I C A N N | **61**
COMMUNITY FORUM

SAN JUAN
10–15 March 2018

Program Update

ICANN Contractual Compliance

ICANN 61
14 March 2018

Agenda

- Brief Update Since ICANN 60
  - Performance Measurement & Reporting Update
  - Registrar Compliance Update
  - Registry Compliance Update
  - Contractual Compliance Audit Update

- Questions & Answers

- Appendix for your reference
  - Policy Update
  - Additional Audit Slides

Performance Measurement & Reporting Update

Enhancing Transparency in Reporting

Enhanced Monthly Reporting

- Additional metrics on complaints related to the Governmental Advisory Committee (GAC) Category 1 Safeguards and Complaint Type:
  - GAC Category 1 Safeguards categories: Children, Environmental, Health and Fitness, Financial, Charity, Education, Intellectual Property, Professional Services, Corporate Identifiers, Generic Geographic Terms, Health and Fitness, Gambling, Charity, Education, Professional Services, Corporate Identifiers, Bullying/Harassment and Governmental Functions

- Monthly dashboards and Learn More on additional metrics published at https://features.icann.org/compliance/dashboard/report-list

Enhancing Transparency in Reporting (cont'd)

New Quarterly Reporting

- Registrar Closed Complaints by Closure Code and Registry Closed Complaints by Closure Code have been added beginning with 2017 Quarter Four

- Reports include closed complaints grouped by:
    - **Resolved** = the reporter's complaint has been resolved or the contracted party has reviewed the complaint, responded to ICANN and/or demonstrated compliance
    - **Out of Scope** = the complaint cannot be addressed by ICANN because it is invalid or out of scope of ICANN's agreements/policies; or does not meet the minimum threshold for processing
    - **ICANN Issue** = the complaint should not have been sent to contracted party due to ICANN error; or internal ICANN process needs to be completed before the Compliance process can continue
    - A fourth category - **Other** - represents complaints previously closed which have been reopened and are currently active

- Reports are published at
https://features.icann.org/compliance/dashboard/report-list

Registrar Compliance Update

RAA Compliance Update – Lessons Learned

1 **Protection of IGO/INGO Identifiers in All gTLDs Policy**
Implementation of New Consensus Policy

2 **Transfer Policy: Change of Registrant Lock**
Applying change of registrant lock only when applicable

3 **Abuse Report Handling**
Complying with requirement to investigate and respond appropriately to abuse reports

4 **Registrar Data Escrow Obligations**
Complying with the required Terms, Format and Schedule

Registry Compliance Update

RA Compliance Update – Lessons Learned

1

Protection of IGO/INGO Identifiers in All gTLDs Policy
Implementation of New Consensus Policy

2

Specification 11, Section 3b Security Threat Technical Analysis and Reporting – Common Practices

Common practices by Registry Operators regarding identification of and reporting of security threats, as observed by ICANN

3

ICANN Approval Prior to Implementation
Complying with requirements for notification to and approval by ICANN of new or changed services, changes of control or MSA prior to implementation

Contractual Compliance Audit Update

Registrar Audit
Registry Audit
Registrar Data Escrow Proactive
Monitoring

Audit Program Update

- ICANN typically conducts two audits each year for both Registrars and Registry Operators

Since ICANN 60

- September 2017 Registry Operator audit was completed in February 2018

- Registrar audit launched in September 2017 is in progress

- New Registry Operator audit launched in March 2018

- Next Registrar audit round is targeted to begin in April 2018

  - ICANN pre-audit notifications will be sent to auditees only

- Continuous improvements include review and updates to request for information and audit metrics/report webpage

Registrar Audit Update

Registrar Accreditation Agreement Audit since ICANN 60

- ⊙ September 2017 audit:
  - ⊙ In progress – remediation phase
    - ⊙ Initial Reports sent February 2018
  - ⊙ 59 Registrars from 21 countries
    - ⊙ 26 Registrars subject to full audit
    - ⊙ 33 Registrars subject to limited audit to verify remediation of previously noted deficiencies
  - ⊙ As of 28 February 2018, 15 Registrars received Final Reports:
    - ⊙ 13 Registrars received final fully remediated reports
    - ⊙ 2 Registrars received final partially remediated reports
      - ⊙ These registrars will be retested in future audit

- ⊙ Next audit round targeted to begin April 2018.

Registry Operator Audit Update

Registry Agreement Audit since ICANN 60

- September 2017 audit:
  - Completed February 2018; report being finalized for publication
  - 8 Registry Operators from 3 countries, covering 10 top-level domains
    - Included top-level domains subject to Category 1 safeguards (i.e., consumer protection, sensitive strings, and regulated markets)
  - Reports sent January - March 2018:
    - 4 Registry Operators, covering 5 top-level domains received reports without findings
    - 5 Registry Operators, covering 5 top-level domains received final partially remediated reports
      - These registry operators will be retested in future audit

- March 2018 audit:
  - In progress – request for information phase
  - 5 Registry Operators from 4 countries, covering 20 top-level domains
    - Includes top-level domains not subject to prior audit

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 60, more than 86 data escrow reviews requested and performed by Iron Mountain

- ICANN works with other data escrow agents approved by ICANN as needed to perform similar manual reviews.

- Contractual Compliance is actively participating in the Designated Agent for Registrar Data Escrow Services Request for Proposal process
https://www.icann.org/news/announcement-2-2017-08-17-en

Questions & Answers

Send compliance questions

<u>To</u>: compliance@icann.org

<u>Subject line</u>: ICANN 61 Program Update Session

The ICANN 61 presentations are available at:

- The ICANN Contractual Compliance outreach page at this link
https://www.icann.org/resources/compliance/outreach

- The ICANN 61 Schedule page at this link https://schedule.icann.org/

Appendix

Policy Efforts
Additional Audit Slides

Policy Efforts

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)

- ⊙ Security, Stability and Resiliency Review Team

- ⊙ WHOIS Review Team

- ⊙ Internationalized Domain Name guidelines

Policy and Working Group Efforts – Registry

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

- ⊙ Competition, Trust and Choice Review

- ⊙ Rights Protection Mechanism Review

- ⊙ New gTLD Subsequent Procedures

- ⊙ Thick WHOIS & Registration Data Access Protocol (RDAP)
    - ⊙ RDAP Pilot information at
      https://community.icann.org/display/RP/RDAP+Pilot

- ⊙ Security, Stability and Resiliency Review Team

- ⊙ Internationalized Domain Name guidelines

Additional Audit

Contractual Compliance Audit Phases

- ➤ **Pre-Audit Notification** is sent to contracted parties in scope of audit round (auditees) 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