PANEL 5: Practicalities of Establishing a Global ODR System

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Considerations for setting up a program
What we will cover

• What are the “must do’s”?  
• Who do you need to convince?  
• What are some challenges or considerations?
About ICANN

- Internet Corporation for Assigned Names and Numbers
- Co-ordinates the Domain Name System DNS
- .com, .net, .org etc (Generic Top Level domains)
- .biz, .travel, .aero etc (sponsored tld)
- .ca, .uk, .tv etc (country code tld)
Ombudsman Program

- Result of community based renewal process
- Opened in November 2004
- Sole practitioner with 1/10 adjunct
- Receive complaints about “UNFAIRNESS” and use ODR – ADR to resolve

- Audience potentially includes every domain name owner or internet user
What are “must do’s”?

• Establish a policy and operational framework
  – High priority
  – In the public view – transparent- “no secrets”
What are “must do’s”?

• Establish an evaluation framework
  – critical priority
  – In the public view – transparent- “no secrets”
  – Over a period of 5 years (summative evaluation)
  – Demonstrate value
What are “must do’s”?

• Identify key stakeholders and community of interest
• Develop outreach plans
• Develop Web presence
Who has to be convinced?

- Corporate governance
- Courts systems
- Media
- Public
- System users
- Peers and colleagues
- Professional groups
Concerns

- Approaches to conflict
- Language
- Literacy
- Cultural gaps
Challenges

• Geography
  – Country
  – Many countries - Global
  – Province or state
  – City
  – Organization
    • Same location
    • Multiple locations
Challenges

• Communication
  – Language
    • Idioms, dialects, local terms
  – Literacy
    • In writing
    • Computer
Challenges

• Connectivity
• Time Zone
• Activities
  – Work
  – Family responsibility
Challenges

- Asynchronous
- Synchronous
Challenges

• Social – cultural contexts
Challenges

• Data security
  – Record keeping for varying types of Ombudsman practice
Thank you

• Questions?

• Links:
  • www.icannombudsman.org  
  • www.odr.info  
  • www.internetbar.org  
  • www.smartsettle.com  
  • www.themediationroom.com  
  • www.bileta.ac.uk/02papers/hoyle.html
The Values of this Office are:
- Respect for Diversity;
- Excellence in Ombudsmanship;
- Professionalism;
- Confidentiality;
- Impartiality;
- and Independence.