

RrSG Draft Public Comment: ICANN Office of Ombuds Framework and Process

10 February 2026

The Registrar Stakeholder Group (“RrSG”) appreciates the opportunity to provide a comment on the ICANN Office of Ombuds Framework and Process (“Framework”) and the work of the ICANN Ombuds in revising the Framework.

The Registrar Stakeholder Group (RrSG) is the representative body of ICANN-accredited domain name registrars. Operating with numerous subgroups focused on specific topics of interest, the RrSG contributes to policy development, issue advocacy, and negotiations with ICANN. We work to advance the interests of registrars and our customers by promoting data-driven policy outcomes. Learn more about the RrSG on our website rrsg.org.

Overall comments

The RrSG supports the revised Framework as it provides a clear scope for the Ombuds role, a defined path and timeline for complaints, and an expectation of public reporting. Since the appointment of the new Ombudsperson in late 2024 our experience has been that the Ombudsperson is welcoming, respectful, and maintains confidentiality permitting complex or sensitive issues to be addressed appropriately.

In contexts where the Respondent refuses to comply with the remedial action identified by the Ombuds, the RrSG agrees that it is appropriate for the matter to be referred to the Board. It may be helpful to build in a warning process, at least in some cases, such that the Respondent is notified in advance of that referral and given one final opportunity to comply.

Timelines

Noting that the Ombuds aims to conclude investigations within 60 to 90 days, a reasonable timeframe, how does that fit with the requirement in §9 to respond to an Ombuds request for information within 60-90 days? **It may be worth considering shortening the period for that response** to ensure that the Ombuds can request information while remaining within that overall goal timeframe.

ICANN Staff Access to Ombuds process

There seems to be some discrepancy regarding whether the Ombudsperson has remit over ICANN Staff matters. This may be because the Framework attempts to distinguish between interactions between ICANN Staff (only) and interactions between ICANN Staff and

Community members or otherwise facilitated by ICANN Community events, however it does not clearly achieve this delineation.

Page 5 of the Framework says:

The Ombuds Office receives and has responsibility to address issues of unfairness claimed by Community Members including Matters that arise as a result of:

- Decisions, actions, or inactions by a member/members of ICANN staff;

Page 11 of the Framework says:

There are some Cases where the Ombuds Office may have a role to play but does not have the remit to address independently. These may include Complaints related to:

- [...]
- Behavior or conduct of a staff member; or

A staff member's "behavior or conduct" would include their "decisions, actions, or inactions" so this contradiction is confusing.

Understanding that staff members maintain independent employment or consulting relationships with ICANN Org and with no intention of interfering with those arrangements, **the RrSG strongly recommends that ICANN Staff members be included in the class of ICANN Community members who should have recourse to the Ombudsperson in cases where they are the subject of unfair or disrespectful treatment**, whether the perpetrator is an ICANN Community member or an ICANN Staff member. ICANN Staff are in some ways *more* vulnerable to inappropriate treatment than are Community members: their employment relies on them interacting with the Community and they may not feel empowered to leave a meeting or escalate a complaint. It is therefore all the more important to ensure that ICANN Staff have the protection of a neutral and confidential Ombudsperson.

Conclusion

The RrSG supports the revised Framework, with suggestions to consider adjusting the timing for responses to the Ombudsperson's investigation, and to ensure that ICANN Staff are covered under the Framework and have access to the Ombudsperson.

Thank you,

Owen Smigelski

Registrar Stakeholder Group Chair