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AT-LARGE ADVISORY COMMITTEE
ICANN Office of Ombuds Framework and Process

Preamble

On 23 December 2025, the Public Comment proceeding opened for the ICANN Office of Ombuds Framework and Process. An At-Large workspace was created in preparation for this Public Comment submission. The At-Large Operations, Finance and Budget working group (OFB WG) reviewed the public and decided it would be in the interest of end users to develop and submit an ALAC Public Comment Statement.

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Ratification Record

On 23 December, the Public Comment proceeding opened for the ICANN Office of Ombuds Framework and Process. On 15 January 2026, Abedunmi Akinbo, Alfredo Calderon, Claire Craig Stephen Daky, Avri Doria, Pari Esfandiari, Hannah Frank, Judith Hellerstein, Vanda Scartezini Aftab Siddiqui, discussed the comments for the ALAC statement during the OFB WG call. The At-Large OFB WG decided it would be in the interest of end users to develop and submit an ALAC statement for this Public Comment proceeding, Abedunmi Akinbo, Alfredo Calderon, Claire Craig Stephen Daky, Avri Doria, Pari Esfandiari, Hannah Frank, Judith Hellerstein, Vanda Scartezini, Aftab Siddiqui volunteered to draft the initial ALAC statement OFB-WG consideration and ALAC endorsement.

On 22 January 2026, the initial draft statement was shared with the OFB WG for review and input. On 29 January, the At-Large Public Comment Statement was finalized. The ALAC Chair,

Jonathan Zuck, requested that the Public Comment Statement be ratified by the ALAC before submission to the ICANN Public Comment feature.

On 09 February, staff confirmed the online vote resulted in the ALAC endorsing the statement with 14 out of 15 votes in favor. 0 votes against, and 0 abstentions. Please note 93% of ALAC members participated in the poll. The ALAC members who participated in the poll are (alphabetical order by first name): Adebunmi Akinbo, Aftab Siddiqui, Aziz Hilali, Claire Craig, Eunice Alejandra Perez Coello, Emilia Zalewska-Czajczynska, Hannah Frank, Jonathan Zuck, Judith Hellerstein, Justine Chew, Natalie Tercova, Pari Esfandiari, Raihanath Gbadamassi, Satish Babu. You may view the results here:

The ALAC has been asked to vote on the ALAC Statement on the ICANN Office of Ombuds Framework and Process. Do you agree with this Statement?			
Total Voters:15			
Choice 	View Raw Votes 	Votes	Percentage 
Yes		14	100.00%
No		0	0.00%
Abstain		0	0.00%

Introduction

ALAC and At-Large Community Comments

The ALAC and the At Large Community appreciate the opportunity to comment on the proposed revisions to the ICANN Office of Ombuds Framework and Process document. This updated framework represents a significant improvement over the 2009 version offering greater comprehensiveness, clarity and detail. The document effectively articulates the process for engaging with the Ombuds Office and sets realistic expectations for community members regarding potential outcomes. We commend the substantial effort invested in developing this revised framework, which establishes a clearer, more robust, and comprehensive process. While we support this work, we offer several recommendations that we believe can further enhance the document and strengthen its effectiveness, transparency, and accountability.

End-User Impact

The ICANN Office of Ombuds Framework and Process plays a critical role in ensuring fairness, accountability, and trust in ICANN's multistakeholder model. End users—particularly individual community members, representatives from developing regions, and participants without institutional or legal support—often rely on the Ombuds Office as the most accessible and least intimidating avenue to raise concerns about unfair treatment, procedural issues, or harassment of end-users.

The ALAC Comments on the ICANN Office of Ombuds Framework and Process

Positive Observations

The ALAC is of the view that this document effectively increases clarity, reduces ambiguity and uncertainty around expectations and outcomes of the Ombuds process, and how the Ombuds Office can intervene and what outcomes can reasonably be expected. It is more comprehensive and detailed compared to the 2009 version. We highlight the following inclusion:

- Definitions
- Role, Scope, and Responsibility of the Ombuds and the Ombuds Office
- Ombuds Office Standards and Overarching Principles & Processes
- Intake and Initial Assessment (including Timelines)
- Conflict Resolution
- Complaints and Unfairness
- Closing a Case

Additionally, the draft significantly reduces ambiguity compared to the 2009 framework by:

- Clearly distinguishing conflict, complaint, dispute, and investigation, supported by precise definitions and process pathways.
- Explicitly stating what the Ombuds can and cannot do, including the absence of authority to overturn Board or policy decisions, while retaining investigative and recommendatory powers consistent with Article 5 of the Bylaws.
- Defining outcomes using standardized closure categories (e.g., substantiated, partially substantiated, not substantiated, system improvement), which helps manage expectations about results

The ALAC commends the formalization of the 'Own Initiative Investigation' (Section 2.1.3); this is a vital evolution that allows the Ombuds to proactively address systemic patterns of unfairness even in the absence of a formal complaint, which is often difficult for individual volunteers to file. However, the ALAC At-Large suggests that the Board's role in approving investigations be framed as a 'consultative' step rather than a 'veto.' This preserves the Ombuds' role as an independent filter, which actually shields both the Board and community leadership from the perception of political interference.

The ALAC believes that the draft makes a clear and thoughtful effort to avoid overlap, duplication, and remove gaps among the Ombuds Office, the Community Anti- Harassment Policy (CAHP), and the Reconsideration process through operational coordination by ensuring that:

- CAHP complaints are explicitly handled under a defined investigative pathway, with clear escalation rules when staff or Board members are involved.
- Reconsideration Requests are procedurally separated, with the Ombuds providing a substantive evaluation only when not recused, preserving impartiality and avoiding role conflict.
- The Ombuds' obligation to refer matters to alternative accountability mechanisms when appropriate reduces forum shopping and duplication.

Nonetheless, some further refinement is needed. While role clarity is strong, expectations could be further improved through concise, user-facing summaries or illustrative case examples, especially for first-time or non-native English participants.

Enhancing Process Integrity and Systemic Transparency

While the ALAC appreciates the framework's focus on individual complaints, we believe the document could be further strengthened by addressing the health of our collective processes. By providing a clear, objective mechanism to validate that our bottom-up processes remain robust and inclusive. We suggest the following refinements:

- **Objective Validation of Consensus:** To support the credibility of community outputs, the Framework should empower the Ombuds to provide an objective 'process check' when requested. This ensures that final reports are seen by the Board as truly representative of the full breadth of community input, including minority views, thereby protecting leadership from claims of procedural unfairness.
- **Support for New Voices:** The framework should explicitly recognize that 'administrative fairness' includes ensuring that newer or less-resourced members have clear, non-confrontational paths to share their perspectives. By formalizing protections against any form of procedural marginalization, we create a safer, more productive environment for the entire volunteer community.

There is still some potential confusion with the Ombuds Office, the Community Anti-Harassment Policy (CAHP), and the Reconsideration process, particularly at intake for community members unfamiliar with ICANN's accountability ecosystem. This risk is mitigated—but not eliminated—by the Ombuds' advisory role during intake. The ALAC suggests the inclusion of a single visual decision tree or comparative table showing when to use Ombuds vs. CAHP vs. Reconsideration as an approach to further reduce gaps and misrouting.

Gaps or Areas for Improvement

There are areas where the document is vague and lacks clarity and needs more explanation, and possibly some SMART measurable objectives. Examples of these are the use of words like promptly, as soon as possible, and reasonable. There is still a lack of clarity around how complainants are kept informed during the process. While the draft mentions updates in case of delays, it would be helpful to explicitly require periodic status updates to complainants, even when there is no substantive progress, as this shows that the issue is still important but that work has not been completed. This provides the submitter with acknowledgement and helps to avoid uncertainty and disengagement. The ALAC recognises that this document sets out the framework of the operations of the office of the Ombuds and is not an operational document, so we recommend publication of service standards (e.g., response times, closure times, escalation thresholds). The ALAC's concern is not the length of timelines per se, but the lack of differentiation and clarity in their application.

The ALAC noted as well that some timescales identified for handling of different issues appear longer than reasonably expected. However, we understand that the proposed timelines demonstrate a deliberate balance between responsiveness and procedural fairness. This complexity-based rationale further highlights the need to clearly distinguish between timelines applicable to Ombuds case handling and those applicable to responses to Ombuds reports or recommendations, as these stages engage different proportionality and accountability considerations. We believe that these are demonstrated in the following ways:

- Early-stage responsiveness (acknowledgment within 2–5 working days; meetings within 5–7 days) supports action and trust.
- More substantive stages allow 25 working days for scoping and 60–90 days for investigations, recognizing evidentiary complexity, confidentiality needs, and the right of parties to be heard.
- Flexibility is explicitly built in, with commitments to ongoing communication where delays occur, which is critical for fairness in complex or sensitive cases.
- Moreover, the ALAC/At-large believes that these timelines align with good practice in institutional ombuds systems and reflect lessons learned from accountability reforms (Work Stream 2), avoiding both undue delay and procedural haste.

In this regard, we consider it is helpful to illustrate the proposed timelines through concrete examples, while explicitly linking their application to the level of each case complexity, consistent with a triage-oriented approach. Within the ICANN context, timelines of 60–90 days may be appropriate and justified for high-complexity cases, such as:

- Harassment complaints, particularly where there are significant power imbalances, confidentiality concerns, or risks of retaliation, require careful fact-finding, multiple interviews, and trust-building with complainants to ensure a fair and trauma-informed process.

- Cross-regional or multilingual cases, involving community members from different regions, time zones, or linguistic and cultural contexts, where translation, interpretation, and careful contextual understanding are required.
- Cases suggesting emerging patterns of concern, where an individual complaint may indicate a broader issue but requires additional time to determine whether it is isolated or part of a systemic problem.
- Cases with significant reputational or institutional impact, where findings or recommendations could affect the credibility of a major community process or have broader implications beyond the individual case.
- At the same time, we emphasize that without clear differentiation, longer timelines risk being applied to relatively straightforward or time-sensitive cases, potentially undermining predictability, accessibility, the effectiveness of the Ombuds process, and weakening the rights of complainants to a timely and effective review of their complaints.

For individual community members, especially those from developing regions or without institutional backing, the Ombuds must be seen as truly independent from ICANN management and the Board. Since the ombuds is reporting directly to the board, the ALAC requests clearer structural and procedural guarantees of independence, beyond statements of principle.

- There should be clear and visible escalation logic for systemic problems, whether the issue is ill-treatment or harassment.

For Noting

The following issue does not require substantive revision but merits clarification to avoid confusion. The ALAC notes that the word “jurisdiction” has been replaced with “scope,” but language pertaining to the types of issues that the Ombuds Office can address has not changed from the 2009 document. This is confusing, and we suggest some additional clarity here.

Overall Assessment

Overall, the ALAC believes that independence and confidentiality safeguards are sufficient to build trust, particularly for underrepresented regions and groups, once sufficient attention is placed on implementation and outreach. From a governance perspective, safeguards are robust because the structural independence is clearly anchored in the Bylaws, including reporting lines to the Board, protection against arbitrary removal, and independent access to information. Confidentiality obligations are comprehensive, with narrowly defined exceptions (e.g., imminent harm, legal compulsion), consistent with international ombuds standards. Moreover, there are explicit commitments to dignity, respect, impartiality, and avoidance of harm, which support psychological safety for complainants.

For underrepresented regions and marginalized groups, formal safeguards alone are necessary but not sufficient. Trust will also depend on culturally competent outreach, clear anti-retaliation messaging, and transparency through anonymized reporting of trends and systemic improvements.

Collectively, the draft Framework substantially improves clarity, predictability, and coherence, balances efficiency with due process, and strengthens trust through independence and confidentiality, while leaving limited, well-defined opportunities for improvement focused on accessibility, usability, and community-facing explanations rather than core governance design. A clear, independent, and well-resourced Ombuds function helps ensure that end users and community volunteers can participate in ICANN activities without fear of retaliation, marginalisation, or procedural injustice. Timely resolution of complaints, protection of confidentiality, and the availability of impartial resolution contribute to a safe and inclusive environment in which diverse voices can be heard. Furthermore, public reporting of anonymised trends and systemic issues identified by the Ombuds can improve organisational learning and accountability.

To improve the document's overall clarity and completeness, the ALAC recommends the following:

- Committing to publish reporting trends, outcomes, and organisational learning of reported issues;
- Implementing a formal mechanism for Board response and follow-up on Ombuds recommendations, and they should all be in the public domain, and
- Inclusion of a Graphic or Flow Diagram similar to the one used in the 2009 document would also be useful and should be included in the final framework document <https://www.icann.org/en/system/files/files/ombudsman-framework-26mar09-en.pdf>