

Below are **responses** that **explicitly identify gaps and areas for improvement**, written from the perspective of an **individual ICANN community member**, while remaining constructive, evidence-based, and aligned with the Public Comment format. Each response includes **clear improvement recommendations** and **explicit references**.

Question 1

Does the document effectively reduce ambiguity around expectations and outcomes of the Ombuds process?

Response:

The draft *ICANN Office of Ombuds Framework and Process* significantly improves clarity compared to the 2009 framework by defining key terms, outlining distinct process pathways, and clearly stating the limits of the Ombuds' authority, including the inability to overturn Board or policy decisions. The categorization of possible case outcomes also helps set more realistic expectations for community members.

Identified gaps/areas for improvement:

From the perspective of an individual community member, the document remains **dense and procedurally complex**, particularly for first-time users and participants from underrepresented regions. While definitions are precise, they are primarily written for institutional or legal audiences. The absence of **plain-language summaries, illustrative case examples, or a high-level “what to expect” overview** may still leave some uncertainty about practical outcomes and user experience.

Suggested improvement:

Include a short, user-facing section summarizing the Ombuds process in plain language, supplemented by illustrative hypothetical examples that demonstrate typical scenarios and outcomes.

Reference:

ICANN Office of Ombuds Framework and Process (Draft, 22 December 2025), Sections 1, 2, and 10; ICANN Bylaws, Article 5.

Question 2

Do the proposed timelines balance timeliness with due process for complex cases?

Response:

The proposed timelines strike an appropriate balance between responsiveness and due process. Early acknowledgments and defined investigation windows reflect an understanding of both community expectations for timely engagement and the need for thorough, fair evaluations in

complex cases. The inclusion of flexibility and communication obligations in cases of delay is particularly positive.

Identified gaps/areas for improvement:

For an individual community member, especially one operating across time zones or language barriers, the timelines may still feel **opaque once a case moves beyond intake**. While ranges (e.g., 60–90 days) are provided, there is limited visibility into **intermediate milestones**, which may contribute to uncertainty or perceptions of inactivity during longer investigations.

Suggested improvement:

Introduce non-binding interim status updates (e.g., “assessment ongoing,” “evidence gathering,” “drafting findings”) at defined points to enhance transparency without compromising confidentiality or independence.

Reference:

ICANN Office of Ombuds Framework and Process (Draft, 22 December 2025), Section 4.3 (Timescale).

Question 3

Are independence and confidentiality safeguards sufficient to build trust, particularly for underrepresented regions and groups?

Response:

The draft establishes strong formal safeguards for independence and confidentiality, consistent with ICANN Bylaws and international ombuds standards. Reporting directly to the Board, protections around removal, and robust confidentiality provisions provide a solid institutional foundation for trust.

Identified gaps/areas for improvement:

From an individual community member’s perspective—particularly one from an underrepresented region or smaller stakeholder group—formal safeguards alone may not fully address **perceived power asymmetries or fear of informal retaliation**. The document does not explicitly articulate how concerns about retaliation will be handled, nor does it sufficiently address how cultural, linguistic, or regional barriers may affect willingness to engage the Ombuds Office.

Suggested improvement:

Strengthen trust by explicitly including:

- A clear anti-retaliation statement;
- Reassurance regarding protections when complaints involve influential actors; and
- A commitment to culturally sensitive outreach and accessibility (e.g., language support, community briefings).

Reference:

ICANN Office of Ombuds Framework and Process (Draft, 22 December 2025), Sections 2.1 and 3.1–3.6; ICANN Bylaws, Article 5.

Question 4

Does the interaction among the Ombuds, CAHP, and Reconsideration processes avoid duplication and gaps?

Response:

The Framework makes a strong effort to delineate responsibilities among the Ombuds, the Community Anti-Harassment Policy (CAHP), and Reconsideration processes. The separation of mandates and the Ombuds' referral obligations reduces the likelihood of duplication or conflicting outcomes.

Identified gaps/areas for improvement:

For individual community members, the **overall accountability ecosystem remains complex**, and the distinctions among Ombuds complaints, CAHP complaints, and Reconsideration Requests may still be confusing at the point of entry. While the Ombuds guides intake, the Framework relies heavily on procedural explanations rather than intuitive navigation aids. Including some form of graphic or flowchart could enhance the procedural explanations.

Suggested improvement:

Add a consolidated visual decision tree or comparison table that clearly indicates:

- Which mechanism to use for common scenarios?
- When escalation or referral occurs, and
- How these processes interact sequentially or in parallel.

This would materially reduce the risk of misfiling and improve accessibility for non-expert participants.

Reference:

ICANN Office of Ombuds Framework and Process (Draft, 22 December 2025), Sections 6–8; ICANN Bylaws, Articles 4 and 5; Community Anti-Harassment Policy.

Overall Community Perspective (Optional Closing Sentence for the Form)

From an individual community member's standpoint, the draft Framework represents a meaningful and necessary evolution of the Ombuds function. The remaining gaps are primarily **usability and accessibility issues**, not structural flaws, and can be addressed through targeted enhancements without altering the core governance model.