

Internet Corporation for Assigned Names and Numbers Contractual Compliance Quarterly Update

April – June 2018



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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

The Internet Corporation for Assigned Names and Numbers' (ICANN organization) Contractual Compliance team is discontinuing its Quarterly Update newsletter. The newsletter will be retired with this current publication, which covers April - June 2018. The Contractual Compliance Annual Report will continue to be published following the end of each calendar year.

OUTREACH ACTIVITIES

ICANN62 Policy Forum

The Contractual Compliance team attended ICANN org's 62nd Public Meeting from 25-28 June 2018 in Panama City, Panama. The team held a meeting with the Registrar Stakeholder Group, attended different Cross-Community and High Interest sessions, the Generic Name Supporting Organization (GNSO) sessions, the Governmental Advisory Committee (GAC) sessions, the ICANN Board meetings with stakeholders, and the different working group and review team sessions. The team also met with different ICANN community members on request.

Africa Outreach

On 5 May 2018, the Contractual Compliance team attended a Registrar Workshop in Dakar, Senegal organized by ICANN org as part of the Africa Internet Summit 2018. The team held an outreach session for African registrars, eight of the eleven ICANN org accredited registrars in Africa attended the workshop. The session was delivered in English with interpretation in French. The Contractual Compliance team provided clarifications on ICANN org's Contractual Compliance approach and processes, WHOIS Accuracy Program Specification (WAPS), new transfer policy requirements, domain name renewal, Uniform Dispute Resolution Policy (UDRP); ICANN Compliance Audit Program, Dealing with Reseller, abuse and web posting obligations.

Global Domains Division (GDD) Industry Summit

The Contractual Compliance team participated in the GDD Summit in Vancouver, British Columbia from 14-17 May 2018 and held sessions focused on registrar- and registry-related topics.

China Outreach

In partnership with the GDD team, the Contractual Compliance team participated in a contracted party outreach activity in Guangzhou, China on 26 April 2018, conducted in Chinese. Registry and registrar topics discussed include annual certifications of compliance, WHOIS inaccuracy, the transfer policy, the Registrar Information Specification, web-posting obligations, and communicating with the Contractual Compliance team.

Contractual Compliance Initiatives and Improvements

Enhanced Transparency in Compliance Reporting

ICANN org's Contractual Compliance team published a new quarterly report for closed complaints by inquiry/notice category, beginning 2018 Quarter One (January-March 2018). This report presents the number of closed complaints where an inquiry or a notice was sent, sorted

by complaint type. There are separate reports for registrars and registries. The reports are available [here](#).

Participation in ICANN Policy Development Process

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

- ⦿ Registration Directory Services (RDS)-WHOIS2 Review
- ⦿ Privacy/Proxy Services Accreditation Implementation
- ⦿ Translation and Transliteration of Contact Information Implementation
- ⦿ New Generic Top-Level Domain (gTLD) Subsequent Procedures

Implementation of Temporary Specification for gTLD Registration Data

On 17 May 2018, the ICANN org announced the adoption of the Temporary Specification for gTLD Registration Data, which became effective 25 May 2018. The policy is applicable to all contracted parties. The policy language and additional information regarding the Temporary Specification, including a webinar and FAQ can be found by visiting ICANN's Data Protection/Privacy Issues page [here](#).

Registrar Update

Annual Compliance Certificate

All registrars that are party to the 2013 Registrar Accreditation Agreement (RAA) are required to complete and return an annual registrar compliance certificate to ICANN. Registrars must certify compliance of the RAA within 20 days before 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, Contractual Compliance followed up with 31 individual and six 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 31 registrar compliance checks by request from GDD to ensure that a contracted party is in good standing. The 31 checks included 721 registrars because they belonged to families of registrars or batches of unaffiliated 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

During this quarter, Contractual Compliance completed 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 to ICANN org by 20 January. Details regarding those requirements are captured in a FAQ available [here](#). During this effort, Contractual Compliance reviewed approximately 750 generic top-level domains (gTLDs) for compliance with these obligations and sent approximately 75 compliance inquiries regarding missing certificates to ensure the content of the certificates met the applicable requirements.

Audit Program Update

The Contractual Compliance Audit Program is ongoing. Typically, Contractual Compliance 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, including 58 registrars from 21 countries, is complete. The audit report is published [here](#).

ICANN Contractual Compliance postponed the 2018 Spring Registrar Audit, at the Registrar Stakeholder Group [request](#), to allow registrars adequate opportunity to implement changes required to comply with Europe's General Data Protection Regulation.

Registry Accreditation Agreement Audit

A New gTLD Registry Agreement audit round, started on 13 March 2018, is now in the initial reporting phase. All registry operators (ROs) for 20 gTLDs under audit received audit reports with initial findings that need to be addressed by auditees. In addition to areas that were included in prior audits, this audit round focuses on Registry Operators' compliance with their obligations to address security threats.

Data Escrow Update

ICANN org 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 org 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](#).

