

Frank Fowlie

Office of the Ombudsman

Remarks at Nairobi Public Forum

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Mr. Chairman, Peter Dengate-Thrush, President Rod Beckstrom, 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 note with pleasure that the Board of Directors has considered the recommendations of my last public report. At your February 4th Board meeting, the following resolutions were passed:

“Recommendations of Ombudsman File 09-58

The Board discussed the Ombudsman File 09-58, the conduct of the investigation, and the focus on civility within ICANN, and the need for awareness of cultural

and gender issues to provide for better opportunities for participation.

The Board then took the following action:

Whereas, the Board thanks the Ombudsman for his report on File 09-58 addressing civility issues within ICANN related meetings and discussions;

Whereas, the Board notes that there is ongoing work within ICANN to enhance civility among ICANN participants, and that this topic is of high value to the ICANN community;

Whereas, the Board responds to the Ombudsman

Report as follows:

*It is hereby **RESOLVED** (2010.02.04.16) that the*

Board affirms that all participants in ICANN are

expected to adhere to the Expected Standards of

Behavior as published in the ICANN Accountability &

*Transparency: Frameworks and Principles, found at:
<http://www.icann.org/en/transparency/acct-trans-frameworks-principles-10jan08.pdf>.*

*It is further **RESOLVED** (2010.02.04.17) that the Board requests that the CEO direct ICANN Staff to provide at least annual reminders of the Expected Standards of Behavior to the membership of ICANN's supporting organizations and advisory committees, and to consider the other proposals by the Ombudsman to enhance civility.*

One Board member abstained from voting on these resolutions. All other Board members in attendance voted in favor of these resolutions.”

Mr. Chairman, I look forward to working with the President and the staff in the consideration of the

remaining eleven recommendations made in this Report.

Mr. Chairman, in the coming months before our next ICANN Meeting in Brussels, I have been invited to speak at an international symposium hosted by the United Nations Commission on International Trade Law (UNCITRAL) and Pace University. The topic of the presentation is the establishment of the Office of the Ombudsman as a global ODR program, and will look at key aspects of establishing wide ranging ODR mechanisms. The Ombudsman will outline the necessity for the consideration of operational and evaluation frameworks, linguistic and cultural challenges, case management systems, and outreach.

I will also be attending the 2010 International Forum on Online Dispute Resolution, and will be presenting research on the outcomes of ODR training in developing and under-developed states. This research is based on our experience of hosting 16 guests at the 2008 International Forum held in Victoria, and chaired by me. These guests were funded by the Canadian International Development Agency (CIDA).

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