



20 July 2018

RE: Response to Complaint Regarding Handling of Contractual Compliance Ticket

Ahmad Haqqi
Via electronic mail

Dear Ahmad Haqqi,

Thank you for your submission. In your complaint (see: <https://www.icann.org/en/system/files/files/complaint-c-2018-00012-redacted-22mar18-en.pdf>) you explain that you contacted the ICANN org (all subsequent uses of "ICANN" refer to the ICANN organization) regarding issues you were experiencing with your registrar, its pricing, its handling of your missed renewal, and its redemption policies. Additionally, your complaint explained that you did not receive adequate support or communication from ICANN's Contractual Compliance and/or Global Support Center teams. I appreciate the frustration this has caused you and understand that sometimes the complex rules around domain registrations can be challenging to navigate. I appreciate you contacting the Complaints Office regarding this matter. I've researched this issue with various departments inside ICANN and worked with the Contractual Compliance and Global Support Center teams to provide you with this response.

Following my research and internal discussions, I have found that once a registrant such as yourself has missed the renewal of one or more domain names, ICANN is unable to assist as missed renewal or redemption of a domain name does not implicate an ICANN policy or contract and there is no jurisdiction for ICANN to intervene. Please be aware that ICANN does not have the ability or authority to compel your registrar to transfer or otherwise return a domain name to you. In addition, registrars may charge redemption or restoration fees for the expired domain name and ICANN does not set minimum or maximum prices for registrations or renewals. Pricing decisions and registration terms are within the discretion of the contracted parties, subject to compliance with the terms of the Registrar Accreditation Agreement, Registry Agreements, and ICANN's Consensus Policies.

While I suspect this is not the answer you were hoping for, I thought it might be helpful to provide background information as to why we are not authorized to renew or reinstate your domain name.

ICANN is not a governmental agency but instead a private sector, non-profit organization with limited technical responsibility for coordinating the assignment of Internet domain names and IP addresses. This coordination is provided using a bottom-up, consensus-driven, multi-stakeholder model comprised of three parts: [the ICANN community](#), [the ICANN Board](#), and [the ICANN organization](#). The ICANN community is a volunteer-based group of diverse stakeholders from across the world. They work together to give advice and develop policy within ICANN's mission. In order to create new policies or amend existing ones, the [Policy Development Process](#) described in [ICANN's Bylaws](#) must be utilized and driven by the ICANN community. The ICANN Board is a group of representatives from the ICANN community that oversees the ICANN organization. The ICANN organization provides staff and resources to support the ICANN community and Board, and implements policies developed by the community.

The ICANN organization accredits registrars and registries to provide certain domain name registration services. ICANN's authority is purely contractual, and limited to [registrar agreements](#), [registry agreements](#), and [ICANN community developed policies](#). The agreements between ICANN and registrars and registries outline certain responsibilities for both ICANN, the registrar and the registry. The ICANN organization is responsible for overseeing and enforcing the contracts. Since your issue does not implicate an ICANN policy or contract, there is no jurisdiction for ICANN to intervene. Based on your complaint, your issues are related to pricing and a missed domain name renewal, which are not covered in the contract or by Consensus Policy. Therefore, ICANN cannot enforce activity that it does not have the contractual authority to do so.

I have also looked into the communications between yourself and ICANN's Contractual Compliance and Global Support teams as you expressed that those communications were unhelpful. In the case of Global Support, they are responsible for helping people navigate the ICANN org and assisting wherever possible. When it comes to Contractual Compliance matters with registries or registrars, those matters can typically only be handled by the Contractual Compliance team for confidentiality and other reasons. When Global Support receives submissions regarding Contractual Compliance matters, they provide the submitter with available information and guidance to assist them in successfully navigating and submitting to Contractual Compliance.

Regarding your communications with the Contractual Compliance team, I found there were several communications between yourself and Contractual Compliance, that additional information was requested from you in order to substantiate your complaint, that information you subsequently provided was inaccessible (files could not be opened), and that requests from ICANN for needed information were not responded to. I understand that navigating the ICANN org's website and the compliance forms can be challenging and it appears that largely contributed to the communication frustration you experienced. You may be aware that the Complaints Office issues a periodic report which discussed observations and recommendations from the Complaints Officer. The most recent report (see: <https://www.icann.org/en/system/files/files/complaints-office-semi-annual-report-07mar18-en.pdf>), published in March of 2018, contains recommendations the org is working on that aim to improve experiences such as yours. While I understand that these future improvements do not change your experience, I did want you to know that it's something ICANN is working on.

Thank you again for your submission regarding the frustration you experienced in communicating with ICANN regarding issues you were having with your registrar. For these reasons, ICANN is unable to remove renew or reinstate your domain name, however the org is working to improve navigation and communication experiences with our constituents. Although ICANN cannot fulfill your request to renew your domain name, I hope this information was useful to you.

Kind regards,

Krista Papac
Complaints Officer
ICANN