





Program Update

Contractual Compliance | ICANN 58 | 13 March 2017

Agenda

- Brief Update Since ICANN 57
 - Registrar Compliance Update
 - Registry Compliance Update
 - Contractual Compliance Audit Update
- Questions & Answers
- Appendix for your reference
- Continuous Improvement Updates
- WHOIS Accuracy Reporting System
- Policy Update
- Performance Measurement & Reporting
- Additional Audit Slides





RAA Lessons Learned Summary

1

Transfer Policy

Transfer of registrations between Registrars and Registrants

2

Domain Renewal Reminders

Sending timely reminders to registered name holder

3

Registrar Data Escrow Obligations

Terms, Format and Schedule



Uniform Dispute Resolution Policy Requirements

Lock and Verification requirements UDRP Rule 4(b)

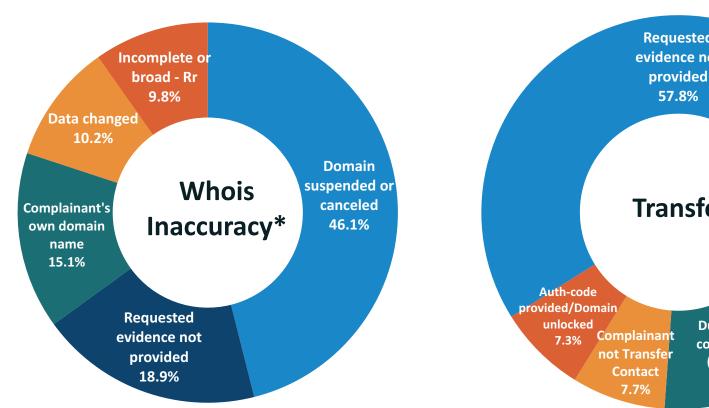


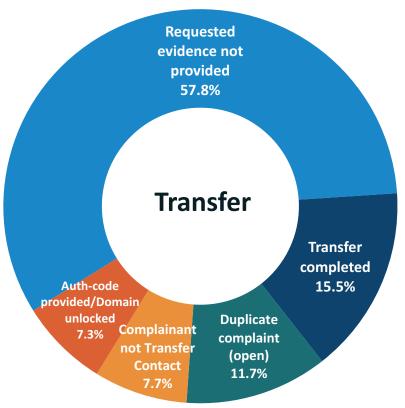
Registrar Complaint Types in Detail

Registrar Complaints	Quantity		Closed before noti		ICANN Issue	
	ICANN 57	ICANN 58	ICANN 57	ICANN 58	ICANN 57	ICANN 58
WHOIS INACCURACY	19,686	12,754	9,232	7,146	2	7
QUALITY REVIEW	5	4	0	1	0	0
Bulk Submission	2,744	335	225	3	0	0
individual submission	13,932	6,862	7,542	3,781	1	3
WHOIS ARS	3,005	5,553	1,465	3,361	1	4
TRANSFER	3,825	1,494	2,813	1,155	0	1
WHOIS FORMAT	735	339	537	174	0	0
DOMAIN RENEWAL	603 287		390	213	0	0
WHOIS UNAVAILABLE	WHOIS UNAVAILABLE 399		258	92	1	0
ABUSE	377	195	280	113	0	0
DOMAIN DELETION	370	262	380	247	0	0
DATA ESCROW	310	170	41	30	9	51
CEO CERTIFICATION	230	57	0	0	0	0
CUSTOMER SERVICE	173	76	142	71	0	0
UDRP	153	80	68	36	0	0
WHOIS SLA	126	143	103	137	0	0
REGISTRAR INFO SPEC	91	41	78	33	0	0
REGISTRAR CONTACT	78	30	62	29	0	0
PRIVACY/PROXY	44	28	32	22	0	0
REGISTRAR OTHER	36	15	19	2	0	0
FAILURE TO NOTIFY	28	8	25	8	0	0
DNSSEC, IDN, IPV6	17	7	13	5	0	0
RESELLER AGREEMENT	1	3	0	0	0	0
FEES	1	5	0	0	0	0
Total	27,283	16,157	14,473	9,513	12	59



Registrar Complaint Types & Top Closure Reasons (Oct 2016 – Jan 2017)

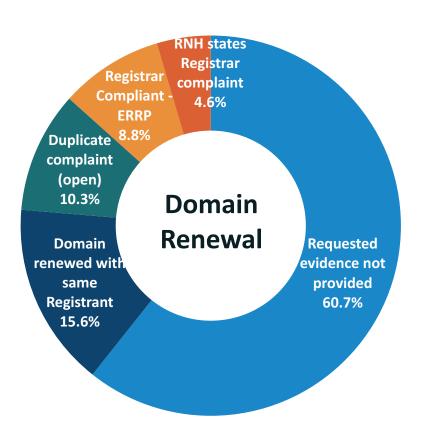


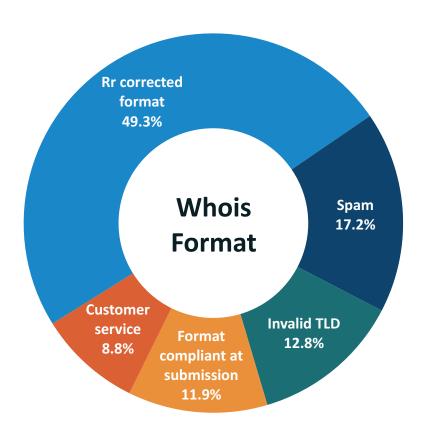


Does not include "Whois ARS" – see appendix for these closure reasons Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.



Registrar Complaint Types & Top Closure Reasons (Oct 2016 – Jan 2017)

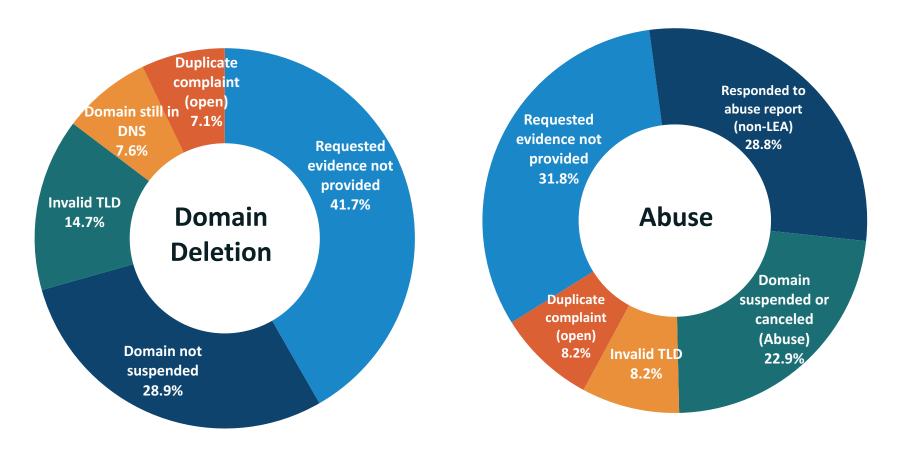




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Registrar Complaint Types & Top Closure Reasons (Oct 2016 – Jan 2017)



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RA Lessons Learned



Zone File Access Requirements (CZDS)

Complying with reasons for denial of access

2

Registry Data Escrow Requirements

Complying with Registry Operator and Data Escrow Agent notification obligations

3

Assignments: Change of Control & MSA

Complying with requirements for notification to and approval by ICANN

4

Bulk Registration Data Access (BRDA) Requirements

Complying with BRDA obligations

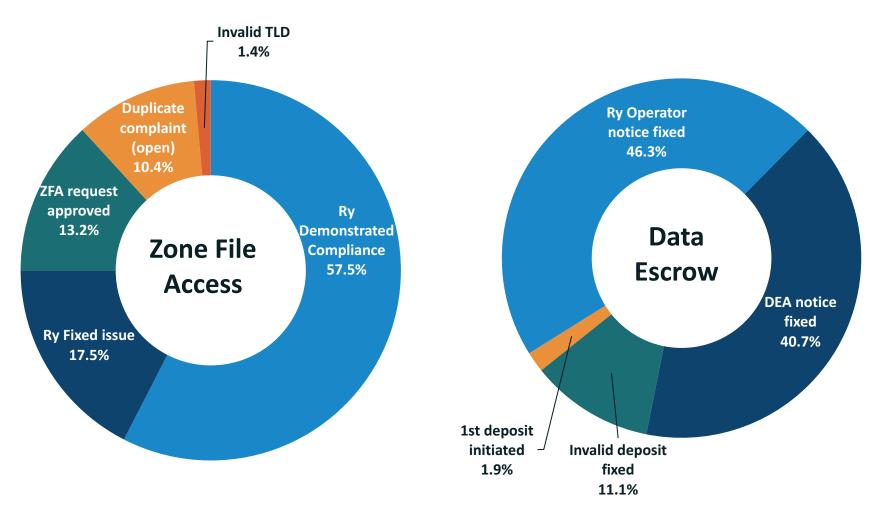


Registry Complaint Types in Detail

Registry Complaints	Quantity		Closed before noti		ICANN Issue	
	ICANN 57	ICANN 58	ICANN 57	ICANN 58	ICANN 57	ICANN 58
ZONE FILE ACCESS	732	197	176	64	2	0
CODE OF CONDUCT	315	32	9	2	2	0
MONTHLY REPORT	140	30	1	0	1	0
REGISTRY OTHER	86	54	66	46	2	0
REGISTRY DATA ESCROW	81	66	0	0	0	0
SLA	40 20		23	19	1	0
ABUSE CONTACT DATA	40	31	40	30	0	0
RESERVED NAMES/CONTROLLED INTERRUPTION	40	18	21	11	1	0
SLA ALERTS	31	48	1	0	0	2
RR-DRP	27	6	27	6	0	0
REGISTRY FEES	14	4	0	0	0	0
BRDA	13	37	0	0	0	4
PIC	9	4	6	3	0	0
URS	7	2	6	0	0	0
BULK ZFA	2	4	0	0	0	0
CLAIMS SERVICES	1	3	1	3	0	0
WILDCARD PROHIBITION	1	0	0	0	0	0
SUNRISE	0	2	0	2	0	0
MISCONDUCT	0	0	0	0	0	0
BANKRUPTCY	0	0	0	0	0	0
Total	1,579	558	377	186	9	6



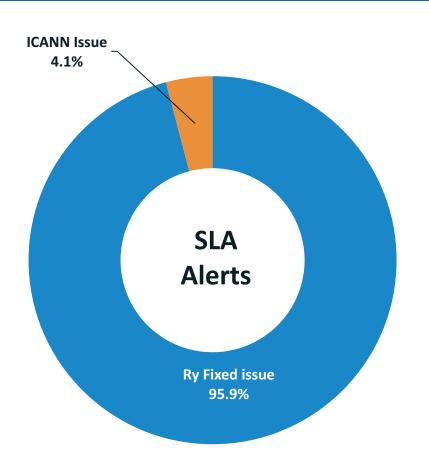
Registry Complaint Types & Top Closure Reasons (Oct 2016 – Jan 2017)

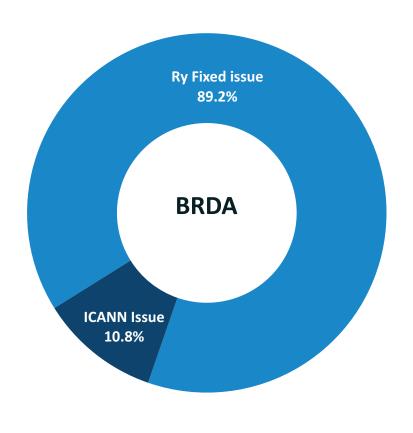


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Registry Complaint Types & Top Closure Reasons (Oct 2016 – Jan 2017)





Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.



Contractual Compliance Audit Activities Update

- Registrar Audit
- Registrar Data Escrow Proactive Monitoring
- Registry Audit

Link to the ICANN Contractual Compliance Audit Page:

https://www.icann.org/resources/pages/audits-2012-02-25-en

2013 Registrar Accreditation Agreement: Audit Timeline (current round)

Audit Program Milestones									
Pre-Audit Notification	Request for Information (RFI) Phase			Audit Phase		(Initial) Report Phase	Remediation	(Final) Report Issued	
	1st Notice	2nd Notice	3rd Notice	Begin	End	Date Issued	Start/End	Tentative Issue Date	
26 Sep 2016	4 Oct 2016	25 Oct 2016	1 Nov 2016	9 Nov 2016	13 Jan 2017	16 Jan 2017	Jan 2016/ Mar 2017	Apr 2017	



Registrar Audit Selection Criteria

- Never audited or audited longest time ago compared to other registrars
- Accreditation changed from 2009 RAA to 2013 RAA
- Registrars with recurring issues that were previously remediated
- Responsiveness to compliance requests (number of 2nd/3rd Notices sent per number of valid complaints received)
- Received Notice of Breach in last 12 months
- Failed to make valid data escrow deposit multiple times during prior month
- Registrars subject of ICANN community concerns, as reflected in media reports, blogs or inquiry/reports from community members or other contracted parties



2013 RAA: Audit Population

- ⊙ 55 Registrars received Request for Information (RFI) in October 2016
 - ② Registrars have been postponed to next audit round
 - 1 Registrar has been terminated due to non-response to RFI
- Selection criteria for selected Registrars:
 - Received partially remediated report in previous audit round
 - ICANN Community Concerns
 - Not audited since 2012 audit round
- Selected Registrars represented 24 countries: Australia, Austria, Brazil, Canada, China, Denmark, Germany, Hungary, India, Israel, Italy, Korea (South), Morocco, Netherlands, Norway, Panama, Russian Federation, Singapore, Spain, Sweden, Turkey, United Kingdom, United States and Vietnam
- ICANN received and reviewed over 6,200 documents in 13 languages: Chinese, Danish, Dutch, English, French, German, Hungarian, Italian, Korean, Russian, Spanish, Turkish and Vietnamese
- ICANN continues to work closely to determine sufficiency of information and/or documentation provided



Top 5 Audit Deficiencies Highlights

Deficiency* Rank	2013 RAA provision(s)	2013 RAA Obligation
1	3.7.7.1 to 3.7.7.12	Registrar shall require all Registered Name Holders to enter into an electronic or paper registration agreement with Registrar including at least the provisions set forth in Subsections 3.7.7.1 through 3.7.7.12
2	3.18	Registrar shall maintain an abuse contact to receive reports of abuse involving Registered Names sponsored by Registrar, including reports of Illegal Activity. Registrar shall publish an email address to receive such reports on the home page of Registrar's website (or in another standardized place that may be designated by ICANN from time to time). Registrar shall take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse
3	3.3.1 to 3.3.5 / Registration Data Directory Service (Whois) Specification	Until ICANN requires a different protocol, Registrar will operate a WHOIS service available via port 43 in accordance with RFC 3912, and a web-based Directory Service providing free public query-based access to at least the <u>elements</u> set forth in Section 3.3.1.1 through 3.3.1.8 of the Registrar Accreditation Agreement in the <u>format</u> set forth in Section 1.4 of this Specification. ICANN reserves the right to specify alternative formats and protocols, and upon such specification, the Registrar will implement such alternative specification as soon as reasonably practicable.

^{*}A deficiency is defined as an initial finding noted in the audit report that is validated by auditee



Top 5 Audit Deficiencies Highlights (continued)

Deficiency Rank	2013 RAA Provision(s)	2013 RAA Obligation
4	3.16	ICANN has published an educational webpage summarizing the terms of the Registrar Accreditation Agreement and related Consensus Policies (as of the date of this Agreement, located at: http://www.icann.org/en/registrars/registrant-rights-responsibilities-en.htm . Registrar shall provide a link to such webpage on any website it may operate for domain name registration or renewal.
5	3.17 / Registrar Information Specification	Registrar shall provide to ICANN the information specified in the Registrar Information Specification (RIS), which shall be maintained in accordance with Section 3.17 of the Agreement. Including: Updated Primary contact name: Title, Address, Phone number, Fax number, Email Address



Registrar Data Escrow Proactive Monitoring

- Data Escrow Agent conducts manual review of deposits as requested by ICANN in cases where:
 - Registrar receives 3rd or Escalated Notice (potential for breach/termination that requires bulk transfer of domains)
 - Number of domains escrowed differs from number of domains under Registrar's management, as reported by Registry Operator
- Since ICANN 57, approximately 80 data escrow manual reviews requested and performed by Iron Mountain
- ICANN is in ongoing discussions with other data escrow agents approved by ICANN regarding ability to perform similar manual reviews; some confirmed ability and some performed one review for test purposes
- Manual review based on ICANN Registrar Data Escrow Specification at https://www.icann.org/en/system/files/files/rde-specs-09nov07-en.pdf



Registrar Data Escrow Proactive Monitoring

Iron Mountain informs ICANN when a review results in failure

- Most frequent causes of failures are:
 - Header formatted incorrectly: usually missing required elements or header names are not clear (Sections 4.1.2 and 4.1.13-4.1.14 of Specification)
 - File name formatted/named incorrectly: must be formatted according to naming conventions in Sections 4.1.21.1- 4.1.21.5 of Specification
 - For Privacy/Proxy services contact information for beneficial user is escrowed, but not public facing Privacy/Proxy provider information
 - Registrant contact information is incomplete (missing values)
 - Missing data for top-level domains
 - Some Registrars did not escrow any data for new gTLD domains
 - No domains appear in the deposit



New Registry Agreement: Audit Timeline (current round)

Audit Program Milestones									
Pre-Audit Notification	Request for Information (RFI) Phase			Audit Phase		(Initial) Report Phase	Remediation	(Final) Report Issued	
	1st Notice	2nd Notice	3rd Notice	Begin	End	Date Issued	Start/End	Tentative Issue Date	
9 Jan 2017	23 Jan 2017	13 Feb 2017	20 Feb 2017	27 Feb 2017	5 May 2017	8 May 2017	May 2017/ June 2017	16 June 2017	



Registry Audit Selection Criteria

- Registry Operators using Registry Service Providers whose performance has not been reviewed via audits of other Registry Operators
- Responsiveness to compliance requests (number of 2nd/3rd Notices sent per number of valid complaints received)
- Registry Operators subject of ICANN community concerns, as reflected in media reports, blogs or inquiry/reports from community members or other contracted parties



New Registry Agreement: Audit Population and Statistics

- - Registry Service Provider (RSP) requested inclusion
 - Registry Operators using Registry Service Providers whose performance has not been reviewed via audits of other Registry Operators

 - ▼ TLD has either gained or lost highest number of domains in 2016
- Selected Registry Operators represent 9 countries: China, Ireland, Japan, New Zealand, Taiwan, Thailand, United: Arab Emirates, United Kingdom and United States
- ⊙ To date, ICANN Contractual Compliance has received, and is currently reviewing, over 950 documents in 3 languages: Chinese, English, and Japanese



Questions & Answers



Send compliance questions

To: compliance@icann.org

Subject line: ICANN 58 Program Update Session

The ICANN 58 presentations are available at:

- The ICANN Contractual Compliance outreach page at this link https://www.icann.org/resources/compliance/outreach
- The ICANN 58 Schedule page at this link https://icann582017.sched.org/
- 2016 Contractual Compliance Annual Report published at https://www.icann.org/en/system/files/files/annual-2016-31jan17-en.pdf





Continuous Improvement Updates

Complaint processing system improvements:

- Transfer Policy
 - Updates to Transfer Complaint Form
 - New and updated transfer templates and resolve codes
- Revisions to resolve codes to improve clarity
- Improvements for sending and receiving communications
- Updates to closure notices to contracted parties and reporters



Continuous Improvement Updates

Proactive Initiatives in 2016

- > 3rd Notice Continuous Improvement outreach to improve registrar compliance by reducing or eliminating 3rd notices. 3rd notices are the final stage before a notice of breach. The preliminary findings show a reduction and for some, zero 3rd notices.
- Whois verification review outreach focused on the APAC region to ensure compliance with the 2013 RAA requirement to verify and validate Whois information. Registrars that could not demonstrate initial compliance collaborated with the team to update systems and processes to ensure future compliance.
- Audit remediation validation review to ensure continued compliance by contracted parties on previously remediated issues between June 2015 and June 2016. The review confirmed continued compliance.





WHOIS ARS Compliance Update Since ICANN 57

- WARS main page: https://whois.icann.org/en/whoisars
- WHOIS inaccuracy complaints tested operational accuracy of addresses, telephone numbers and email addresses of registrant, admin and tech contacts in WHOIS data
 - - 4,001 WHOIS inaccuracy tickets
 - 1,521 forwarded to registrars
 - All tickets closed
 - - ◆ 4,544 WHOIS inaccuracy tickets
 - 1,891 forwarded to registrars
 - ⊙ 246 in process
 - ◆ 4,308 tickets closed
- WHOIS format complaints Syntax failure
 - Addressed along with WHOIS inaccuracy issues
 - Phase 2, Cycle 4 data to be part of selection criteria for registrar audit



WHOIS ARS Compliance Update (continued)

- Sample of top closure reasons and volume for Phase 2, Cycle 2:
 - WHOIS data at ticket creation different from sampled WHOIS data (1,501)
 - Domain suspended or canceled (1,260)
 - WHOIS data changed or updated (317)
 - Domain not registered when ticket processed (317)
 - WHOIS format issue identified for 2013 Grandfathered Domain (249)
- Sample of top closure reasons and volume for Phase 2, Cycle 3
 - WHOIS data at ticket creation different from sampled WHOIS data (1,616)
 - Domain suspended or canceled (1,267)
 - WHOIS format issue identified for 2013 Grandfathered Domain (381)
 - WHOIS data changed or updated (367)
 - Domain not registered when ticket processed (201)

Note: some complaints closed with multiple reasons



WHOIS ARS Compliance Scope & Approach

- Compliance coordinates with WHOIS ARS team to ensure testing aligns with RAA and provides processing feedback to improve WHOIS ARS
- Complaints created from WHOIS ARS are processed as WHOIS inaccuracy or WHOIS format complaints, following published Contractual Compliance Approach and Process https://www.icann.org/resources/pages/approach-processes-2012-02-25-en
- No notices of breach for WHOIS ARS Phase 2 Cycle 3
- WHOIS ARS Phase 2 Cycle 3 processing began November 2016; expected to be completed in March 2017
- WHOIS ARS Phase 2 Cycle 4 complaints expected around May 2017
- ⊙ Compliance and registrar feedback provided to WHOIS ARS team
- ICANN will continue to give priority to complaints submitted by community





Policy and Working Group Efforts - Registrar

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

- Translation and Transliteration of Contact Information
- Privacy and Proxy Services Accreditation Issues
- Thick WHOIS & Registration Data Access Protocol (RDAP)



Policy and Working Group Efforts – Registry

Actively contributing to Registry-related policies and Working Groups

- Competition, Trust and Choice Review
- Rights Protection Mechanism Review
- New gTLD Subsequent Procedures
- Clarification of Public Interest Commitments Specification 11, Section
 3b Advisory and Security Framework
- IGO-INGO: Curative Rights Protections and Protection of Identifiers
- Thick WHOIS & Registration Data Access Protocol (RDAP)



Policy and Registry Agreement Updates

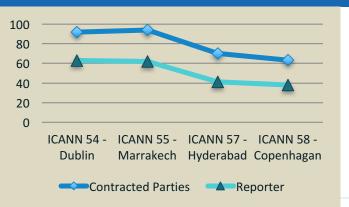
Registry-related policies and agreement updates in process since ICANN 57

- Proposed amendments to base New gTLD Registry Agreement Registry Operator voting period closes 10 April 2017
- Registry Registration Data Directory Services (RDDS) Consistent Labeling and Display Policy (CL&D) published; effective 1 August 2017 https://www.icann.org/resources/pages/rdds-labeling-policy-2017-02-01-en
- Thick Whois Transition Policy for .com, .net and .job published with milestones for Registry Operators and Registrars https://www.icann.org/resources/pages/thick-whois-transition-policy-2017-02-01-en
 - ⊙ All new domain registrations must be submitted as Thick by 1 May 2018
 - All relevant registration data for existing domains must be migrated to Thick by 1 February 2019





Customer Satisfaction Survey



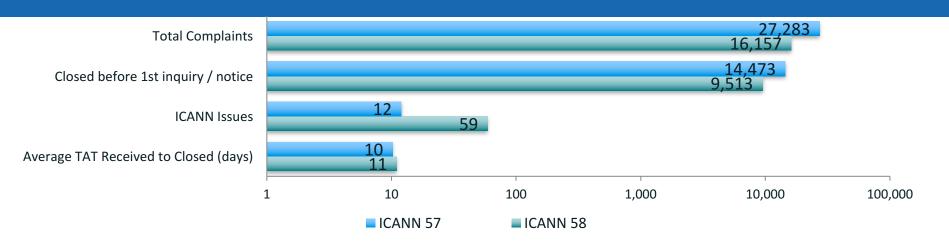
What is Your Overall Satisfaction with Our Services?

Overall Customer Satisfaction Target



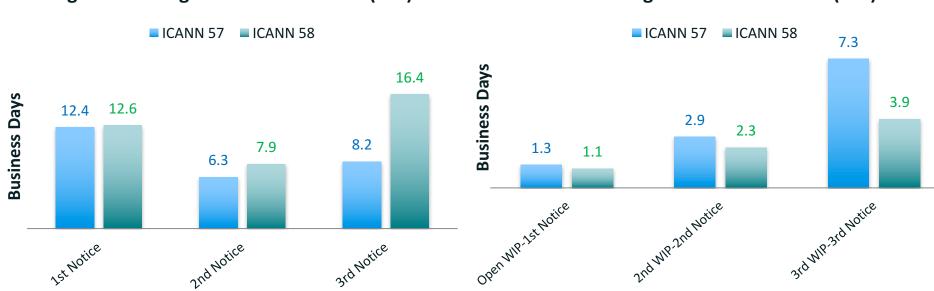


Registrar Complaint Volume & Turnaround Time



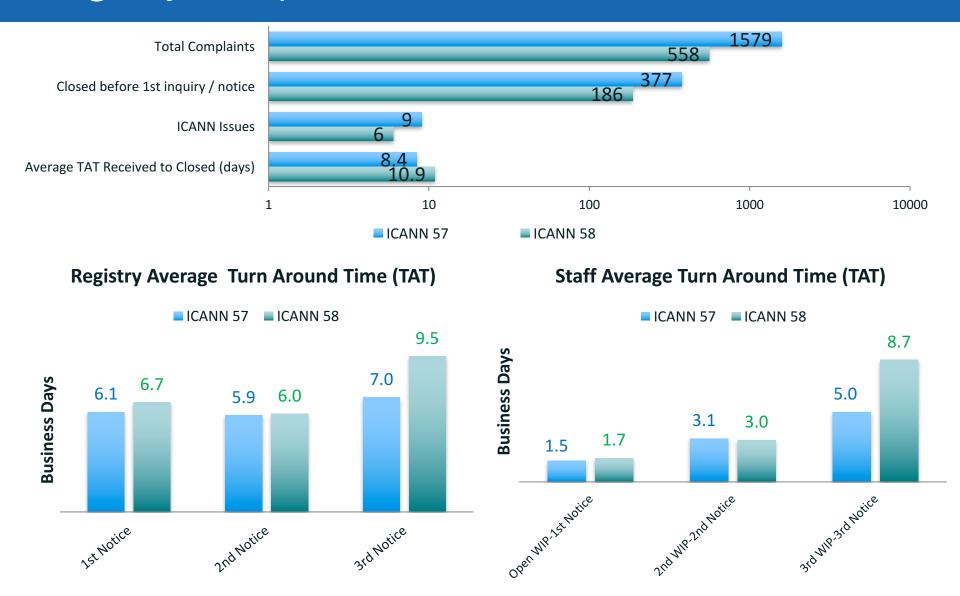
Registrar Average Turn Around Time (TAT)

Staff Average Turn Around Time (TAT)



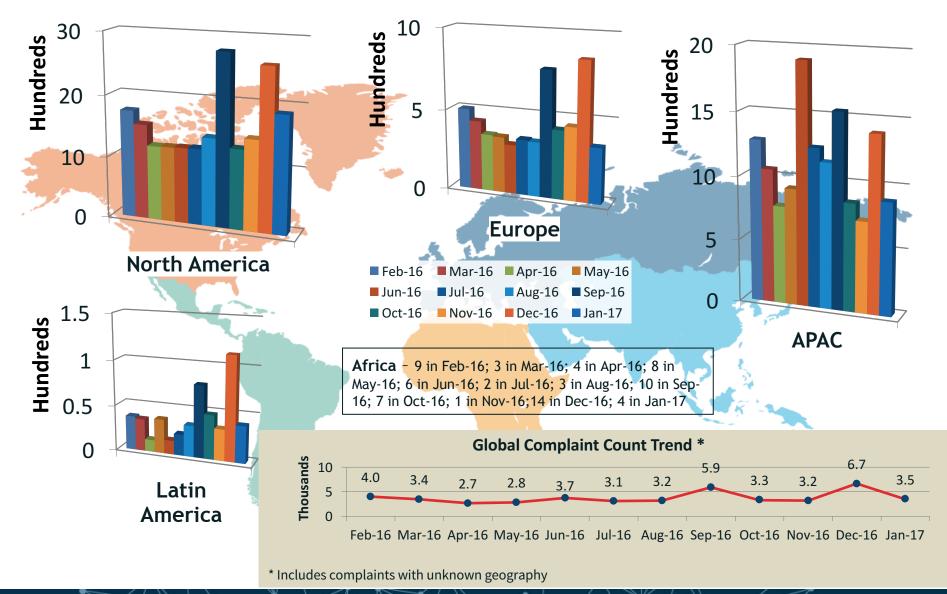


Registry Complaint Volume & Turnaround Time



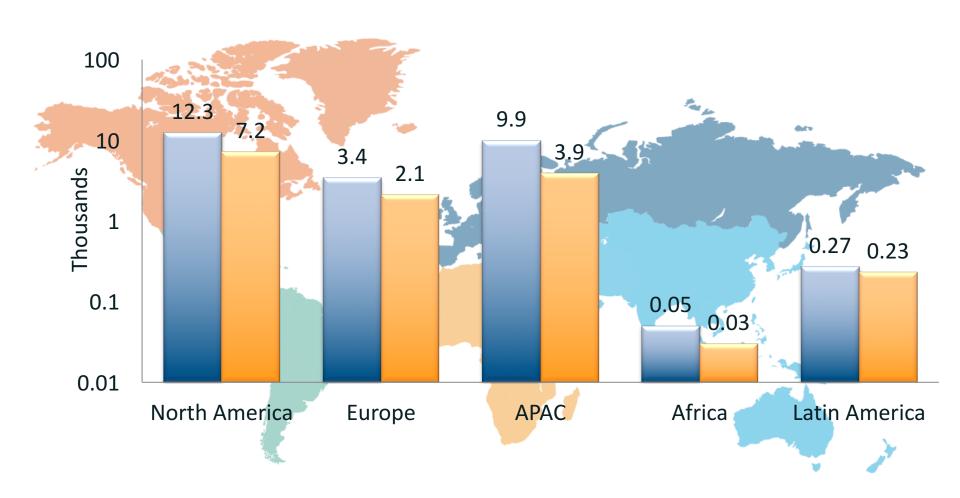


Global Complaint Trend Feb 2016 – Jan 2017





Global Complaint Trend ICANN 57 vs. ICANN 58







Registrar & Registry Complaints by Region (Oct 2016 – Jan 2017)

ica	112.7M	7,241	.006%
America	2,644	253	9.6%
ż	619	77	12.4%

e e	33.2M	2,072	.006%
Europe	193	120	62.2%
Ē	389	86	22.1%

n ica	0.9M	235	.028%
Latir	25	12	48.0%
I Ar	18	6	33.3%

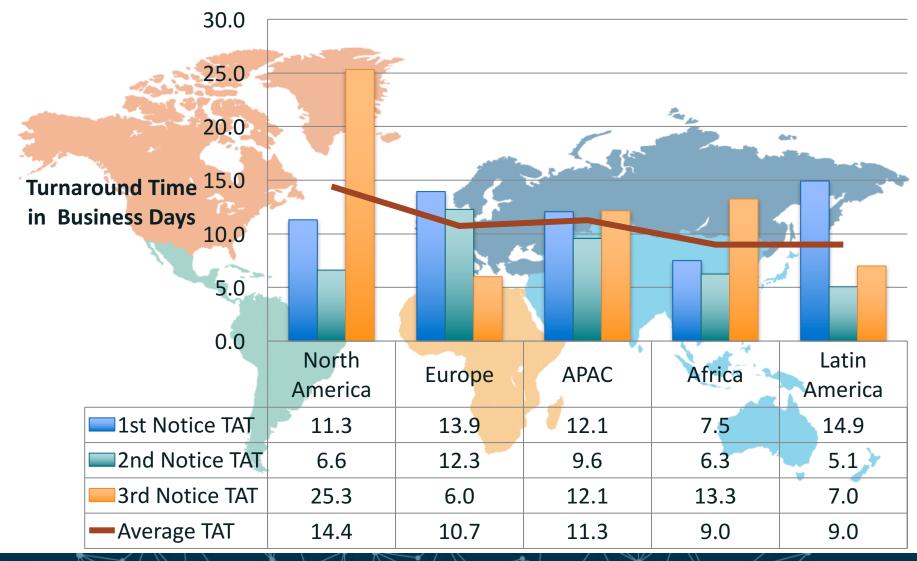
7 - A 100 100 100 100 100 100 100 100 100 1			
G	46,669	26	.056%
Africa	11	5	45.5%
	7	3	42.9%

	46.6M	3,873	.008%
APAC	266	157	59.0%
,	212	61	28.8%

Ω	Domain Volume (as of Oct 2016)	# Complaints	% Complaints per Domain Volume
EGEND	# registrars per region	# registrars w/ Complaints	% registrars with complaints per region
	# registries per region	# registries w/ Complaints	% registries with complaints per region

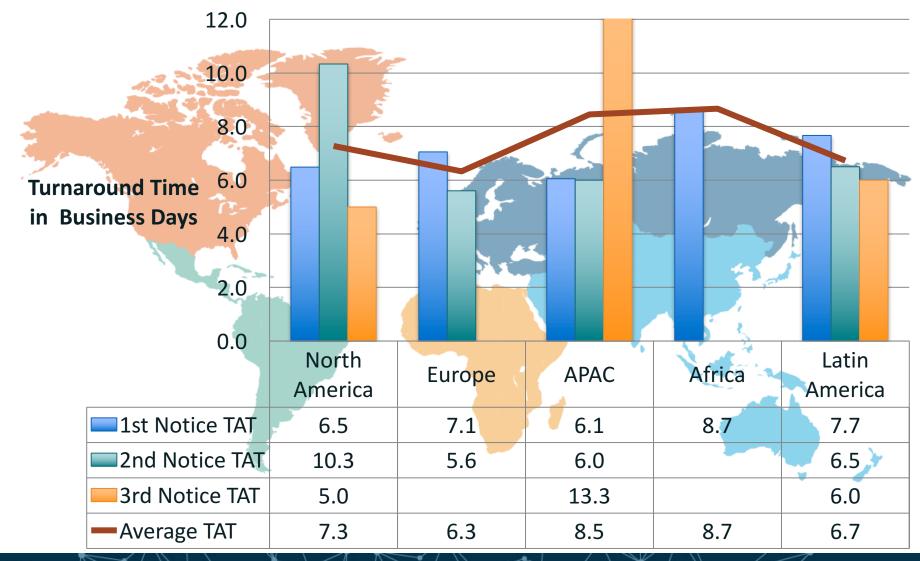


Regional Registrar Turnaround Time (Oct 2016 – Jan 2017)





Regional Registry Turnaround Time (Oct 2016 – Jan 2017)





Running Balance Scorecard

	ICANN 57 [Feb16 - Sep16]	ICANN 58 [Oct16 - Jan17]
	New Complaints	New Complaints
REGISTRAR	27,283	16,157
REGISTRY	1,579	558
Total New Complaints	28,862	16,715
Total Prior Month(s) Carryover	11,146	8,348
Total Complaints	40,008	25,063
	Complaints Closed	Complaints Closed
Volume Closed Before 1st Notice	14,850	9,699
Volume Closed Before 2nd Notice	11,702	5,728
Volume Closed Before 3rd Notice	1,456	591
Volume Closed Before Enforcement	225	79
Volume Closed After Enforcement*	75	37
Total Closed	28,308	16,134
	Complaints Open (Carryover)	Complaints Open (Carryover)
Volume Open Before 1st Notice Sent	4,447	5,130
Volume Open in 1st Notice Sent	6,240	3,651
Volume Open in 2nd Notice Sent	728	3,447
Volume Open in 3rd Notice Sent	247	214
Volume Open After Enforcement	38	13
Total Remaining Open (sum of each month)	11,700	12,455
Carryover at end of period	2,165	2,024
	Formal Notices	Formal Notices
Volume Breach	16	9
Volume Contract Non-Renewal	0	0
Volume Suspension	2	3
Volume Termination	2	4

^{*}A single breach may contain multiple complaints





Contractual Compliance Audit Phases



- ➤ Pre-Audit Notification is sent to all contracted parties informing them about upcoming audit, audit start date and scope of audit.
- ➤ Request for Information Notification is sent to auditees and includes list of required documents. Negative confirmations sent to all contracted parties not under audit.
- > Audit Phase: Documentation and data are collected and reviewed by ICANN audit team.
- > Report Phase: Audit reports are issued by ICANN audit team and sent to each auditee.
- ➤ Remediation Phase: Auditees that received reports with initial finding(s) work and collaborate with ICANN audit team to address finding(s).
- Final Report: Final audit reports are issued upon completion of audit and successful remediation of any noted deficiencies.



Contractual Compliance Audit Program Materials

https://www.icann.org/resources/pages/audits-2012-02-25-en

- Registry / Registrar audit plans
- Audit Communication Templates
- Audit Program Frequently Asked Questions
- Audit Outreach sessions by calendar year
- Audit Reports by calendar year
- Past Audit Program plans

