Note: ICANN Contractual Compliance met with the Registrar Stakeholder Group (RrSG) during the Policy Meeting (ICANN62) as a follow-up to the May 2018 GDD Summit.
Registrar Compliance Update
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1. **Temporary Specification and Compliance**
   Implementation and enforcement of Temporary Specification

2. **Temporary Specification – Complaint Processing**
   ICANN Contractual Compliance complaint processing post Temporary Specification

3. **Temporary Specification – Transfer Validation**
   Transfer complaint processing in light of Temporary Specification
   Appendix G

4. **Temporary Specification – RAA Obligations Unchanged**
   Registrar obligations unchanged by Temporary Specification

5. **Temporary Specification – Reporter Perspective**
   Common complaints from reporters post Temporary Specification
1. Temporary Specification – Implementation

Implementation of Temporary Specification for gTLD Registration Data

- Temporary Specification became effective 25 May 2018
  - Applies to all ICANN contracted parties
  - Contracted parties’ compliance with GDPR is not in scope

- Complaints and monitoring efforts regarding compliance with Temporary Specification are processed using same Approach and Process as other complaint types
  (https://www.icann.org/resources/pages/approach-processes-2012-02-25-en)

- No new complaint type; complaints continue to be received and processed from existing web form submissions

- Most complaints received to date are regarding changes to registration data (e.g., data is perceived as missing)
ICANN Contractual Compliance Complaint Processing

- Contractual Compliance adjusted review of complaints to account for changes in registration data

- Requesting different/additional information where necessary to understand situation (e.g., confirmation of communications)

- For any complaint review that requires unredacted registration data, ICANN requests specific data from contracted party, including:
  - Transfer, change of registrant and domain renewal
  - UDRP/URS and abuse reporting
  - WHOIS Inaccuracy and WHOIS Format
  - Self-registration and reseller agreement
  - Privacy/Proxy and Data Escrow

- Access to unredacted registration data enables ICANN to close invalid complaints before sending them to contracted parties
2. Temporary Specification (Continued)

- Section 5.7 of Temporary Specification requires contracted parties to provide ICANN Contractual Compliance with reasonable access to registration data upon request, for processing of contractual compliance matters
  - Section 4.4.13 of Temporary Specification: processing contractual compliance matters is a legitimate purpose for processing registration data
- Limit scope of requests to narrowly tailored data/information
- Inquiries used where registration data is redacted
- Additional review/alignment may cause delays in processing
- Transfer complaint review adjusted to account for Temporary Specification Appendix G changes (updated approach is noted in red on following slide)
3. Temporary Specification - Transfer Validation

Transfer compliant processing with Temporary Specification Appendix G

- There are various requirements under the Transfer policy related to inter-registrar transfers and change of registrant
  - Appendix G of Temporary Specification adds new requirements
- If determined in scope of RAA and Transfer Policy, complaint will be forwarded to registrar for review
- ICANN’s requests for information and records from registrar are driven by contractual and policy requirements, content of complaint and available information
  - Copies of correspondence between registrar/reseller and reporter/registrant
  - If applicable, non-public registration data for relevant fields
  - Reason for denial of transfer or change of registrant
  - Gaining registrar to confirm access to registration data; if no access: FOA is not requested; will not ask for Change of Registrant; will ask for WHOIS Accuracy Program Specification validation/verification confirmation
- Additional follow up with reporter and registrar as needed
Registrar obligations unchanged by Temporary Specification

- Examples of Registrar Accreditation Agreement or registrar Consensus Policy obligations which are unchanged by Temporary Specification:
  - Provision of registrar web-based and port 43 (where applicable) WHOIS services (Section 3.3)
  - Data escrow (Section 3.6)
  - WHOIS inaccuracy and WHOIS Accuracy Program Specification requirements (Section 3.7.8)
  - Fees (Section 3.9)
  - Reseller agreement (Section 3.12)
  - Registrar Information Specification (Section 3.17)
  - Abuse report handling (Section 3.18)
  - Privacy/proxy services (Section 3.1.4.5)
  - Change of Registrant lock (Transfer policy)
  - Renewal reminders and domain expiration obligations (Expired Registration Recovery Policy)
Common complaints from reporters post Temporary Specification

- Reporter believes registration data is “missing” from public WHOIS
- Reporter believes all non-European data should be displayed
- Reporter wants their registration data to be displayed
- Reporter believes privacy/proxy service data are redactions
- Registry WHOIS output is displayed recursively by registrar
- Email address or web form used for redactions is non-functional
- Registry WHOIS service is not displaying required message in email fields
- Gaining registrar continues to require FOA even when not required
Registrar Outreach Update
Contractual Compliance participated in the following events:

- China outreach visit in Guangzhou, China (April 2018)
- Registrar Workshop in Dakar, Senegal organized by ICANN org as part of Africa Internet Summit 2018 Senegal (May 2018)
- Registrar outreach in Seoul, South Korea organized by Korea Internet & Security Agency (KISA) (August 2018)
- Registrar site visit in North America (September 2018)
- To learn more, please visit Compliance Outreach page at this link https://www.icann.org/resources/compliance-reporting-performance
Enhanced Transparency in Reporting
Enhancing Transparency in Reporting

- New quarterly report for both registrars and registries, “Closed Complaints by Inquiry/Notice Category”, available starting Quarter One 2018
- Effective 1 July 2018, no further quarterly newsletters are published
- Input to Subgroup #1 – SSR1 Review focused on reviewing implementation of first Security, Stability and Resiliency (SSR1)
- Input to questions received from Expedited Policy Development Process (EPDP) team
- Blog published July 2018 on Enforcing the Temporary Specification
- Reports and input are published at https://features.icann.org/compliance
Contractual Compliance Audit Update
Contractual Compliance Audit Program Update

- Audit plans updated with expanded questions and testing to address DNS abuse
  - Requests focus on process, procedures and handling of DNS abuse
  - Testing focuses on review of security threat reports

- March 2018 Compliance launched full registry audit using updated plan
  - 20 new gTLDs were in scope of this audit round
  - Audit round completed 1 October 2018
  - Audit Report being prepared for publication

- New registry audit round will start end of October 2018

- No plans for new registrar audit round at this time

- Enhanced audit reporting – publish list of auditees selected for a current round
Questions & Answers

Send compliance questions
To: compliance@icann.org
Subject line: ICANN 63 Registrar Outreach Session

The ICANN 63 presentations are available at:

- The ICANN Contractual Compliance outreach page at this link https://www.icann.org/resources/compliance/outreach

- The ICANN 63 Schedule page at this link https://schedule.icann.org/
Appendix
PICDRP Update
Policy Efforts
PICDRP Update
Public Interest Commitment Dispute Resolution

Public Interest Commitment Dispute Resolution Procedure

- ICANN Complaints Office received and responded to complaint regarding ICANN Contractual Compliance PICDRP complaint handling


- Recommendation to align procedure with principles of transparency by sharing communications between all parties during PICDRP Standing Panel evaluation period
Policy Efforts
Policy and Working Group Efforts - Registrar

Actively contributing to Registrar-related policies, Working Groups and Implementation Review Teams

- WHOIS Review Team
- Translation and Transliteration of Contact Information
- Privacy and Proxy Services Accreditation Issues
- Security, Stability and Resiliency Review Team
- Internationalized Domain Name guidelines
- Expedited Policy Development Process on Temporary Specification for gTLD Registration Data