Contractual Compliance

Registrar Stakeholder Group Constituency

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Agenda

- Update on FY10 Initiatives
  - Recent Enforcement Activities
  - New RAA Enforcement Tools
  - RDE and IRTP Audits
  - Communications and Outreach Efforts
- Update on WHOIS Accuracy Study
Terminations or Non-renewals

46 Registrars Terminated or Non-renewed 2003 - present

- 2003 (5.65%)
- 2004 (0.26%)
- 2005 (0.37%)
- 2006 (0.23%)
- 2007 (0.22%)
- 2008 (0.74%)
- 2009 (2.03%)
- 2010 (to date)

Total: 46
Enforcement Activities in T2 (Nov 2009 – Feb 2010)

- 9 Registrar Accreditation Agreement (RAA) Terminations and Non-renewals
  - 7 Terminations
  - 2 Non-renewals
- 56 Breach Notices Transmitted
- 612 Enforcement Notices Sent
- 4,094 Consumer Complaints Processed
Common Non-Renewal and Termination Causes

- Registrars fail to comply with RDE deposit requirements
- Registrars fail to meet their Whois obligations
- Registrars fail to pay accreditation fees
- Voluntary termination by registrars
New 2009 RAA Enforcement Tools

- Conduct audits on 15 days’ notice (including site visits in exceptional cases)
- Suspend registrar’s ability to create new registrations and inbound transfers
- Recover ICANN’s enforcement cost from registrar
- Enforce registrar’s group liability
Registrar Data Escrow

- **Data Deposit**
  - 811 registrars are depositing (approx. 99% of registrations)
  - 79 registrars do not have domain name registrations

- **Data Audit**
  - Approx. 140 registrars audited per month
  - Reviewed IDAS design and operation with Iron Mountain in February 2010
  - Working with Iron Mountain on potential modifications and enhancements
IRTP Audit

- When – 3 rounds of audits in 2010
- Who – 3 groups of registrars:
  1. Transfer-losing-registrars with NACK rate exceeding 20%
  2. Transfer-gaining-registrars with NACK rate exceeding 40%
  3. Top 5 registrars who are subject of complaints received by ICANN
- Audit notice
- Use of new RAA enforcement tools
- Audit results may be published
Communications and Outreach Efforts

- Communications:
  - Quarterly Contractual Compliance Newsletters
  - ICANN website (Dashboard & Announcements)

- Outreach to registrars, registries and services providers in:
  - Europe
  - Latin America
  - Asia Pacific
  - North Americas
WHOIS Accuracy Study - Update

- Open for public comment until 15 April 2010
- Workshop at ICANN Brussels Meeting in June 2010
WHOIS Accuracy Study - Criteria

- address must be deliverable
- an independent linkage between name and address must be found
- the respondent must acknowledge ownership, AND confirm that all details are current and correct
WHOIS Accuracy Study - Findings

- 23% No failure
- 24% Minimal failure
- 24% Limited failure
- 21% Substantial failure
- 8% Full failure
Nearly half may be deemed accurate

- **Accurate**: 23% 24%
- **Borderline**: 25%
- **Inaccurate**: 8% 21%
Q&A

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