



June 25, 2016

Via Electronic Mail

comments-expected-standards-revisions-16may16@icann.org

Re: Revisions to ICANN Expected Standards of Behaviors

Google Inc. appreciates the opportunity to comment on ICANN's proposed Revisions to ICANN Expected Standards of Behaviors. This is an important topic and we applaud ICANN's attempt to deal with it in light of discussion at ICANN 55.

We support ICANN in its decision to revise its Expected Standards of Behavior and to address harassment in particular. It is imperative that ICANN provide all participants in the multistakeholder process with a safe forum. In addition to being consistent with general human rights principles and legal norms throughout the world, an environment free of harassment is essential to meaningful inclusion and engagement by a diverse range of participants.

We believe that the currently proposed revisions represent a significant improvement in this regard, but that they could be further strengthened in at least one important respect. First, we note that ICANN's proposed standards are very similar to the harassment policy adopted by the IETF, but do not include the IETF's examples of specific behavior that would be considered to be harassment¹. ICANN's expected standards would be improved by the inclusion of similar examples.

More importantly than the exact language in the Expected Standards of Behavior, however, ICANN must pair the Standards with an effective grievance mechanism for receiving and resolving complaints related to harassment at ICANN events. Although we are aware that in recent months some members of the ICANN community have raised issues related to harassment with ICANN's Ombudsman, we do not believe that the Ombudsman is chartered with resolving such complaints. Also, an effective resolution mechanism would include the ability for ICANN to take appropriate disciplinary action against a harasser; because the Ombudsman's decisions are advisory only, we believe a new mechanism must be established.

¹ The IETF enumerates the following examples: "the use of offensive language or sexual imagery in public presentations and displays, degrading verbal comments, deliberate intimidation, stalking, harassing photography or recording, inappropriate physical contact, and unwelcome sexual attention."

We encourage ICANN to establish a clear process for accepting and resolving complaints as soon as possible; although it may be too late to do so in advance of the Helsinki meeting, we believe ICANN should strive to have such a process in place no later than ICANN 57 in Hyderabad.

Thank you for the opportunity to comment on this important matter.

Sincerely,

/s/

Jordyn A. Buchanan