
BUENOS AIRES – Contractual Compliance Program Update
Wednesday, November 20, 2013 – 08:30 to 10:00
ICANN – Buenos Aires, Argentina

MAGUY CERRARD:

Good morning everyone. It's 8:35 and we're going to start now. We usually like to give a five-minute courtesy for everyone to travel from one location to the next. Thank you for coming to our session this morning this early. My name is Maguy Cerrard and I'm the Vice President for Contractual Compliance.

This Wednesday session is becoming a tradition for us now – what we call a high-interest topic – to allow everyone in the community to join us for a compliance update, but also for a dialogue across the different stakeholders, so it's not just one direction where we're talking only to the registrars, only to the registries or only to ALAC. Everybody joins this session. It has been very productive and I hope it's going to be the same for you today.

With me in the audience, to the far right, I have Greg DiBiase, he's on the Compliance Team. He processes lots and lots of WHOIS inaccuracy tickets. I have Señor Oppenheimer, Victor. Victor is oversees gTLD efforts, new and current, but he also supports us in other compliance capacities.

Immediately on my right is Carlos Alvarez. Carlos is our oldest tenure member at this table in the Compliance Team, and he oversees a lot of the day-to-day activities, but also contributes to a lot of the new initiatives we have in compliance. Our objective today is to present to

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you, in about 15 to 20 minutes maximum on all these topics ahead of you, on the screen.

After we present we will have a Q&A. This is where we ask the participants to engage with us; whether it's a comment, a question, clarification, and we'll just go back to those slides and address anything you might have. Sometimes it might be questions to each other, the different stakeholders. Again, good morning and welcome to the session. The first topic we're going to start will be talked about by Greg.

GREG DIBIASE:

ICANN's bulk WHOIS inaccuracy complaints ignition is not in production. This means that users are able to submit up to 100 WHOIS inaccuracy complaints per week, and they're able to submit in one single file upload. It's based on a three-month pilot, which we launched between July and August of this year. In this pilot, users who accepted the terms of use, were able to submit up to 100 complaints per week.

Each complaint was processed individually per compliance's 1-2-3 process. Of the 340 complaints received during this pilot, all were resolved within the first [known as? 00:11:46] turnaround time. Whether a complaint is submitted via bulk or a single complaint submission, ICANN staff reviews complaints for validity before sending them onto the reporter.

Some examples of invalid complaints are a complaint that refers to data that's not currently in the WHOIS data, a complaint that contains profanity or insulting language, or a complaint that references a matter that's simply outside the scope of ICANN's Contractual Compliance

Department. When ICANN receives an invalid complaint it sends a closure notice with a specific reason stating why the complaint was invalid.

If a reporter does not respond to ICANN's outreach and continues to submit invalid complaints, ICANN may temporarily suspend their ability to submit complaints. This has happened twice this year. In the first example, a submitter submitted 191 invalid WHOIS inaccuracy complaints within an eight-week time period. They received closure notices with the specific reasoning and ICANN conducted outreach.

Basically, in this scenario, the reporter alleged that every field in the WHOIS data was incorrect, even though the domains being reported were often well-known WHOIS privacy services or well-known websites.

In the second example, 37 emails with offensive and threatening language were sent to ICANN staff, and examples such as these were outreach is conducted and the reported continues to submit invalid complaints. ICANN may temporarily suspend these reporters from sending WHOIS inaccuracy complaints.

MAGUY CERRARD:

For our remote participants, we were informed you cannot see the Adobe Room. Our technical support team is looking into that. Can they hear us? Okay. We will continue with the presentation. It will be posted on the ICANN.org website, and we apologize for the technical difficulty. It is being worked on.

CARLOS ALVEREZ:

I have a very brief update on the ERRP – Expiry or Registration Recovery Policy. The complaint form was updated to incorporate the requirements of this policy one week before the policy came into effect. That was one week prior to August 31st. Since then our team has received a bit over 40 complaints regarding the ERRP.

Basically the most common issues that we've seen in regards to the policy is that registrars, some of them, have not appropriately updated their registration agreements to include their registration agreements and their order renewal and relation policies, to include the requirements under the policy.

Some are still not sending the renewal notifications as they should. If you remember, they have to send two renewal notifications prior to the expiration date; one 30 days, the other a week before, and if there's no renewal, the last one five days afterwards.

Some are still not interrupting the resolution path, and some thought that because their domains expired before August 31st, even though they remained in [inaudible 00:15:24] renew after September 1st, that they didn't have to interrupt the resolution path, and we've had to address some of these case – obviously with the intent of protecting the registrants, based on what the policy provides us.

With regards to outreach activities, our team has participated in several outreach meetings, specifically regarding the 2013 RAA; in the meetings that were held in Los Angeles, in China, in [inaudible 00:16:07]and Berlin. Also this coming Friday there's going to be the 2013 RAA Registrar Outreach for registrars in Latin America. It would be really good if the local registrars are able to attend.

It will be a full-day event and it's going to be a very good opportunity for increasing your knowledge and becoming more familiar with the new agreement. I will give a very high-level, upon execution, of the new RAA. Registrars must start entering into agreements with their resellers. The 2009 RAA provided that registrars may enter it, now they have to.

They have to also comply with the specific format that's provided by the specification to the new RAA. This is being addressed by our team. It's been somewhat of a time-intensive labor to detect the instances in which the registrars that are executing the new RAA are not complying with the format that's being addressed through an increase in their corporation.

Registrars must also provide specific information to ICANN and publish that information on their website. You can read that information that's required up on the slide – correspondence address, the requirements, the specificities of the address, the officer's full name, contact information and position, and name of the ultimate current entity of the registrar.

There are registrars that are part of large families, or that are owned by a subsidiary – an affiliate of another affiliate of a parent company that's owned by someone in the list. So... The ultimate parent company. They have to provide ICANN with notice within seven days when they become bankrupt, when their registrars or their officers or directors are convicted, and if they are victims of security breaches.

Our team now has new and better tools. Specifically there are additional reasons for suspending and terminating the RAA, and the CEOs have to certify in January of each year that the registrar for the last year

complied with their obligations before ICANN, basically. Now, with regards to what our team has done to become ready, to address the new agreement, we've provided two new 'learn more' pages, FAQs, that are specific to the updated provisions in the 2013 RAA.

Those pages are specifically related to privacy protection services and WHOIS format. You'll find, in the compliance side, if you go to ICANN.org, then resources, then you'll find compliance. If you scroll down a bit there is 'content submission and FAQ'. There you'll see a lot of FAQs. On those you'll find these new two ones.

We're also in the process of filing 11 new complaint types that will address some new obligations that the community and the users will be able to complain about, if they consider that the registrars are not complying with. We're also updating four existing complaint types to address changes from the current agreement to the new one. Those are basically WHOIS inaccuracy, registrar contact information, and those mentioned in the slide.

Starting January 1st 2014, registrars will have to comply with certain abuse contact requirements; basically to provide a contact person for receiving and handling complaints regarding abuse, and they will have to publish the process that they're supposed to follow. They have to reply within 24 hours. This is specifically relating to requests coming from law enforcement from their own jurisdictions; so it's a little narrow but it's going to be there.

Registrars and resellers must provide a link to Registrant Benefits and Responsibilities, which is an obligation that's very similar to one that

already exists in the 2009 RAA. There's the WHOIS accuracy [inaudible 00:21:50] obligations.

There are the data retention specification obligations that registrars have to retain data and records for two years, but if their local law doesn't allow them to retain data for so long, then they can follow a certain process with ICANN to be waived of that obligation so that they don't have to validate or breach their own local law.

There's the WHOIS Service Level Agreement that registrars will now have to start providing the WHOIS service, complying with the specific timeframes. Their servers will have to respond in .1 or .2 milliseconds. They're going to have to provide response times and availability, so their WHOIS servers will have to be up 99.99999%... Whatever's mentioned in the RAA – I don't recall it off the top of my head, but it's either 100% or 99.99999%.

Then they will have to comply with the proxy and privacy registration program that many people in the community are looking forward to. This is for you to take a quick look of. It's the provisions that are effective at execution. First there are those that will become effective on January of next year. You can find them there. The slides will be available later on. Now I'll turn it over to Victor.

VICTOR OPPENHEIMER:

Good morning everyone. I'm Victor Oppenheimer, Senior Manager. I'd like to give you a quick update on new gTLD compliance efforts, since our compliance efforts have been primarily on the implementation of the requirements identifier in the planning phase. Starting with the

phase that's called transition to delegation, in other words contracting. The Compliance Group performs compliance checks on those applicants that are identified as able to sign the agreement.

We perform compliance checks on them based on any cross-affiliation declaration. The sign of our implementation phase was based on the birth of a new gTLD from contracting to Sunrise Claim Services and then general registrations. We've been very busy designing the web forms for complaints or reports from any users regarding alleged non-compliance by registry operators, for all those processes that you see identified on the right-half of this slide.

I'll cover some of them later. The takeaway from this slide is that the scope of our monitoring efforts... It's pretty much the entire Registry Agreement, and of course the applicable consensus policies are incorporated by reference.

That means the full dispute resolution procedures, any requirements, any right protection mechanisms that are required under the relevant document for Sunrise Services and Claim Services, and a reminder that the RAA limits any audits to Article (1), the warranties and representations in Article (1) and the governance in Article (2).

So this is a snapshot of where we are right now, in terms of the web forms that are completed, or for internal monitoring, internal complaints or public-facing external complaints. For example, in the completed column, the first two are data escrow, and monthly reports. Those are really not visible to the public. Those are internal processes that on a regular basis the Compliance Team monitors, and if there's any non-compliance, a complaint would be generated on our part.

On the other hand, processes that are public would be, for example, Sunrise, the centralized zone file access where those end users having difficulties getting access from the TLDs on the relevant zone files. On the right-hand of the slide are the reports we're working on, in terms of educational materials; like FAQs and 'learn more', or the actual web form for complain submissions.

Yesterday we conducted an outreach with all the representatives of all the 24 gTLDs that have been delegated so far. It was very successful. The idea of this outreach is to start collaborative communications with these new registry operators, early in the terms of the agreement, and set the tone for collaboration throughout the agreement.

MAGUY CERRARD:

What you've heard today relates to all the initiatives that are underway at ICANN. We've got a lot of work going on. We thought ten complaints covered 2001 and 2009 RAA, and the [AT TLDs? 00:28:31]. We are going from ten to almost 40 different complaint types by June of 2014.

So all the analysis and the reviews, and putting forth information and web forms to be able to not only receive reports and complaints, but mostly to be able to provide information to the public, explaining what's this about and why, is the effort the team is really focused on. We can receive and focus, but it's how it's perceived and how it's understood by the community to be able to really file complaints with Compliance.

With the next few slides here I'm going to provide you an update with the audit program. What I want to focus on is a program that we launched last year. Last year the Board approved contractual

compliance to put forth a three-year strategy, methodology and approach to audit all the contracted parties that are in the domain name industry today.

The scope was so huge because we'd never conducted such an audit at ICANN. It doesn't exist in the industry, so we really needed to put out a scope that was based on the risk to the public. The provisions that were in the scope of the contract that relate to the audit provision, were put forth, and we conducted year one last year. The year one last year consisted of 317 registrars and six TLDs.

We had a 99% compliance result. Year two started last month. This is the timeline and the five phases we go through. I'm going to move to this slide here to share with you the scope of year two. We sample the remaining sample from the current registrars, and this list here on the right provides you with how many registrars from each country were sampled and are in scope for year two audit.

On the left it gives it to you in numbers. We also selected 317, and you notice right below that there's a row that says, "Total – Year one rollover." What that means is the row here consists of five registrars that, in year one, were found non-compliant, and they had to put forth a remediation plan. Many registrars executed and completed the remediation plan in year one. Those five had different activities, complexities, whatever reason – it was not completed.

But the plan was very clear. They delivered to the plan, but the program had closed, so we rolled them into year two and they are the lucky winners to get audited again this year. So in year two we'll be able to

validate that everything they remediated is consistent with their agreement with ICANN and to service the community.

For the registries that's the sample size below. I'd like to remind the audience that not all registries are obligated to be audited, and those registries are still collaborated. When people think of an audit some people don't like it. Okay, I come from the industry so I love audits, but even before I came to compliance, auditing gives us an opportunity to improve, to request budget and improve better.

The collaboration with the contracted parties in this audit exercise has been very effective. This slide is titled 'self-internal audit exercise'. 'Self' means contractual compliance conducted an internal exercise to audit ourselves. People say, "How can you audit yourselves?" Well, the consistency of our team is very clear.

We have a Risk and Audit Manager who's 100% focused on that function. That Manager does not work in the day-to-day activities for compliance, so we don't have a conflict of interest. Their focus is specifically on contractual compliance, risk and audit. He's managing the current year two program and the entire program, but we had an opportunity, as you all might remember, not a long time ago we consolidated our processes – our tools, our procedures were documented.

So we wanted to take a self-exercise and audit ourselves. We created what we call '45 controls'. The controls focus on the process, some system procedures, communication... So the controls varied about people, processes and tools, and the Risk and Audit Manager interviewed, sampled and conducted the audit on us. Of the 45 total

controls he identified eight findings that we were not in compliance with.

The exceptions were noted and they related to two areas – a system and a procedural, which we were expecting. We'd just completed our system consolidation not even a month before. It's crazy to run an audit that soon but we wanted to immediately be proactive, knowing what was ahead of us for 2013 and the new gTLD efforts.

So the Compliance Team immediately corrected the procedural items, because that's critical for us. We corrected it and it was completed in August. The software updates have been corrected, tested, and will be deployed in December.

There's a plan to conduct a second internal audit in May. May, as you know, ICANN works on a fiscal calendar year, so the first audit was done last July, and now we're going to conduct the second internal audit in May and we'll report back to the community on this activity. We talk about all these consolidations, processes and tools.

How do we measure our progresses and what do we do about that? I want to share this one slide with you here, but this is also going to be shared in tomorrow's forum in WHOIS improvements. What I wanted to share with you is what is progress, and what do we do when we implement all these functions or processes?

Firstly what we realize is that it's not only the volume of WHOIS – we will always have a volume of WHOIS inaccuracies. That's the number one complaint we have. But what we realize is that we wanted to measure

our success rate. We know we had fragmented tools, inconsistent process, lack of documentation, but we wanted to start measuring.

We started measuring in September 2012, because everything was so fragmented, but we started collecting the data via Excel sheets – I know it’s manual – but we needed to start standardizing... Baby steps, as they say. We wanted to start with the process. The process was very different across the different Compliance Team members, and the tool that was in place at the time was very different from what we have today.

All I can report on is two things. We wanted to measure it and keep it simple, so we started with a consistent process and what we are showing you here on the graph are two columns. Hopefully you can attend tomorrow’s session, but in case you don’t I wanted to provide you with this. The first column is the average turnaround time in business days, from when ICANN Compliance receives a complaint, it’s validated, opened and sent to the registrar.

The yellow column shows a full life cycle of a complaint, from when it’s received to when it’s closed. Closed meaning resolved. If you look at when we still had a lack of automation and consistency... You start here. We had a peak here because we had high volume, and in this timeframe we created what we call the ‘war room’ – it’s not a fun term, but you bring lunch, you can put people in one room.

It was a great opportunity to train the entire Compliance Team on how to process WHOIS inaccuracies, how to validate responses received from the registrars. What we did gave us the opportunity not only to train on the process that rolled out in full automation in mid-March. A lot here

was still a manual process. Then in mid-March we rolled out the first complaint type in the consolidated system, and look what happened.

When you have better visibility to data, you have an automated, consistent process, you can track it and it prompts you. It's in front of you under one roof, one area. The team has been consistently trained and now you see the turnaround time from beginning to closure. The process was reduced, the automation helped us bring more visibility, consistency and reporting.

On the metrics... I'm sorry, we've already started the metrics slide if you've not noticed, guys. Another thing we rolled out recently within the Compliance Team is what we call Pulse surveys. If you have been reading our monthly updates we try to provide a quarterly Pulse survey result. Why do we need a Pulse survey?

When you are providing a service, which Compliance is doing to the community, you need to come back and validate the satisfaction that not only the reporter, or also the complainant, is experiencing, but also the contracted parties. So Compliance, at the closure of a complaint, sends out a five-question Pulse survey. It's embedded in the closure notification.

The survey is sent to the reporter and to the contracted party – in this case the registrars, because that's where most of the activities are occurring – and we ask them those five questions. The last question on the survey is, "Overall, how do you rate the complaint experience?" The survey results are here. They vary from very easy...

Basically, when you are submitting a complaint, when you are collaborating with a Compliance Team, the questions focus on process, system, people, and overall satisfaction. We do have an opportunity here, but it's not at all easy. The challenge we have is that the response rate is still low, so we're trying to see how we can increase that. What we're doing with the survey is also building KPIs and what it is we're going to improve on.

We put forth a very extensive effort on building FAQs. We improved the website, and we wanted to measure the impact of that. We did not have a lot of traffic or what we call 'easy FAQs' out there. We inherited whatever was there. We took on an intense effort to revamp it, make it user-experience-friendly, put it in English, and we've been measuring what we call the compliance page web hits.

I receive this data. I don't have it immediately but we receive it from the web team – the sample shows that 80% of the users are unique, so we are getting traffic. What that has also helped us in is that we've seen a reduction in some of the common complaints, because people are more informed about what to do in certain cases. On the bottom part, as you all probably remember, Fadi announced a meeting or two ago that on myicann.org there's now a tab that is compliance metrics.

It is static. It's updated monthly, but we've also been tracking the traffic to those pages to see if people are using it. The metrics on myICANN are surveying mostly... We get a lot of questions, comments and feedback from people participating in policy development or Working Groups. We collect a lot of data. Go onto myICANN and you'll see a lot of data. But

how do we sort the data, what do we do with it, and how do we measure the opportunities for improvement?

This slide shows the five ICANN regions, and it's a report for the period from the last ICANN meeting until now. We capture the volume of domains for that region. We capture the number of registrars for the region, and we definitely look at the number of complaints and then take it at a percentage so we can have an apple-to-apple comparison. We take it to what we call a normalized measurement.

It's not fair to only measure by the volume of complaints. We have very large registrars, we have very small boutique registrars. Volume, in this case, is not a good story to tell. For us to be able to look at the regions and put forth an effort, where do we need to focus? For example, we put forth a very intense effort on the Asia Pacific region last trimester. This trimester we're focusing on Latin America, because look at the percent of registrars with complaints for the region.

I wish I could tell you we can measure and bring that down. We're trying, but we haven't been able to really see if we can truly bring it down. What we are seeing though is a better understanding. The most common factor in those two regions that we saw is the lack of interpretation or understanding of the process, and lack of follow-up and follow-through.

So the outreach activities for those two regions focus on understanding when you receive a notice or an inquiry, how to respond, when to respond by, and what to provide. So we've also ramped up our staff because we have a much more intense global presence now and we can cover the time zones during their time zones in their languages. When

we're communicating to the regions in our notices, sometimes we send it in an additional language.

You'll always see it in English, but we add the extra language. For example – you see it in English and you have Mandarin. You see it English, you have Spanish. The reason we keep both languages is because the ICANN Compliance Team is global and we want to start to be able to do what we call around-the-globe service providing. That allows any team member not only to look at it in that native language, but also the common language for us is English.

So we have focused on those two regions to try to highlight the importance of how to respond, by when, what to provide, what's considered valid data, and how it is that they're not interpreting their obligations properly. This slide is looking at it... Now, you can collect this and now you can see a picture and start looking at the trends.

This is the registrar complaint-trans for the region. Down below we've put it into a graph to show that in August we did have a higher volume of trends, but we saw a reduction. This reduction, by almost .5, is due to the FAQs that we built. That's where we saw heavier web traffic; on the FAQs. It took away what we call the customer questions, because they were clarified in the FAQs.

Now we're seeing a bit of an incline in the volume for October, and we can anticipate a lot more complaints coming our way, because you heard Greg update you earlier on that not only can Compliance receive WHOIS inaccuracy complaints as a single compliant, but Compliance can now receive what we call multiple complaints at the same time. We also just launched what we call bulk complaints.

We expect to have a lot more volume show, and we'll report back to you on what that means and how it's translating. I wanted to share this slide with you. You hear us talk about the process that we rolled out. How do we measure the success of the process? The success of the process is related to what we call here, on the left-side, TAT. Turnaround time. It's important. It's important for you as community members, it's important for the registrars, it's important for Compliance.

When you file a complaint it's like going to a restaurant. You want to eat your food. You want to know it's coming and you want to see it happen. When you file a complaint you want to know that it's going to come to fruition and you want to have an answer, a resolution and a closure. Some of the TATs we have with the registrars... Actually, one of them that's very contractually-binding is the WHOIS inaccuracy.

The registrars are supposed to take reasonable steps to investigate and work with the registrants to correct the WHOIS inaccuracy. That obligation is tied to 15 days. Other contractual compliance obligations, what compliance has put forth in collaboration with the contracted party, is a TAT of five business days.

You've heard us talk about first notice, or first inquiry in the process. Second notice, third notice. This is what we call the prevention, the collaboration, or the informal resolution. The only thing the community will see on those is volume and TATs. You will never see who has the highest volume or who has the biggest complaint in this, because this is an opportunity for ICANN to work with a contracted party to resolve and work on issues.

Now, in that informal resolution, if and when a contracted party has not provided enough information or has not responded, it is our obligation to enforce – I point you to the right-hand side of the table – the contract. That’s what compliance does, but you can’t just jump to enforcement without collaboration and trying to address the problem first. You give the opportunity and the benefit of the doubt to resolve the issue.

Based on my tenure at ICANN, many of the issues, as you see, are not only from the volume of complaints reflected here. When I first came on board this process did not exist. We rolled this out in September. You saw the high bars. Our objective is that we were trying to see if we can truly eliminate a third notice. That would be my ultimate goal. It’s not fair to put that goal on the team yet.

This year we have way too many initiatives at hand. But I always like to put a vision out there for us; a goal as an organization. Why is that important? That means that not only ICANN but also the contracted party and the community are resolving issues in the first or third notice, without reaching enforcement.

So you can see the volume and how it decreases. The first notice is always going to be high. We do not have control of how many complaints we receive. Our control begins in making sure we have a response from the registrar based on the TAT, we have the right data that we request for them, for us to review, validate and follow up.

All this data that we capture during the informal resolution, if and when a registrar or a contracted party has been breached, the chronology is provided in the breach. The community will know. If you go on our website under ‘notices’, if you open any breach notice since late-2011

until now, you will see a consistent approach, a business format letter, very straight-forward, about a page long. It has a little bit of detail about what, but the most important section that's consistent across every breach notice is the chronology.

The chronology will list when the first notice was sent and to whom. The second notice was sent – what was the date for that TAT? Who was it sent to? In the second notice the Compliance Team waits a few days and if we don't hear from the registrar we initiate a phone call during their time zone. Staff either comes late or leaves early, to be able to accommodate the time zone, to initiate the call to the registrar.

We capture who the call was made to, what number. We capture if there was a response and a summary. So the chronology has a window for the community to see what went on here. In the enforcement phase, if a registrar takes care of business before an enforcement you will never see it.

Closure rates. You heard us talk earlier about complaint closure rates. You saw on the slides how much volume we receive, how much it's the first, second, third... Our target, when we started this year it was an internal target. This is the first time I'll share it with the community. It's by request to a certain gentleman sitting on this table, who keeps asking for KPIs. But it's not just because of that request.

We also need to start putting forth these KPIs, and now we're feeling more confident that the tool is coming together, the data is clean, and we can really start reporting more efficiently to you. We had put a target of 55%. The reason we've put it at this rate is because we lost a new tool. We incurred a lot of new training. We hired a lot of new staff.

So we needed to put a target where we can make sure that the Team is going to be able to successfully make it and hopefully exceed it. That's what this chart shares with you. The target includes several factors – the volume, the staff processing and the TAT. Compliance performance measurements. You've heard me talk about TAT, closure rate, self-improvement, year-two audit program...

So the metrics we built for this year, for our success for FY 15 relate to these five bullets that I show you here. Guess what guys? It's really important – and tell me if you don't agree – that we are measuring our compliance readiness for our 2013 RAA based on the additional complaints, FAQs, readiness, training, procedures.

There are a lot of factors that go into readiness. It's not just, "Yes, the contract is signed. It's in effect." It's everything that leads up to it – reviewing the contract, identifying the provisions that we need to make public facing to allow you to provide complaints or file a report. It's allowing us internally to do monitoring – what do we measure? What do we report? –, building FAQs, building procedures, making sure the system is updated.

So compliance readiness is a month-upon-month effort. It's the same for new registries. You heard me say we're going from 10 to 40, so by June 2014 our success rate is having all those new 30 complaint or report types built – gradually of course, we're not just going to go 'poof!' all at the same time, because provisions are coming into effect gradually. So we'll gradually start rolling them out.

Our success measure for this is going to be completion of all those things. Our success factor is here for completing year-two audit

program, per schedule. We've reported to you when we're going to be doing the different phases. Our success rate for the internal audit is to pass and improve on our review in May by 20%, and our success for the complaint closure rate is to improve by 10%.

I do want to remind everyone that please, we have spent a lot of time and effort in listening to the community on what would make the website and information better and more usable. Please go to the compliance website on ICANN.org. We're also providing monthly updates in the six UN languages. In addition, the FAQs, before you submit a complaint, if you click on the FAQs for a complaint it is provided in the six UN languages.

We have provided and we want to start making sure that the community has access to this data, so we're trying to market it because we are seeing traffic. I think we can increase that too though. With that, that concludes the Agenda topics we have for this morning. I will start taking questions from the audience. Please identify yourself and your affiliation before you speak.

SHANE TEWS:

Hi, Shane Tews with 463 Communications. How many people do you have on staff right now?

MAGUY CERRARD:

We currently have 18 full-time employees and we are in the process of establishing presence in Singapore. We also have contractors supporting us.

SHANE TEWS: Are they designed by specific constituency expertise? As you're training them, since we have, with multistakeholder, there are obviously a lot of different things that they're interested in monitoring. Thank you, by the way, your presentation was very good.

MAGUY CERRARD: Thank you. They are designed by expertise in the audit, and we have a lot of what we call legal staff on my team. They do not function in that legal capacity, guys, they function from a contractual compliance review understanding. A lot of the people we work with on the other side, whether it's contracted parties, complainants or reporters, are of a legal background.

A lot of the reports we receive, like UDRPs, have legal need for it. But I have a very strong team that's also from what I call the business, technology and compliance experience. So it's not constituency-based, our focus is truly the contract.

EVAN LEIBOVITCH: Hi Maguy. My name's Evan Leibovitch. I'm Vice Chair of the At-Large Advisory Committee. In a slide you had back there, it showed in the July to October timeframe that there were 24 issues that were open. It said, "Open after enforcement," and 11 went to breach. Yes, that slide. What happens in the gap? How is it that there are 24 that make it all the way through, and only 11 get to breach; what happens in that gap?

CARLOS ALVEREZ: Evan, this is Carlos, Senior Manager of Maguy's team. Those 24 that you see there in enforcement – and enforcement is a step in the process that once the ticket gets sent for the third notice, after the five days the system will automatically move that ticket to the next queue that's internally called 'enforcement'.

It doesn't mean that a notice of breach has been issued, it only means that staff has to review the registrar's or registry's response and decide whether or not a breach has to be issued or closed. It's just a step before the issue becomes a formal breach or gets closed.

EVAN LEIBOVITCH: Does that mean that the other 13 there were closed before it went to breach?

CARLOS ALVEREZ: Yes.

EVAN LEIBOVITCH: Okay. I have another question, and I hope you don't think it's out of scope, but since now you perform one of the most public facing components of what ICANN does, do you collect any stats on the complaints that come in that are not valid for what you need to do?

That is, somebody puts in a complaint and it's beyond what you can do? Either, it's for a cc or it's for something not to do... That Compliance can't handle? This isn't necessarily your headache, but those statistics are very necessary to help move ICANN in other directions regarding its public focus.

CARLOS ALVEREZ: Yes. Whenever the Team closes a complaint we have included in the system several resolve codes, and those resolve codes are specific to the reasons why each complaint is being closed. There are many different of these resolve codes depending on the complaint type. There are some generic ones that apply to all the complaint types, and there are some very specific to each subject matter area; some specific to transfers, some that are specific to renewals, some to UDRP.

So we are now starting to be able to have – for a few months – metrics on the reasons for closure of each specific complaint. So yes, we have that.

MAGUY CERRARD: Let me jump ahead of you, Evan, I know your next question. Let me see how well I know my audience: “When are you going to report to us on those?”

EVAN LEIBOVITCH: Just a matter, if you’re collecting the information, having access to it, I guess, is the next useful question.

MAGUY CERRARD: What I would like to add to what Carlos just shared with you is that the Team just went through an exercise to identify and define what we call resolve codes. Again, being in Compliance, guys, I know people say, “Your world is boring because you’re black and white. 1+1=2. You’re

fact-based.” Guess what? We love it, because it’s really easy to understand and put forth processes to support it.

So the exercise we just conducted took several weeks, to be honest with you. It was collecting all the different resolve codes that were being used. We want to bring a standard approach to them, a standard definition to them. In a previous life, before joining ICANN, I never exceeded ten resolve codes, but the previous life was much more simpler than here at ICANN. We’re up to about 40+ resolve codes.

The Team is finishing up. We’re still capturing resolve codes, but what we want to do is make sure there’s a consistent message so we can consistently report to you – what we call apple-to-apple comparison. We’ll bring you an update based on the progress made over the next trimester, to you.

The other thing I want to point out to you is that we’ve always been reporting to the community about out-of-scope compliance complaints. If you refer to some of the previous presentations from previous ICANN meetings, that used to be captured in a category called ‘customer complaints’. It related to all the different categories Carlos listed.

The reason I put slide 22 back on the screen here in front of the audience is that I had just shared with you how FAQs showed and helped in reducing the volume of complaints. We wanted to measure the success of all these FAQs. We started building the FAQs around what we call out-of-scope complaints. We still have a placeholder.

They cannot submit a complaint, but there is an FAQ with a clear direction of what to do. So now, if we still have something that comes

through because of other issues we can report on those, but we can also reduce the other complaints.

EVAN LEIBOVITCH:

Sorry, just to follow up – and I’ll stop at that point – does that mean if somebody comes in and has a complaint about a cc, which is beyond what you’re able to process, does that mean that you point to the FAQ or you have a boilerplate answer for them that says, “Sorry, we can’t help you but here’s a way to find help elsewhere”?

My concern right now is just leaving people thinking they’ve got to a place and, “You can’t get there from here.” I’m just trying to reduce the amount of dead ends, even if it’s something you can’t help with directly.

MAGUY CERRARD:

Yes, we’ve done that. For the Team on the phone, if you go to the ICANN website, link into the complaints submission and FAQ, you’ll see how we’ve addressed that, Evan. We have, for example, about ccTLDs. It’s presented in the different languages. It guides them. It tells them what the list is and what to do. So we have built in and taken all that into consideration.

PAUL MCGRADY:

I’m Paul McGrady. I’m a Partner at Winston & Strawn. I am also the author of the Domain Name Treatise for LexisNexis. I am the Chair of the Sub-Committee on Internet governance for the International Trademarks Association.

Since Stacey first arrived on the scene a number of years ago, when ICANN was doing nothing about compliance, and started to do something about compliance, I've had the happy occasion to state at each meeting I was in attendance that I saw forward movement and therefore was able to say a word of encouragement.

I'm sad to say that this is the first time where I have to say that I don't see forward movement. We have a lot of data but from a practical, end-user standpoint, the processes, at least to me – and maybe some anecdotal data is helpful, I don't know what it is – it really feels like – and I apologise for the colloquialism here, some of you may not get this – the IRS and the registrar question ticket systems had a baby.

We really are very much – at least I am – feeling a run-around. I have attempted to use this system, where there is a question involving both an UDRP compliance issue and a transfer policy compliance issue, and halfway through staff tried to close the ticket. I had to beg that the ticket remained open. I've been trying to deal with a particular registrar that is insisting on the provision of passport information in order to issue an authorization code.

They'll not issue an authorization code to the administrative contact email now associated with the domain names following UDRP. We are on record as council for the client attempting to get these domain names not only moved into the name of the complainant, but also away from a non-compliant registrar in a jurisdiction where these domain names should not be.

All we've received is hassle, hassle, hassle. I really would like to understand the training process, because I'm left with an unfortunate

feeling that either people aren't being trained on how all these policies work together... In fact, at the end of an UDRP complaint, if you win, there's a transfer so those things can't be bifurcated.

Or, in the alternative, people are just – and this is what I don't want to see happen, but I'm afraid it is and this is what happens when organizations grow, build systems and get 40 resolution codes – trying to close a ticket. They are motivated to close a ticket. If you can resolve this then you get to put a 'resolved' number on your file and that's a gold star for you.

So for what it's worth, I think that all these things are great; all these metrics and measuring this and that, but I think that the human element is gone and a true desire to help appears to be gone. I'd encourage you guys to step back from all the numbers and all the pretty charts and all that other stuff, and ask yourself if you're really getting there.

In relation to the satisfaction survey, I would also ask that you guys step back from that and look back – maybe you did this – but have you had an expert look at the reply rates from people who've been hassled for weeks, and who may not be happy either with the process or the end result, and how likely they are to respond to yet one more thing from you?

First, it's the people who had a quick resolution, while there's essentially fatigue on the part of the people who are trying to use this system, and then handicap these results for that fatigue so that you get a real number of how people are actually feeling. A number by itself can be just a number. So I encourage you to look at that – to see if you're getting any data out of your satisfaction survey that matters.

You said something that was interesting – that you can't control the number of complaints that you get. I don't know that that's completely true, which leads me to – after my pontification – my actual question. I think that you can control the number of complaints by publishing registrar data.

I know that you mentioned that you don't do that, and I was curious – what is the justification for not publishing the specific data about non-compliant registrars until the breach notice? It's important strategy information for potential complainants under the UDRP. It's also important consumer protection information for when registrants choose a registrar.

As far as I know there's no privacy right in that information. ICANN is under a lot of criticism for appearing to be merely a trade association for its contracted parties, and this, from the outside, looks like you're shielding something. If you were going to place Mom in a nursing home, you'd better believe you're going to try and find out complaint information – even if those complaints are ultimately found to be unsubstantiated, you want to know how many complaints they had.

It's like that for almost any other industry. If you buy a car, even if somebody complained about the Toyota and it turned out that it was the person hitting the gas pedal instead of the brake, you still want to read the article about that. So I don't know... What's the rationale for ICANN shielding its registrars for this kind of information? I think it would be quite eye-opening to see exactly who the four/five big problem makers are, out there, that are causing most of these issues for us and for you.

MAGUY CERRARD: Just give me one second. You've asked three things and I want to confirm one thing before I respond. I just wanted to confirm... Thank you for bringing three items to my attention. What I'll do is... There are some things I'll need to follow up on personally. No forward movement. I don't agree with that, but then it's not about agreeing or not. Most importantly it's from your perspective, because you are not receiving a service, and it's in relation to a specific complaint that touched you.

PAUL MCGRADY: Yes, and I don't need you to address this specific complaint...

MAGUY CERRARD: I'm not. May I please finish answering?

PAUL MCGRADY: You bet. All I wanted to do was confirm, yes, I agree that what I said was anecdotal, and I'm not expecting you to agree that there's no forward movement. As you said, that's just my perspective and it's one based upon having watched the Compliance Department very carefully, and frankly having been a big fan for a decade.

MAGUY CERRARD: My turn? Thank you. I've always told my team if there is a perception out there there is some reality to it. I want to thank you for bringing this to my attention about the run-around. What I'm going to do is take it internally and internally do what we call a root [calls? 01:14:26] analysis to see the status of that specific instance; what happened along the

process, where are the opportunities for training, as you were stating, or improved communication, and we will respond to you.

You will get a response in which I'll be cc'd. I have Carlos to my right here. We're taking a few vacation days after the meeting, but if you'll allow us a little time we promise to get back to you on this one. I'll make sure it's on my calendar. Regarding... I'm not going to address the Pulse survey. People can have mixed feelings about surveys. We all receive mixed surveys left and right, it's just about our preference.

But I do want to highlight on thing about Pulse surveys, Paul. We receive a rating and we also receive comments. On my team I have a gentleman who's specialized in metrics; performance measurement, reporting, extensive years of operation and customer service. So he and I pay close attention not only to the rating but to the verbal feedback, and we take those and try to identify opportunities to improve them, or get in touch with the person who put forth that – to get clarity. So we do give it a lot of importance.

As to your last comment regarding my statement that we don't have control over the number of complaints, you were saying that could be resolved by Compliance publishing registrar data. Let me address that. I don't know how that relates to it, but we do publish a lot of data. If you're at all familiar with our compliance process, which we published, but most importantly I want to pull it up here on the screen.

It's a process that we built with the community, where in the process we clearly came, as a community, I personally conducted those sessions across all the areas and asked for feedback over two meetings before we finalized and structuralized it. Sorry, my screen is cutting off, I don't

know why. I went to the website for the remote participants, on the Compliance website under 'process' and I clicked on the 'overall Compliance process'.

There has got to be an opportunity, no matter what industry or business you work in, you have to allow for what we call an informal resolution. Informal resolution is between two parties, where you have to work. It's not about lack of transparency. It's about ability to first – is this a valid complaint? You don't want to publish everything you receive. If it is, you want to have the ability to work with the contracted parties to address it and give them the opportunity to resolve it.

You cannot just automatically publish everything. Having said that, the contracted party that reaches what we call an enforcement stage, from a public perspective, that is serious because they really have breached their contract. As I was stating earlier, if you go to the breach notices we do provide the chronology and all the events that led up to the enforcement. So yes, we do not publish it during the informal because we do want the opportunity to resolve it, and the resolution rates are phenomenal.

Again, I go back to that's why we look at metrics. If we were not seeing those resolution rates, it's back to the volume – the volume is going to vary by the registrar size, like I was saying earlier. It's not fair to just publish volume that's not telling you a full story. By the time it reaches an enforcement, everything will be visible to the community about what led to this breach and why.

PAUL MCGRADY:

I understand that and it doesn't answer the question but thank you. The question is, what's the rationale for shielding the information when it has the potential of being very useful to consumers and making their choices? I haven't heard a rationale for that, but then you want a chance to work it out quietly with a contracted party... I don't think that's... That's not a rationale.

It's not true – maybe in the domain name industry it may be true, it obviously is true – but in the real world, and in other industries, it's not true that there is no complaint data published essentially by regulators. There is complaint data of all sorts and all kinds, so I understand what you're saying and I appreciate your response, but it doesn't answer the question.

EVAN LEIBOVITCH:

Hi. Is it Paul? I want to follow up on that, and thank you for that, from the point of view of At-Large, that's been working on this as well. I just wanted to follow up and ask the question again, maybe rephrasing it a bit. Is the desire to not disclose the data at that first level something that's legally part of the RAA in terms of you sent something before, is there a right to privacy in the initial stages?

Is the lack of disclosure because of something that's contracted, so that there's a contracted right to privacy in the initial stages? Or is this simply a matter of courtesy, or what's behind not putting that data forward? Is it a convention, is it a policy, is it a contractual requirement? In terms of, for instance, you might be able to speed up the process if you said, "Okay, if after the second notice we're going to disclose your name," that might speed things up even further.

In terms of helping consumers make a informed choice about what registrar to use going forward, this would be a phenomenally good tool. I guess I just want to follow up with number one, agreeing with a lot of what Paul said, and also asking what the basis is upon which you're not disclosing the registrar data – whether that's an imposition on your or just an internal choice made.

MAGUY CERRARD:

The desire not to publish and disclose... Let me make sure I understand what it is you're looking for publishing. Correct me if I'm wrong, what I'm hearing is that you want data about the volume of complaints per registrar? Is that what you're asking for?

PAUL MCGRADY:

It would be very useful to have information about the number of complaints, whether or not those complaints were ultimately substantiated, and if they were substantiated, whether or not they were ultimately resolved. If I have a registrar and there are ten complaints against me and ten are unsubstantiated, then I know as a consumer that people just complain about these people but they're good folks and it turns out they were complaining about nothing.

If there are ten complaints against me, nine are substantiated and one is not, then we know that these are people who are not training their people, or they don't care about contractual compliance. I don't want to do business with them. If they don't care about complying with ICANN's consensus policy then as a consumer I don't want to do business with them.

Also, as an attorney, if I'm going to enforce a trademark right, I need to be able to tell my client, "We did a UDRP complaint, we'll get a good decision but these people aren't going to cooperate." You'd then have to build in that factor and the extra cost. So yes, the data is important. I think it's important to tie it to the substantiation results so that people can make their own judgments. As you said, just a number of complaints doesn't tell the story, because some of them could be completely unsubstantiated complaints.

MAGUY CERRARD:

Thank you for clarifying Paul. Evan, the desire to not disclose the data – I put the process back up here – is based on an agreement that we all discussed and worked on for the process, where we have to allow for informal resolution. To address the issue of what we call unresponsive or the availability of data to help people know who the contracted parties are that are being breached, we publish everything that reaches a breach notice with all the reasons why they were breached.

We also publish data about which areas are high in the breach notices. So again, I go back to the process where we clearly say, "We work in an informal resolution, and then when it's published it's in the formal space."

EVAN LEIBOVITCH:

Okay. If, as you say, there was a community consultation that led to the conclusion that it's okay to keep this stuff private, I guess I'll have to go back into the... I don't remember At-Large being part of that particular part of the conversation, but there is a benefit. If you have players that

solve complaints after the third notice, but are consistently having a lot of complaints that are solved after the third notice, as far as you're concerned they're all closed – they never go to breach.

But as far as a consumer choice issue is concerned, that still is valuable data for making a decision between players, and even that kind of disclosure is useful. As far as you're concerned it's closed, it's done, no problem. But if it goes three or four notices, or layers or whatever, and so you have a history of somebody that is consistently getting valid complaints that take up yours and the complainant's time, they get resolved eventually but you're always having this run-around.

If there are some that have a pattern of this, this is still useful information to be had out there, with the registrars to be known, even though as far as you're concerned it's closed and you move on.

MAGUY CERRARD:

Minor correction Evan – we do care. We do look at it, and I've pulled up slide 25. Look at the volume of complaints in third notice. If and when we have repeat behavior, where a registrar or contracted party is only responding at the third notice every time, that's when we look at trends and we immediately take action for an outreach.

We first understand what's being done, get a remediation plan for them if it's process or training, because that's part of our scope – it's a TAT that's been requested – and when we see that repeat behavior and after an outreach it's still not being addressed, we have enforcement tools and we do escalated notices and a different approach to it so that it's not a concern or an issue to the community.

So it's not that we don't care because it closed in the third notice. We do monitor that too, and we haven't seen that behavior that you described.

EVAN LEIBOVITCH:

Sorry, I didn't mean to imply you didn't care. That wasn't the issue. I'm just saying you might want to consider adding to your toolkit that if you get to that certain level of repeat offender, the part of your toolkit is publishing their information, because that will get them to change in a real hurry – perhaps faster than an awful lot of behind the scenes... Outreach is one thing. Publishing their data I think will get you very fast results.

SPEAKER:

Good morning. Thank you for your presentation. Paul's anecdotal experience notwithstanding, I'm a statistician and appreciate more of an emphasis on data, because I think that it helps us to understand trends and progress. I think part and parcel to that is probably going a step deeper in the statistics that are gathered, such that actual trends can be identified.

Ultimately the data's only of value if it helps us identify challenges and problem areas that we're trying to address, and then set objectives for addressing them. For example, dealing with Evan's problem, we don't need to name anybody. It would even be useful to know what percentage... What the characteristics were of registrars that typically went to the third notice instead of the first notice.

It would be interesting to see what the trend of that was. Is it regional? Is it about their size? Is it about their age? Is it about the number of TLDs for which they're a reseller? I don't know what these things are, and that's part of the problem. I'm guessing at things that might be factors.

Evan and I were both part of a very sensitive process with which you're familiar, in coming up with metrics for consumer trust confidence, choice and competition – some of those things, whatever they were – and a lot of those I know are going to end up on your plate. So some of this is about taking it a level down and trying to understand that. One of the slides that you've shown for the last six meetings is complaints by region.

What is it about those regions? Is it primarily a language issue? Is it primarily a law enforcement issue within those...? Is it more difficult to enforce contracts inside those jurisdictions? I was a little concerned that you sort of said, "I wish I could reduce these numbers." To me, that is in fact what you're supposed to be doing.

There are things you have control over and there are things you have an impact on, and I realize there's a difference between those to, but at the same time if we take these numbers down one more level to really identify trends, characteristics and challenges, that will be the presentation that really excites me. Not the one that says, "Here's what we're doing."

I appreciate that too, but the one that says, "Now that we've looked at the data, here's what we identify as the three primary challenges that we need to address now and going forward," as your world expands exponentially, right? I don't envy you that. "Here are the challenges and

here's what we're going to do to try and identify these three challenges, and in six months we're going to look to see if those things we said we were going to do to address those challenges worked.

"If they didn't we're going to get back together and come up with three different things that we're going to try to do to address those challenges." So it's those trends and objectives. I appreciate that the one you showed us... I guess I don't even remember what that was. Closure rates? Increasing that to 55%, right? I appreciate that. I just see speckles throughout here a lot of opportunities to go one level deeper and really identify what the data means.

That's what I'm trying to say, because right now I don't even know. I think ICANN has an issue generally that I sometimes call obscurity through transparency. There's a lot of data. I don't know if these statistics are good statistics, and I don't mean valid – I don't know whether or not that complaint rate might just be a decent complaint rate. It could be so much worse. Or should we be trying to cut it in half?

Those are the kinds of things that I'd really like to get to if we could. I know you've a lot of experience in this area and I know you know this, so I'm sure some of this is just being overwhelmed with the size and magnitude of this problem, but I think that's what we're all trying to touch one – what Evan's trying to touch one, etc. – and what this organization is now taking baby steps into is that true accountability requires having objectives.

Without objectives there is zero accountability, and that's true for this organization as a whole. But like I said yesterday, Compliance is where the greatest opportunity for understanding where the challenges lie and

whether or not we're succeeding in addressing them. The ability to do that is nowhere greater than it is in Compliance.

MAGUY CERRARD:

I have a question. Have you guys gone on myICANN on the Compliance tab? We have provided a lot of data, and what would be helpful for those people who have provided me with input – I thank you for it – is if you do not put it where it's the level of data you require, you're right. We do have a lot of data. We do look at it, and we look at the trends, and we do take activities, but again – I said it earlier – how can you tie outreach activities to a reduction in complaints?

I haven't found that formula. If you have it, we're still working on it. I have an expert who's knowledgeable in performance reporting. We look at the trends by the region. We do know the volume of complaints that reach third notice. We know if it's an interpretation, if it's lack of understanding. In many instances it was lack of understanding in the communication, which helped us to introduce the different languages into the communication aspect.

The biggest volume has always been WHOIS inaccuracy and transfers, and continues to be because they're a comment to everybody. So we do conduct ongoing outreach activities and discussions to educate at a registrar level, at a regional level, or at an ICANN meeting level. There is a lot of information. I think what I'm struggling with is a definition of what is expected. If you can shoot me an email, "Can you please provide X about Y? Here's what I define Y to be."

That will open a dialogue if I do not understand the email. Even if I do understand the email. If you know my style, since I've been here, I'll reach out to you to confirm the understanding of what's being requested and I will set forth very transparently whether I am able to meet that expectation and that metric or not. I will not say no without why.

I may be misunderstanding something, so please –and I know it's frustrating, because I keep hearing the same thing, and every time we think we've moved forward by providing more we seem to not to. So there's definitely a break here in the expectation. I hear you, but shoot an email with, "Here's a definition. Here's what we're looking for." I think those are coming through the Working Group.

We've been looking at over 70 metrics that came through, with the ALAC input. So we have received a lot of requests on metrics. Staff is reviewing those. We have put forth a way in which we're providing staff input, additional questions for clarification, or a recommendation for a solution for that metric to be validated.

But our understanding is that there is a new Working Group coming together. So we have a lot of data. Look on myICANN and if it's not there, ask. It's there. How will I be able to report on the different areas in the ongoing progress, if I didn't have that?

SALA TAMANIKAIWAIMARO: Thank you. Before I make my comments I'll just preface them with saying where my comments are coming from. As someone who in a prior life used to regulate the capitals and securities market back in my

own country, I have great appreciation for the compliance call card. Sometimes, for those who in terms of...

Not so much the jurisdiction but the subjects that are being monitored or regulated – or maybe I shouldn't use the word regulated, but you get the essence of what I mean – sometimes there are times where there are levels of misunderstanding on certain things. To some extent I feel that the Compliance Team can only go so far as to identifying a metrics. Yes, we can tell them to identify even more specific sub-metrics, and clearly from what Maguy's saying, they're open to that and we should do that in the appropriate place in the myICANN space.

Having said that, I think the confusion is – and I think it's something that's easily resolved – in terms of the use of information. There are clearly different priorities, different interests and different expectations in the type of analytics being demanded, and clearly for different constituencies we're hearing different things.

For example we're hearing different things from those interested in law enforcement, and we're hearing different things from those from the trademark perspective and that sort of thing. I suppose a way to go about addressing the issue is to have, perhaps in the next ICANN meeting, or even before then, have a separate session that's not a Compliance session.

We could have an open dialogue where we could discuss potential use for data and statistics. I would suggest having a blanket table, blanket form and start from scratch, and have a brainstorming session. When we do that what we'll begin to see is different expectations and different demands. What we can then begin to do it section it and identify, "Okay,

because this is the remit of ICANN Compliance, they can only do so much.”

At the end of the day, and I’ll conclude here... I’ll conclude my remarks by saying at the end of the day, Compliance only has a specific jurisdiction or remit. There are certain things that demand cross-constituency collaboration from the stakeholders themselves, in terms of positive engagement. Sometimes it shouldn’t just be the stick approach – it could also be incentives, like the carrot approach. So I just thought I’d throw that in. Thank you.

MAGUY CERRARD:

Thank you Sala. The question regarding the session for... Have you approached...? There was a Working Group... Okay. We’re also still participating from a staff perspective. There is that strategic team that I think is led by... My direct contact is Margie. It’s on reviewing all 70 metrics and working through that. So I will inform her of that recommendation but feel free to draft me a note please. I don’t want to miss an element of what you shared with me, because I captured a few things but I don’t want to assume that I’ve captured everything.

If you can send me a note of the idea of the session, if you don’t know who Margie is, I will forward it to her and see what the right forum and approach is for such a session. It will require different activities, planning, facilitation and skillsets. To address the other area, the confusion, you’ve heard there’s been an intensified effort in the regions on ICANN’s role, ICANN’s remit, and part of that is also discussing Compliance’s role.

Now, Compliance is not travelling to the regions, but we have the regional VPs who are engaged, informed and represent ICANN about ICANN's remit and role. So if there is an area that you think has not been addressed, feel free to send me that note please. We know who is where, what and when, and I can make sure it gets to the right people. Thank you.

SPEAKER: I'll address your remarks just briefly.

MAGUY CERRARD: Sorry, I thought we were here until 10:30? We're here until 10 o'clock. I'm notified we have to conclude. We lost track of time! Again, on the last resource there is a way to contact us if you have ideas and questions. Please let us note, thank you again for joining the session this morning.

[END OF TRANSCRIPT]