

Frank Fowlie

Office of the Ombudsman

Remarks at Mar del Plata Public Forum

April 7, 2005

Check against delivery

Mr. Chairman, Vint Cerf, 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 this morning. Buenos Dias.

It is a very great pleasure for me to be here this morning to bring you this, my first update on the Office of the Ombudsman and its activities.

It has been a busy time for this Office since we last met in Capetown. As you can imagine there has been a lot of work to set up the office, establish working relationships, and create the necessary written frameworks for the guidance of the Office, as well as meeting the day to day operational needs by

responding to complaints and enquiries from the members of the ICANN community.

My approach in establishing the Office has been to try to get the fundamentals right, so that, over time, the emphasis can be spent on doing what I see are the core functions of this job: to receive and investigate complaints; to make referrals; to use best practices in Ombudsmanship; to conduct Outreach in order to raise awareness of the Ombudsman function in the ICANN community; and to develop and use appropriate communications tools.

Behind me you can see the value statement of the Office of the Ombudsman. These are the core values of my Office. They are on the webpage, and on every

email that sent from my Office, and are a public and transparent pronouncement of how I intend to conduct the business of Ombudsmanship. The Ombudsman is committed to recognizing and respecting the diversity of the ICANN community; to achieving excellence in Ombudsmanship, not simply in the standards of service provided to the community, but in comparison to Ombudsman universe; to exhibit the highest standards of professionalism, towards individuals contacting the Ombudsman, ICANN, the board, and the community at large; to conduct ADR processes privately and confidentially; to be seen as having no bias to any party nor any predisposition to any outcome of a complaint; and finally, to be regarded by all parties, the community, staff, the board, and myself, as an independent officer, remote

from the day to day activities of ICANN.

The main communication vehicle, especially in this community is the Ombudsman webpage. If you have not already visited this site, I would encourage you to do so. The URL is on the slide.

On the site there are two fundamental documents: the Ombudsman Framework, and the Results Based Management Accountability Framework or RMAF.

The Ombudsman Framework is basically the document which describes how the Ombudsman will receive and deal with complaints from the ICANN community.

The RMAF contains a description of the role of the office, a logic model, an evaluation strategy, and a

reporting strategy. The logic model is a key document as it describes the Office of the Ombudsman's program in terms of its planned activities, outputs, and desired outcomes. It also demonstrates the relationship between the Ombudsman and the desired ICANN outcomes of a stable, secure, and universal internet.

The Ombudsman website also has a number of tools to assist members of the ICANN community. The principal tool is an online complaint form, which can be submitted in the complainant's language of choice. There is also a direct email link to the Ombudsman, and a set of "Ask the Ombudsman" Questions based on issues which have been raised by the community.

Over the next few slides I would like to summarize the contacts that the Office has had with members of the ICANN community.

In the first slide, there is a break down of contacts on a month by month basis, current to yesterday. While it is too early to make any firm predictions on volume, I would not be surprised to find that the number of contacts over a year will exceed 250 per year.

The second slide shows the geographic distribution based on the origin of the contact. Contacts have come from North America, Europe, Africa, and Asia. This chart indicates to me that although the Office is becoming widely known, there is still outreach work to be done in the future in some areas of the world. I

would hope that my presence in Latin America this week will act as a catalyst to open lines of communication in this part of the globe.

The third chart shows a breakdown of the types of issues brought this Office. You can see that there are a number of categories of issues that that community has raised with me.

Many of the complaints I receive are not purely Ombudsman issues; that is they are not related to an action, decision, or inaction of the ICANN Board, staff, or supporting organization. But, at least 17% of the 70 complaints have been within my jurisdiction, and have been, or are under review.



I think that it is important to note that end users of the network view ICANN as a credible source to turn to when they are having some difficulty at some level, and when consumers and members of the community reach out to ICANN for information and assistance, this office will endeavor to ensure that they receive the appropriate referral. Even those issues which are not within my jurisdiction require time and carefully formulated assistance for consumers. An important latent aspect of this Office is to provide a single portal for all consumer issues brought to this Office. I don't want to further frustrate already frustrated consumers by simply telling them, "It's not my job" and closing off communication.

I want to underline the assistance of ICANN staff in responding to these complaints and enquiries. I have found them to be genuinely interested and engaged in resolving conflict issues. While not wanting to exclude the work of other staff members, I want to note the work of Tim Cole, Chief Registrar Liaison, who has actioned a large number of the issues which I have referred.

### The Future

A good start has been made, but there is still work to be done. In Capetown, Vint expressed his hope that I would be as lonely as the Maytag repairman, sitting by myself in Vancouver. I hate to disappoint, but I think I will be a bit busier than that. To that end, I am looking forward to having a case management system in

place in the next few months, now that all of the parameters have been identified.

Obviously the prime task will be to continue with the complaint resolution and referrals.

I also look forward to continuing Outreach activities to raise awareness about the Office of the Ombudsman within the ICANN community.

Finally, I will continue to participate in various International Ombudsman Fora, and to ensure that this Office operates to the highest of standards in the field of Ombudsmanship.

Mr. Chairman that concludes my report. Thank you for the opportunity to address the Public Forum this morning.

Gracias, thank you, merci beaucoup.