

Internet Corporation for Assigned Names and Numbers Contractual Compliance Quarterly Update

January – March 2018



TABLE OF CONTENTS¹

- ⦿ General Update
- ⦿ Contractual Compliance Initiatives and Improvements
- ⦿ Registrar Update
- ⦿ Registry Update
- ⦿ Audit Program Update
- ⦿ Complaints Handling and Enforcement Summary

¹ This update is provided for information purposes only. Please do not rely on the information contained within this update to make conclusions or business decisions.

General Update

OUTREACH ACTIVITIES

Compliance Germany Outreach – 21 February 2018

The Contractual Compliance team completed an outreach visit in Munich, Germany, in partnership with the Global Domains Division and Global Stakeholder Engagement teams. Based upon survey results, 80 percent of the participants were satisfied with the compliance session and requested for more sessions dedicated to compliance and operational topics in the future.

ICANN 61 Community Forum

The Contractual Compliance team attended ICANN's 61st Public Meeting from 10–15 March 2018 in San Juan, Puerto Rico. The team provided a Program Update Session for the community; met with registrars; attended the ICANN Board meetings on constituency day, Generic Names Supporting Organization (GNSO), and Governmental Advisory Committee (GAC) sessions; and held meetings throughout the week with ICANN community members and contracted parties.

Additional information about Contractual Compliance outreach activities is available [here](#).

Contractual Compliance Initiatives and Improvements

Enhanced Transparency in Compliance Reporting

ICANN's Contractual Compliance team completed work to provide more detailed reporting on complaints related to the Governmental Advisory Committee (GAC) Category 1 Safeguards and to the Public Interest Commitments. Read more about this effort in the “Enhancing Transparency in Contractual Compliance Reporting” blog [here](#).

System Update

During this period, the ICANN Contractual Compliance team's complaint processing system went live with these functional improvements:

- Updates on reporter and contracted templates to improve communications related to multiple complaint types
- Update on reducing the auto-closure of complaints
- Updates to provide more clarity to closure codes

Participation in ICANN Policy Development Process

During this quarter, ICANN's Contractual Compliance team continued to participate in the policy development process (PDP) working groups and reviews. These efforts focused primarily on:

- Registration Directory Services (RDS)-WHOIS2 Review
 - The subgroup's questions and Contractual Compliance's answers are available [here](#) under the “Additional Contractual Compliance related data” section.

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- The Contractual Compliance team met with the subgroup on 1 February and 28 March 2018.
 - Privacy/Proxy Services Accreditation Implementation
 - Translation and Transliteration of Contact Information Implementation
 - New Generic Top-Level Domain (gTLD) Subsequent Procedures
 - Protection of Intergovernmental Organization (IGO) and International Nongovernmental Organization (INGO) Identifiers in All gTLDs Implementation

Implementation of New Consensus Policy Announced

On 16 January 2018, the ICANN org announced the implementation of the Consensus Policy for protection of certain IGO and INGO identifiers for all gTLDs. The policy is applicable to both registrars and registry operators. Contracted parties have until 1 August 2018 to complete implementation of the new requirements for certain names of IGOs, the International Olympic Committee (IOC), and the Red Cross/Red Crescent Movement (RCRC). For INGOs, the implementation period will be 12 months from the release of the INGO Claims Systems Specification, which is currently under development by the ICANN org. The policy can be found [here](#).

Registrar Update

Annual Compliance Certificate

All registrars that are party to the 2013 Registrar Accreditation Agreement (RAA) are required to complete and return to ICANN an annual registrar compliance certificate (Compliance Certificate) certifying compliance with the terms and conditions of the registrar's RAA within 20 days of the end of each calendar year. This monitoring effort is conducted once a year in collaboration with ICANN's cross-functional teams. During this period, ICANN Contractual Compliance followed up with 31 individual and 6 family registrars that failed to submit Compliance Certificates by the required due date.

WHOIS Accuracy Reporting System

During this quarter, the Contractual Compliance team continued processing WHOIS Accuracy Reporting System (ARS) Phase 2, Cycle 5 complaints. More information about WHOIS ARS Phase 2, Cycle 5, is available [here](#). Contractual Compliance metrics for WHOIS ARS complaints can be found [here](#).

Registrar Compliance Checks

The Contractual Compliance team completed 34 registrar compliance checks by request from the Global Domains Division (GDD) to ensure that a contracted party is in good standing. The 34 registrars represented a total of 634 registrars because they belonged to families of registrars. Triggers for a compliance check include data escrow provider change, acquisition, name change, and contract renewal.

Registry Update

Processing of Compliance Matters Related to Registry Operators

In late January 2018, the Contractual Compliance team kicked off its monitoring efforts related to registry operators' submission of Annual Certifications of Compliance. Registry operators that

meet certain conditions of their registry agreement during at least part of the relevant calendar year are required to submit an annual certification of the ICANN org by 20 January. Details regarding those requirements are captured in a FAQ [here](#). Those registry operators that have not submitted their certification or submitted an incomplete certification may be contacted by the Contractual Compliance team.

Audit Program Update

The Contractual Compliance Audit Program is ongoing. Typically, the ICANN org conducts two rounds of audits a year for registrars and two rounds of audits for registries. An update for each type of audit is provided below.

Registrar Accreditation Agreement Audit

The registrar audit round launched in September 2017, which includes 58 registrars from 21 countries, is now in the remediation phase. Registrars are addressing findings noted in their initial audit reports by either providing additional documentation, giving explanations, or implementing corrective measures. At this time, approximately half of the registrars have addressed initial findings.

Registry Accreditation Agreement Audit

Five gTLDs are still in the remediation phase as a result of the New gTLD Registry Agreement audit round that was launched in September 2017 and completed in March 2018. The audit covered 10 Category 1 strings new gTLDs.

A New gTLD Registry Agreement audit round started on 13 March 2018, and includes 20 gTLDs. The audit criteria consist of registries that have not been audited, registries serviced by back-end service providers that have not been audited previously, and registries for which there appear to be ICANN community concerns, as reflected in media reports, blogs, or inquiries/reports from community members or other contracted parties.

Data Escrow Update

ICANN continues requesting data escrow deposit audits of registrars who receive a third notice or a notice of breach. This audit is a proactive approach to reduce risk to registrants by ensuring compliance with the data escrow specification. The contractual issues were related to incomplete deposits and missing information for domains where privacy and proxy services were used. Some issues were identified, remediated, and retested.

ICANN continued proactive monitoring to measure the completeness of the registrars' data escrow deposits, which includes the deposit of all gTLD domains under each registrar's management. This effort is currently limited to registrars depositing with Iron Mountain, which totals 98% of the registrar population.

Complaints Handling and Enforcement Summary

The ICANN Contractual Compliance quarterly metrics are available on the Compliance Performance Reports page [here](#).

