## Key Points to Consider in a Potential Anti-Harassment Policy

The following represents key points for consideration regarding a proposed ICANN Anti-Harassment Policy. Such a policy should aim to strengthen and safeguard the ICANN working environment so that it is a welcoming and enabling diverse environment for stakeholders from all backgrounds.

* As used in this policy, harassment[[1]](#footnote-1) includes:
* Inappropriate remarks, pictures, comments, jokes, slurs, or verbal conduct directed at or about an individual, including remarks about race, color, religion, national origin, [gender or sex] (including same sex or sexual orientation), pregnancy, childbirth, or related medical conditions, age, [disability or handicap], citizenship status, service member status or other personal characteristics;
* Inappropriate communication directed at or about an individual regardless of medium, of pictures, drawings, photographs, figurines, or other graphic images, conduct, or communications, including e-mail, faxes, and copies. This includes material of a personal nature pertaining to an individual’s race, color, religion, national origin, [gender or sex] (including same sex or sexual orientation), pregnancy, childbirth, or related medical conditions, age, [disability or handicap], citizenship status, or service member status;
* Stalking of another individual;
* Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
* Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.
* This ICANN anti-harassment policy also absolutely prohibits retaliation, which includes: threatening an individual or taking any unfounded adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.
* All participants and attendees of ICANN meetings are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct in their activities at ICANN meetings. No attendee or other ICANN participant may suggest to any individual that their role or interests would be affected by the individual entering into (or refusing to enter into) a personal relationship with the another attendee or participant, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy. For clarification, “ICANN meeting” means an ICANN Public Meeting listed on the ICANN meetings calendar as a numbered ICANN meeting (e.g. ICANN56), or any other event organized by ICANN staff for which ICANN has primary responsibility for conference management (e.g. the Global Domains Division Summit and inter-sessional meetings organized by ICANN for one or more of its Bylaws-constituted community groups). While the term would include social events at ICANN Public Meetings that are organized and hosted by ICANN as part of the official meeting agenda, it does not include events held during or in conjunction with an ICANN meeting sponsored by a third party.

The following paragraph should be included in the conference registration process, with a link to the policy:

* By participating in an ICANN meeting, you agree to refrain from harassment, discrimination, or retaliation of other attendees throughout the conference period. Individuals are encouraged to report any behavior by others that they either experience or observe, and that they believe in good faith to constitute harassing, discriminating or retaliatory conduct, to [named ICANN staff member or entity]. A report may be made using the steps listed below.
* If you have experienced or observed behavior that in your view constitutes harassment under this policy, by anyone at an ICANN meeting, including and not limited to ICANN conference attendees, participants, sponsors, contractors, staff and board members, you should report the matter. Due to the very serious nature of harassment, discrimination and retaliation, report your concerns to one of the individuals listed below:
  1. First, report the incident to the [named ICANN staff member or entity].
  2. If you are not satisfied after you speak with the named contact or if you feel that you cannot speak to the named contact, you may report the incident via [xxxxx@ICANN.org](mailto:xxxxx@ICANN.org).
  3. If you are not satisfied with the response to your submission, then contact [xxx, ICANN staff members].
* ICANN Staff [or the appropriate body] will investigate reports and take prompt, appropriate remedial action. ICANN will strive to protect the confidentiality of individual(s) reporting suspected violations of the incident(s) to the extent permissible and with due regard for procedural fairness.
* Individuals must act in good faith when reporting alleged harassment, discrimination, retaliation, or other actions which they believe violate this policy. The first goal of the policy is to support a consensus approach to conflict resolution, and to end unwanted behavior.
* Persons who violate this policy may be subject to removal from the current and/or future event(s) and conference(s), and other appropriate measures as an outcome of investigations conducted under this policy, including reports to the applicable law enforcement authority.

**ICANN Staff Responsibility**

* Any staff member who is made aware of any form of harassment or potential incidents arising under this policy is required to immediately follow the procedures prescribed in the applicable ICANN staff policy.
* Each staff member has a responsibility to maintain a working atmosphere free of all forms of harassment and intimidation, and for upholding this policy and the ICANN Expected Standards of Behavior <https://meetings.icann.org/sites/default/files/icann-standards_of_behavior-jul14.pdf>,.
* Questions regarding the above policy or reporting and investigative procedures may be brought at any time to [xxxx@icann.org](mailto:xxxx@icann.org).

1. The term "harass" as defined in Merriam-Webster means: (a)  [exhaust](http://www.merriam-webster.com/dictionary/exhaust), [fatigue](http://www.merriam-webster.com/dictionary/fatigue); or (b)(1):  to annoy persistently; or (2): to create an unpleasant or hostile situation for especially by uninvited and unwelcome verbal or physical conduct. [↑](#footnote-ref-1)