



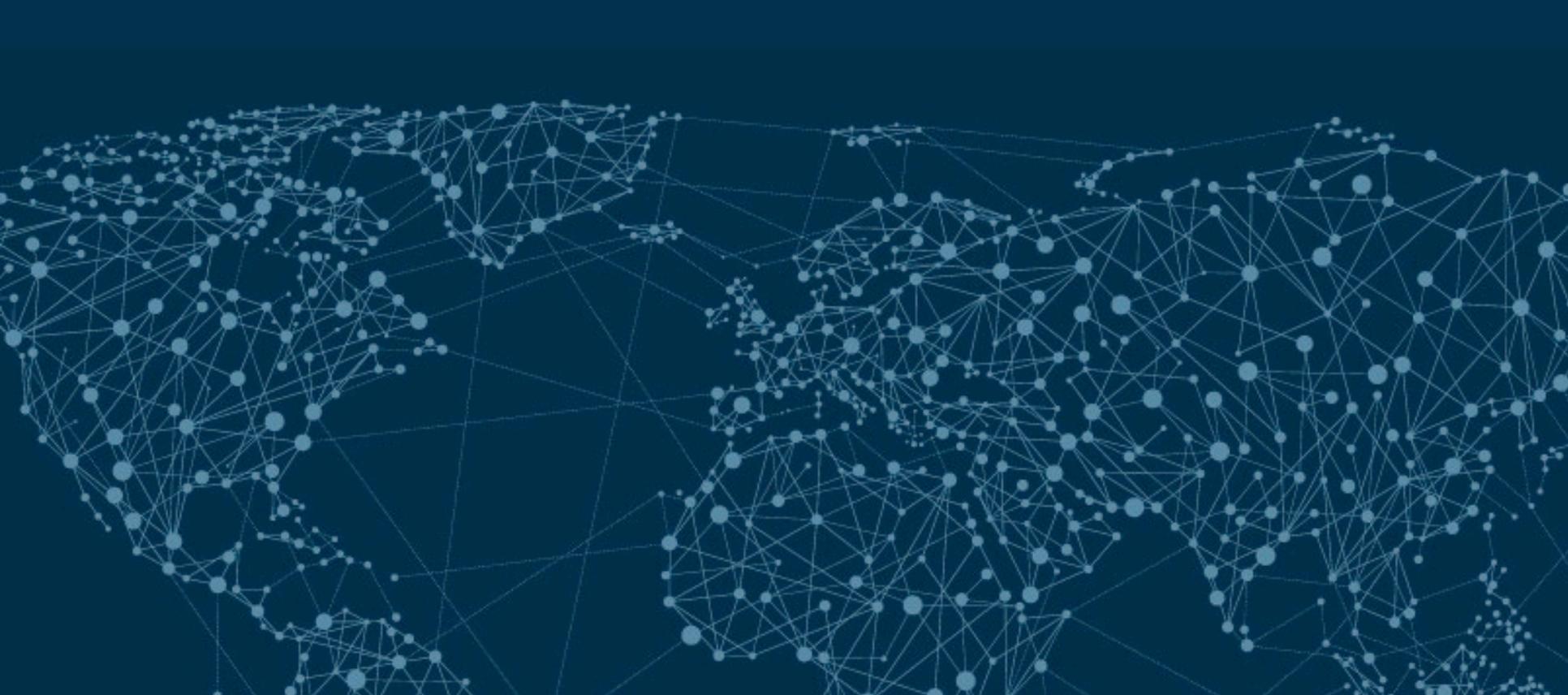
# ICANN | 54

## *Dublin*



18-22 OCTOBER 2015





# Contractual Compliance Update

Contractual Compliance | ICANN 54 | 20 October 2015

# Agenda

- ⦿ Brief Update Since ICANN 53 on:
  - ⦿ Contractual Compliance Campaign
  - ⦿ Continuous Improvement Update
  - ⦿ Audit Activities Update
  - ⦿ Registrar Compliance
  - ⦿ Registry Compliance
- ⦿ Questions & Answers

# Contractual Compliance Awareness Campaign

- Contractual Compliance Initiative - Online Learning Project
  - To improve knowledge and awareness
  - Available in eight languages
  - Portfolio link:  
<https://features.icann.org/plan/portfolio/5480de6f0015c8b8118fbf7fe1782d55>
- Video Campaign
  - Getting to know Contractual Compliance Video
  - YouTube and on the ICANN.org website
  - <https://www.icann.org/resources/pages/compliance-2012-02-25-en>
- Handout Campaign
  - What is a Contractual Compliance Complaint?
  - <https://www.icann.org/resources/pages/compliance-2012-02-25-en>

# Continuous Improvements updates

## Improvements based upon community & contracted party feedback:

- ⦿ Add closure reason in closure notices sent to contracted parties
- ⦿ Additional template and closure reason updates to provide greater clarity

## Policy, Initiative and System based improvements:

- ⦿ Update to UDRP complaint web form and templates to align with 31 July 2015 update to UDRP Rules
- ⦿ Update to Whois ARS import utility to create compliance tickets based upon updated Whois ARS report format
- ⦿ Software update to address a security vulnerability and feature improvements (parent/child tickets and enhancements to text format)

## Provide a weekly file of registrar tickets

- ⦿ By request from the registrars, ICANN is providing a system generated email with a file of the complaints and the current status

# Audit Activities since ICANN 53

## **New Registry Agreement Audit Program**

- ⦿ Completed the March 2015 Audit Program
  - ⦿ 11 Registries were in scope;
  - ⦿ 1 continued remediation beyond report publication due to Data Escrow format and content issues – now completed
- ⦿ Audit Report published at <https://www.icann.org/resources/pages/compliance-reports-2015-04-15-en>

## **Registrar Audit Program launched September 2015**

- ⦿ 69 Registrars selected for this round
- ⦿ 23 countries are represented
- ⦿ 5 Registrars rolled over from prior audit to verify remediation effectiveness
- ⦿ The Request for Information Phase is completed; Audit Phase has started

## **Efforts underway to globalize the Contractual Compliance Audit Page**

- ⦿ Link to the ICANN Contractual Compliance Audit Page: <https://www.icann.org/resources/pages/audits-2012-02-25-en>

# General Audit Selection Criteria

- ⦿ Contracted parties who have not been previously audited
- ⦿ Contracted parties with highest numbers of 3rd Notices per number of domains under management
- ⦿ Contracted parties who had received Notice of Breach in last 12 months
- ⦿ Contracted parties with highest number of failed data escrow deposits
- ⦿ Contracted parties with low responsiveness to ICANN's requests
- ⦿ ICANN community concerns

A world map where the continents are defined by a network of white dots and connecting lines, set against a solid teal background. The dots vary in size, and the lines are thin and white, creating a digital or network-like appearance of the globe.

# Registrar Compliance

# Whois Accuracy Reporting System Update

## Whois ARS Phase 1 – Syntax Validation

- ⦿ Compliance coordinated with Whois ARS team to ensure testing aligns with RAA/ICANN process
- ⦿ To be processed as Whois inaccuracy and Whois format complaints
- ⦿ Complaints created from Whois ARS data will follow the Contractual Compliance Approach and Process as published at <https://www.icann.org/resources/pages/approach-processes-2012-02-25-en>
- ⦿ Compliance will provide metrics at ICANN 55
- ⦿ Updated conversion utility to create compliance tickets based upon Whois ARS output to be deployed in mid October 2015
- ⦿ Phase 1 Report published at: <http://whois.icann.org/en/file/whoisars-phase1-report>
- ⦿ Phase 1 Webinar presentation at: <http://whois.icann.org/en/file/whois-ars-phase-1-report-webinar-powerpoint>

# Enforcing Updated UDRP Rules

## Updated UDRP Rules effective 31 July 2015:

- ⦿ Within two business days of request for verification from UDRP Provider:
  - ⦿ Registrar must lock domain(s), confirm lock and provide information requested in verification request to Provider
  - ⦿ Lock must be removed within one business day of Registrar being notified that proceeding has been withdrawn or dismissed
  - ⦿ Lock means registrant cannot update Whois or transfer domain (domain must still resolve)
- ⦿ Within three business days of receiving Provider's Decision, registrar must communicate implementation date to Parties, Provider and ICANN
- ⦿ For cases settled between parties outside the UDRP cases
  - ⦿ Provider to inform Registrar of suspension and outcome of the settlement
  - ⦿ Registrar shall remove the lock within two business days of being notified by the Provider
- ⦿ Presentation for UDRP Rules webinar at:  
<https://www.icann.org/en/system/files/files/udrp-rules-30sep14-en.pdf>

# Enforcing 2013 RAA: Abuse Reports Requirements

- ⦿ ICANN confirms that reporter sent abuse report to registrar abuse contact before sending complaint to registrar
- ⦿ ICANN could request the:
  - ⦿ Steps taken to investigate and respond to abuse report
  - ⦿ Time taken to respond to abuse report
  - ⦿ Correspondence with complainant and registrant
  - ⦿ Link to website's abuse contact email and handling procedure
  - ⦿ Location of dedicated abuse email and telephone for law-enforcement reports
  - ⦿ Whois abuse contacts, email and phone
- ⦿ Examples of steps registrars took to investigate and respond to abuse reports:
  - ⦿ Contacting registrant
  - ⦿ Asking for and obtaining evidence or licenses
  - ⦿ Providing hosting provider info to complainant
  - ⦿ Performing Whois verification
  - ⦿ Performing transfer upon request of registrant
  - ⦿ Suspending domain

# 2013 RAA: Abuse Reports Requirements

## Section 3.18.1

- Registrars must:
  - Take reasonable and prompt steps to investigate and
  - Respond appropriately to ANY reports of abuse
- Reasonable steps may include:
  - Contacting the RNH of the domain(s)
- Appropriately varies depending on the facts and circumstances
- Whois data verification by itself is insufficient
- Court order is not required for registrar to investigate absent a specific local law or regulation provided to ICANN

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## Section 3.18.2

- Registrar must have dedicated abuse email and phone number in Whois output
- Reports of Illegal Activity must be reviewed within 24 hours by an individual who is empowered to take necessary and appropriate actions
- Reports can be from any applicable jurisdiction once reporter is designated by registrar's local government as an authority

# Registrar Related Policy and Working Group Efforts

## Actively contributing to registrar-related policies and Working Groups

- ◉ Transfer Policy (formerly Inter-Registrar Transfer Policy (IRTP) Part C)- Main Change: introduction of Change of Registrant process; effective 1 August 2016:  
<https://www.icann.org/news/announcement-2-2015-09-24-en>
- ◉ IRTP Part D – Main changes are updates to the Transfer Dispute Resolution Policy (TDRP)
- ◉ 2013 RAA Whois Accuracy Program Specification Review
- ◉ Privacy & Proxy Services Accreditation Issues Working Group
- ◉ Registration Data Directory Service – both effective 31 January 2016:
  - ◉ Advisory on Whois Clarifications  
<https://www.icann.org/resources/pages/registry-agreement-raa-rdds-2015-04-27-en>

- ◉ Additional Whois Information Policy (AWIP) Consensus Policy  
<https://www.icann.org/resources/pages/policy-awip-2014-07-02-en>

A world map where the continents are defined by a complex network of white dots and thin white lines, resembling a data network or a molecular structure. The background is a solid dark blue color. The text "Registry Compliance" is centered over the map in a white, sans-serif font.

# Registry Compliance

# Enforcing Uniform Rapid Suspension Requirements

## Complying with lock and suspension requirements

- ◉ Within 24 hours of receiving notice of complaint from URS provider, Registry Operators must lock the domain
  - ◉ Restrict all changes to registration data – including transfer and deletion
- ◉ Registry Operator must notify the URS provider immediately upon lock
- ◉ Upon receipt of determination, Registry Operator immediately suspends name and redirects nameservers to Provider's informational URS site
  - ◉ Whois shall reflect the name is not able to be transferred, deleted or modified for the life of the registration
- ◉ Lock, suspension and notification requirements must be met regardless of weekends, holidays or other absences

# Registry Related Policy and Working Group Efforts

## Actively contributing to registry-related policies and Working Groups

- ⦿ gTLD Registry Advisory for Correction of non-compliant ROIDs  
<https://www.icann.org/resources/pages/correction-non-compliant-roids-2015-08-26-en>
- ⦿ Clarification of Public Interest Commitments Specification 11, Section 3b Advisory and Security Framework
- ⦿ Registration Data Directory Service – both effective 31 January 2016:
  - ⦿ Advisory on Whois Clarifications  
<https://www.icann.org/resources/pages/registry-agreement-raa-rdds-2015-04-27-en>
  - ⦿ Additional Whois Information Policy (AWIP) Consensus Policy:  
<https://www.icann.org/resources/pages/policy-awip-2014-07-02-en>

# Questions & Answers



## Send compliance questions

To: [compliance@icann.org](mailto:compliance@icann.org)

Subject line: ICANN 54 IPC Update

### The ICANN 54 presentations are available at:

- The outreach page at this link

<https://www.icann.org/resources/compliance/outreach>

- The ICANN 54 Schedule page at this link

<http://dublin54.icann.org/en/schedule-full>