Mr. Akram Atallah

Interim President and CEO; President, Global Domains Division

ICANN

Dear Akram,

On behalf of the GNSO Council, we would like to thank you for your recent blog post (“Conduct at ICANN Meetings”)[[1]](#footnote-1). Members of the Council, and all of the GNSO Stakeholder Groups and Constituencies, share the goal of ensuring that all members of the community can participate in and contribute to ICANN, in an environment where harassment and discrimination are not tolerated.

Without passing judgment on any specific incident, we are encouraged by the commitment from Staff and the Board to engage the community on this subject. In support of this, volunteers on the Council have prepared a draft “ICANN Conference Harassment Policy – Key Points for Consideration”, which we attach to this note as a non-exhaustive list of considerations when developing such a policy. Several questions remain open, however, including:

* Whether this Policy would enhance, or be distinct from, the existing Expected Standards of Behavior;
* How to ensure that any definitions or standards that are incorporated into a Policy account for cultural diversity in ICANN’s global environment while providing sufficient clarity and guidance (for example, differentiating between inappropriate remarks or actions and harassing, demeaning and/or abusive behavior);
* Whether complaints would be reported to ICANN Staff, or the Office of the Ombudsman, or some other entity or group;
* What procedural due process protections will be established for parties to the dispute, and what standard of proof shall be required for an adverse finding;
* What procedures need to be developed so that those matters that constitute violations of law are reported immediately by ICANN or the complaining party to the proper authorities;
* How the policy will be enforced; and
* Other topics and questions that will arise from this work.

We expect that members of the GNSO community will be engaged in this effort, and note that some have already undertaken work in their own groups (e.g. the “Statement from NCUC Executive Committee”[[2]](#footnote-2)).  Additionally, the following references and sources were suggested by Councilors and GNSO community members, some of whom also note that appropriate limited guidance may be provided by various government agencies:

* IETF Harassment Policy and related documents <https://www.ietf.org/blog/2016/04/team-to-help-regarding-harassment-concerns/>;
* An example policy and other resources that have been adopted by other technology-related event initiatives: <https://adainitiative.org/continue-our-work/conference-policies/>.

We recommend that these materials be considered in any community undertaking to develop new policy or standards addressing this issue.

Thank you.

Donna Austin, GNSO Vice-Chair

James Bladel, GNSO Chair

Heather Forrest, GNSO Vice-Chair

1. <https://www.icann.org/news/blog/conduct-at-icann-meetings>. [↑](#footnote-ref-1)
2. <http://lists.ncuc.org/pipermail/ncuc-discuss/2016-March/018488.html>. [↑](#footnote-ref-2)