international meetings in locations around the globe, and their policies, and more specifically implementation of them, pertain to all participants and stakeholders, as do those of the Internet Freedom Festival. In addition, the policies of global and volunteer-based organizations such as the World Economic Forum and the Global Goals Campaign were also considered.

Additionally, though some institutions, such as the City University of New York City, are universities with employees and students, their policies also pertain to applicants and visitors and are relevant to the ICANN context. Likewise, implementation of policies for volunteers in similar sectors, such as the Institution of Engineering and Technology, were also considered. Publications including the National Council of Nonprofits and the Non-Profit Quarterly provided insights on nonprofit best practices, as did region-specific entities such as Australia's Victorian Equal Opportunity and Human Rights Commission and the European Union's report on trade union practices, community-specific charities such as the DeFrank LGBTQ+ Center. Though the latter are region-specific and will not unconditionally pertain to ICANN's volunteer community, many policies and practices were considered as reflecting global best practices.

Though policies and procedures varied across organizations, the following best practices were common to the majority; the nuances and implications are explained as relevant in each category.

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# 1 DATA AND SURVEYS

## Assess community climate and gauge effectiveness through surveys

### Conduct a benchmarking survey, followed by regular community surveys

- ⦿ Use community-wide surveys to determine an initial benchmark both of awareness of policy's existence and of the community's understanding of the policy
- ⦿ After an initial survey has been done as a benchmarking exercise, map additional surveys' data against the benchmark to assess the success of communications campaigns and training exercises

### Use survey data to define goals for improvement in promoting the policy and enhancing understanding of it

The end goal is to ensure that all community members are aware of the policy and understand its nuances; an initial goal could be to ensure that all community leaders are aware, and benchmarking survey data will help to determine reasonable goals

### Conduct surveys on observed instances of harassment

- ⦿ Use surveys to track observed possible harassment and compare these results against complaint reporting histories to gauge the effectiveness of the reporting mechanisms. Data on non-reported alleged instances can help to identify the main venues where alleged harassment occurs mostly online or in-person, on calls or on email lists, etc. and improve targeted communications campaigns accordingly; note that this data could help determine suitable venues for increased communications and would not be used to limit widespread communications

### Use survey data to regularly evaluate the effectiveness of training and communications

- ⦿ After initial benchmarking surveys to evaluate community members' awareness of the policy and understanding of the policy and procedures, further surveys can also evaluate the efficacy of trainings across categories regarding an individual's: (a) likelihood of reporting a case of alleged harassment; (b) understanding of the nuances of procedures; (c) perception of a community culture free from intimidation, offence, and hostility; and (d) trust that complaint mechanisms will not result in any form of discrimination or retaliation
- ⦿ Use survey data to update training and communications annually, or as needed, with a focus on improving response rates along each of the above categories

## 2 POLICY CIRCULATION

### Provide regular and proactive communications on standards of behavior

#### Raise awareness and increase circulation of policy

- ⦿ Ensure that community members are aware of the organization's commitment to treating all participants with dignity, fairness, and respect
- ⦿ Wider circulation of the policy will raise awareness and help to ensure that all volunteers have the knowledge needed to comply with the policy and promote mutual respect

*ICANN Community Anti-Harassment Policy: A guiding goal of ICANN's Community Anti-Harassment Policy is to emphasize, encourage, and promote the spirit of mutual respect expected within the ICANN community.*

#### Ensure policy is circulated to the entire community on a regular basis

- ⦿ Ensure volunteers are aware of Bylaws, applicable standards of behavior, any disciplinary measures and social media policies (if available)
- ⦿ Post standards of behavior and applicable anti-harassment policies at the start of all in-person and virtual meetings
- ⦿ Issue regular reminders and updates

#### Current practice examples:

- ⦿ 1. Ombudsman is part of every opening ceremony and public forum to review the Expected Standards of Behavior.
- ⦿ 2. Communications emails/newsletters for ICANN Meetings includes the tile for the Ombudsman, Expected Standards of Behavior, the Community Anti-Harassment Policy and Complaints Officer.

The image shows a screenshot of an email newsletter layout with a red header and four red content tiles. The header contains a question mark icon and the text "DID YOU KNOW?".

- Top-left tile:** Features an icon of three people sitting at a table and one person standing. Text: "Click here to review our Expected Standards of Behavior when participating in ICANN Meetings." Below the text is a blue link: [\[r20.rs6.net\]](https://r20.rs6.net)
- Top-right tile:** Features a white icon of a person. Text: "Click here to view the ICANN Community Anti-Harassment Policy." Below the text is a blue link: [\[r20.rs6.net\]](https://r20.rs6.net)
- Bottom-left tile:** Features a circular profile picture of a woman. Text: "Want to talk to ICANN's Complaints Officer?" Below the text is a blue link: [Email complaints@icann.org to set up a meeting.](mailto:complaints@icann.org)
- Bottom-right tile:** Features a white icon of a person in a suit. Text: "Want to talk to ICANN's Ombudsman? Email ombudsman@icann.org to set up a meeting." Below the text is a blue link: [Email ombudsman@icann.org to set up a meeting.](mailto:ombudsman@icann.org)

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## Make it clear that all volunteers are expected to follow the applicable standards of behavior and anti-harassment policies

*As a condition of participation in ICANN's multistakeholder processes, those who take part must follow ICANN's [Community Anti-Harassment Policy and Terms of Participation](#), which states:*

- ⦿ *Behave in a professional manner, demonstrate appropriate behavior and treat all members of the ICANN community in a respectful, dignified, decent manner at all times, including in face-to-face and on-line communications, irrespective of Specified Characteristics so that individuals of all backgrounds and cultures are made to feel welcome. [...]*
- ⦿ *Refrain from harassment of any type. [...]*
- ⦿ *Refrain from retaliation against anyone for reporting any conduct or commentary that is inconsistent with the terms set forth above ("inappropriate behavior") or for participating in an investigation of any such report or complaint.*

*Several improvements have been initiated and additional activities were identified to raise awareness regarding the ICANN Community Anti-Harassment Policy. Activities being implemented to raise participant awareness regarding the Community Anti-Harassment Policy include:*

- ⦿ *All ICANN meeting attendees must agree to abide by Community Anti-Harassment Policy before their registration can be submitted.*
- ⦿ *Create and conspicuously display six-foot banners at ICANN meetings reminding participants of the Community Anti-Harassment Policy.*
- ⦿ *Place a printed copy of the Community Anti-Harassment Policy in the ICANN meeting bags.*
- ⦿ *Post the Community Anti-Harassment Policy in Adobe chat rooms.*
- ⦿ *Include the name and contact information of the Ombuds Office on the back of ICANN meeting participant badges.*
- ⦿ *The Ombudsman will remind participants of the Community Anti-Harassment Policy when opening ICANN meetings.*
- ⦿ *The Ombudsman will meet once per year with SO/AC executive committees to discuss optimal ICANN meeting participant behavior and to encourage awareness at the SO/AC level.*

## Clarify in community-facing communications that some offenses may require outside legal action

- ⦿ Some forms of sexual harassment (e.g., sexual assault, stalking, indecent exposure, physical molestation, obscene phone calls) may constitute criminal conduct; such complaints should be dealt with by the relevant authorities as part of the criminal justice system

*ICANN practice: (from April 2017 blog on Community Anti-Harassment Policy): "The role of the Ombuds in dealing with inappropriate behavior or harassment is first and foremost to address the issue as informally as the circumstances allow. There is clearly a continuum of severity that must be considered. The Ombuds will not treat an inappropriate comment the same way as an allegation of sexual harassment or assault. One complaint may call for an informal intervention, where the next may call for the involvement of law enforcement."*

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## 3 TRAINING AND COMMUNICATIONS

### Conduct ongoing and preventative anti-harassment training and communications campaigns for all community members

#### Consider training and communications as preventative measures

- ⦿ Preventive actions are a priority to deter or stop harassment and ensure that it does not develop
- ⦿ Promote awareness of the issues and strategies in order to tackle and eradicate harassment and bullying
- ⦿ Training and communications can help to build a community culture of how to recognize harassment and what to do, so that the community can work to self-manage

#### Use training and communications campaigns to raise awareness for all community participants and help to prevent future harassment

- ⦿ Communications can promote awareness of the relevant standards of behavior and anti-harassment policies and procedures and help to raise awareness about what constitutes harassment; training can assess understanding of the policies and procedures, provide examples of harassment, and educate individuals on how to be effective bystanders (see bystander training below)
- ⦿ Use flyers, banners, infographics, buttons, social media, etc., to raise awareness of policies and practices
- ⦿ Develop short training to be completed at a specific juncture; some examples from best practices research include at the moment of event registration or when joining a group (in an ICANN context, this could also include at the moment of event registration for meetings or workshops or when a community member performs a certain task, such as posting or revising a Statement of Interest (SOI), joining a review team, or posting a public comment; suitable venues to be identified)
- ⦿ Ensure that opportunities for training are promoted to all community members, including those who do not attend in-person meetings
- ⦿ Make longer training programs available for all community leaders and encourage leaders to direct participants towards the training
- ⦿ Use surveys (as mentioned in Part 1) to measure effectiveness of training and offer more targeted training based on survey results

#### Offer live training to provide safe spaces for all individuals to ask questions

- ⦿ Offer live and interactive training sessions where possible, in order to better reinforce concepts, provide custom examples, provide space for questions, and use actual situations that resonate with participants rather than abstract concepts or policies
- ⦿ Provide a safe space for individuals to ask questions and clarify policies and practices as some may be reluctant to engage in these discussions in other contexts
- ⦿ Offer sessions live, where possible, including at large events

#### Offer online learning courses so that all volunteers can access training on anti-harassment

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- ⊙ Offer online courses if feasible, in translation where possible, so that all participants have an opportunity to participate
  - ⊙ Consider for whom the training would be mandatory or strongly encouraged and, if mandatory, what the repercussions would be for those who do not complete the training (in the ICANN context, this could include community leaders, funded travelers, NextGen@ICANN and Fellowship Program participants, those who have been the subject of a complaint, review team members, etc.)
  - ⊙ For example, UN Volunteers has online learning [courses](#) that volunteers take as induction courses on the prevention of harassment and sexual harassment; all volunteers are briefed on policies regarding harassment and abuse

### Cover not only harassment but also 'risky' or 'unprofessional' behaviors in awareness raising and training efforts

- ⊙ For example, while excessive drinking at events is not illegal, it is often cited as a precursor to 'bad' behavior and should be flagged; training materials could also draw attention to the prohibition of alcohol in some cultures
- ⊙ Training or policies that focus on general civility and professionalism should be enhanced to include diversity awareness and cultural sensitivity

### Keep records of which community members have received communications and training

- ⊙ Maintain records of who has received and acknowledged the relevant policies
- ⊙ Maintain records of who has received training
- ⊙ Designate a specific time for re-acknowledgement or retraining (training on a yearly basis is often encouraged in best practices)

### Offer bystander intervention training

- ⊙ Make it clear that everyone is responsible for preventing harassment and reporting or stopping harassing behaviors; even if the behavior is not directed at him or her, he or she should speak up when recognizing a problem
- ⊙ Bystander intervention training (or upstander training) can help to put the responsibility of creating a healthier community culture on all community members
- ⊙ Ensure that training shows sensitivities to cultural norms and differences, as cultural assumptions about what is acceptable behavior and what is considered harassment differ globally
- ⊙ Training should cover a range of scenarios and options; for example, training should include employing strategies to defuse situations (rather than to escalate), as well as understanding when not to defuse situations (when an action has clearly crossed the line for the victim)

### Ensure that training and communications campaigns consider harassment across multiple venues/formats

- ⊙ Harassment can occur in person, over the phone, and via email, text or other electronic or written forms of communication, including social media
- ⊙ Professional behavior and appropriate conduct are required at all times, as well as during meetings and events organized by the organization
- ⊙ Harassment can occur if the complainant witnesses another person being harassed; the harassment does not need to be directed at the complainant



- ⊙ Harassment can occur whether or not the behavior is intended to be offensive – effect on the victim, not intent, defines harassment; it can be based on the perception of another person, whether or not the perception is correct
- ⊙ It can take many forms (including bullying), occurs on a variety of grounds, and can be directed at one person or many people
- ⊙ Training and communications should discourage bullying in general in addition to harassment, since research shows that reducing tolerance of a bullying culture positively impacts a culture where harassment occurs

*ICANN Community Anti-Harassment Policy: Harassment is unwelcome non-consensual hostile or intimidating behavior. Harassing conduct or commentary may take many forms, including, but not limited to, verbal acts and name-calling; graphic and written statements, which may include use of phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Conduct does not have to intend to harm, be directed at a specific target, or involve repeated incidents in order for it to be deemed harassment. Examples of the types of inappropriate conduct that are prohibited by this Policy include, but are not limited to, the following:*

- ⊙ *Inappropriate touching, including, but not limited to, sexually suggestive touching such as grabbing, groping, kissing, fondling, hugging, stroking someone's hair, or brushing against another's body, or touching that the actor may not have intended to be sexually suggestive but which constitutes uninvited touching, such as rubbing or massaging someone's neck or shoulders*
- ⊙ *Use of offensive language*
- ⊙ *Violating someone's "personal space" after being told you are doing so*
- ⊙ *Leering, stalking, or suggestive whistling*
- ⊙ *Gesturing in a sexually suggestive manner*
- ⊙ *Circulating or posting written or graphic materials that show hostility or disrespect toward or that demean individuals because of Specified Characteristics as set forth above*
- ⊙ *Lewd or graphic comments or jokes*
- ⊙ *Use or distribution of sexual imagery in public presentations and displays*
- ⊙ *Harassing photography or recordings*
- ⊙ *Repeated requests for dates, or unwanted communications of a romantic nature, after the individual receiving them indicates that she or he does not wish to receive them.*

## 4 ONBOARDING

### Incorporate awareness and training into community onboarding materials

- ⊙ Set the expectations for conduct early for new community members; all must learn about policies prohibiting harassment and where/how complaints of harassment within the community should be reported and to whom
- ⊙ Ensure that training materials are interactive and demonstrate effective behaviors and encourage a high standard of behavior and communication across the community

*ICANN Community Anti-Harassment Policy: The following reporting and complaint procedure is available to anyone who identifies inappropriate behavior. The individual who identifies inappropriate behavior may: (i) communicate with the person(s) responsible and attempt to resolve the issue informally; and/or (ii) promptly report to the Ombudsperson the facts giving*

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*rise to a belief that inappropriate behavior has occurred and cooperate fully in the ensuing investigation of the complaint.*

- ⦿ Discuss harassment during orientation/onboarding by pairing with discussions about the mission/core values
  - Use training to demonstrate a commitment to anti-harassment
  - Discrimination and harassment have no place in a public benefit organization; non-profits have the opportunity to take the lead in preventing harassment and taking a clear stance against harassment to create a culture where harassment is neither tolerated nor ignored. Global non-profits could benefit from linking their community's anti-harassment policy to their principles of independence, impartiality, integrity, as well as their mission and reputation.
- ⦿ Incorporate the policy and applicable standards of behavior into all aspects of training, e.g. onboarding and capacity development programs

*ICANN Community Anti-Harassment Policy: Standards of Behavior: Those who take part in ICANN multi-stakeholder process including Board, staff and all those involved in Supporting Organization and Advisory Committee councils undertake to:*

- ⦿ *Act in accordance with ICANN's Bylaws. In particular, participants undertake to act within the mission of ICANN and in the spirit of the values contained in the Bylaws.*
- ⦿ *Treat all members of the ICANN community equally, irrespective of nationality, gender, racial or ethnic origin, religion or beliefs, disability, age, or sexual orientation; members of the ICANN community should treat each other with civility both face to face and online.*
- ⦿ *Act fairly and in good faith with other participants in the ICANN process.*

## 5 COMMUNITY DISCUSSIONS

### Engage the community in open discussions about preventative measures

- ⦿ Have open and regular discussions about what steps the community could take to help prevent harassment from happening
- ⦿ Have dialogues with the community so all can understand the most common forms of harassment and the most common venues in which it seems to occur, and it would give community members another safe space to raise their concerns
- ⦿ Understand that taking reasonable and proportionate preventative measures to identify and eliminate harassment is a positive step (rather than taking a reactionary stance)
- ⦿ Consider using discussion group guides (in the ICANN context, this could include guides such as those available from Lean In ([link](#); [link](#))).

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## 6 DIVERSITY AND RESPECT

### Promote diversity and respect through training and awareness campaigns

- ⦿ Keep in mind that in some cases, harassment occurs because harassers are not aware that their conduct is unwelcome
- ⦿ Develop training that encompasses not only awareness about anti-harassment policies but also awareness about unconscious bias, diversity, inclusivity, and equality in order to build a respectful culture
  - Training can build awareness about prohibited conduct and familiarize everyone with procedures to protect victims, investigate claims, and address violations
  - Training can also help to raise awareness about what constitutes unwelcome conduct or what creates a hostile environment; this can be an enriching experience and can improve communications and more confident, comfortable interactions
- ⦿ Use communications to promote a culture that strongly encourages respect and accountability in order to prevent harassment
- ⦿ Use communications and training to discourage bullying and build a stronger anti-harassment culture

## 7 LEADERSHIP

### Promote a culture of diversity and respect through attention to leadership roles

- ⦿ Leaders who champion diversity and respect can help to build and retain a diverse community and ensure that all community members are valued and treated with fairness and respect
- ⦿ Use specific training for leaders to ensure that they are aware of how to model appropriate ways of treating and interacting with others, to serve as an additional resource for the community and to ensure that they are aware of how claims of harassment are treated

## Appendix: Useful Links

- ⦿ <https://hbr.org/2017/11/training-programs-and-reporting-systems-wont-end-sexual-harassment-promoting-more-women-will>
- ⦿ <https://www.nap.edu/resource/24994/Interventions%20for%20Preventing%20Sexual%20Harassment%20final.pdf>
- ⦿ [http://www3.weforum.org/docs/Code\\_of\\_Conduct\\_2017.pdf](http://www3.weforum.org/docs/Code_of_Conduct_2017.pdf)
- ⦿ <https://www.rightscon.org/cms/assets/uploads/2018/04/Access-Now-External-Anti-harassment-policy-20-October-2016-17-April-2018.pdf>
- ⦿ <https://www.baruch.cuny.edu/president/documents/Policy-on-Equal-Opportunity-and-Non-Discrimination-December-2014-with-procedures.pdf>
- ⦿ <https://www.ietf.org/blog/ietf-anti-harassment-policy/>

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- ⦿ <https://sdgresources.relx.com/legal-practical-guidance/sexual-harassment-prevention-planning-post-metoo-workplace> [linked to Global Goals Campaign]
  - ⦿ <http://www.un.org/womenwatch/uncoordination/antiharassment.html>
  - ⦿ [https://www.internetfreedomfestival.org/wiki/index.php/Code\\_of\\_Conduct](https://www.internetfreedomfestival.org/wiki/index.php/Code_of_Conduct)
  - ⦿ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/619/45/PDF/N0561945.pdf?OpenElement>
  - ⦿ [http://www.un.org/womenwatch/osagi/UN\\_system\\_policies/\(UNESCO\)Anti-harassment\\_Policy.pdf](http://www.un.org/womenwatch/osagi/UN_system_policies/(UNESCO)Anti-harassment_Policy.pdf)
  - ⦿ <https://www.defrankcenter.org/about-menu/policies>
  - ⦿ [http://geekfeminism.wikia.com/wiki/Conference\\_anti-harassment/Policy](http://geekfeminism.wikia.com/wiki/Conference_anti-harassment/Policy)
  - ⦿ <http://ec.europa.eu/social/BlobServlet?docId=6163&langId=en>
  - ⦿ <https://www.ncvo.org.uk/ncvo-volunteering/if-volunteering-goes-wrong>
  - ⦿ <https://www.humanrightscommission.vic.gov.au/index.php/resolving-complaints/complaints-to-the-commission>
  - ⦿ <https://www.humanrightscommission.vic.gov.au/index.php/resolving-complaints/complaints-to-the-commission#conciliation>
  - ⦿ <https://www.theiet.org/volunteers/active/how-iet-works/-documents/bullying-policy.cfm?type=pdf>
  - ⦿ [https://www.communitydirectors.com.au/files/policybank/Sexual\\_Harassment\\_Policy\\_March\\_2018.doc](https://www.communitydirectors.com.au/files/policybank/Sexual_Harassment_Policy_March_2018.doc)
  - ⦿ <https://learning.unv.org/mod/page/view.php?id=216>
  - ⦿ [https://unv.or.jp/wp/wp-content/uploads/2013/08/COS\\_INTL\\_SPEC\\_20080901\\_.pdf](https://unv.or.jp/wp/wp-content/uploads/2013/08/COS_INTL_SPEC_20080901_.pdf)
  - ⦿ <https://www.eeoc.gov/eeoc/newsroom/release/6-20-16.cf>
  - ⦿ <https://www.councilofnonprofits.org/tools-resources/sexual-harassment-the-nonprofit-workplace>
  - ⦿ <https://www.nonprofitr.com/nonprofit-workplace-harassment/>
  - ⦿ <https://nonprofitquarterly.org/2018/02/22/time-nonprofit-boards-conversation-sexual-misconduct/>
  - ⦿ <https://leanin.org/sexual-harassment#discussion-guides>
  - ⦿ <https://www.theatlantic.com/business/archive/2017/11/organizations-sexual-harassment/546707/>
  - ⦿ <https://hbr.org/2017/05/the-omissions-that-make-so-many-sexual-harassment-policies-ineffective>
  - ⦿ <https://www.halpernadvisors.com/anti-harassment-education>

