



## AT-LARGE ADVISORY COMMITTEE

### ALAC Statement on the Related-Issue Compliance Submission Process

#### Introduction

Alan Greenberg, ALAC member from the North American Regional At-Large Organization (NARALO) and the ALAC Liaison to the GNSO, composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists.

On 21 February 2014, this Statement was posted on the [At-Large Related-Issue Compliance Submission Process Workspace](#).

On that same day, Olivier Crépin-Leblond, Chair of the ALAC, requested ICANN Policy Staff in support of the ALAC to send a Call for Comments on the Recommendations to all At-Large members via the [ALAC-Announce Mailing List](#).

On 25 February 2014, this Statement was discussed in the [ALAC Monthly Teleconference](#). During that meeting, the draft Statement was discussed by all the At-Large members participating via Remote Participation.

The Chair of the ALAC then requested that a ratification vote be held on the Statement. Staff then confirmed that the vote resulted in the ALAC endorsing the Statement with 14 votes in favor, 0 votes against, and 0 abstentions.

You may review the result independently under: <https://community.icann.org/x/3xHRAg>.

#### Summary

1. ICANN Contractual Compliance (CC) accepts complaints either on a one-by-one basis using web-based submission tools, or for selected partners, using a bulk-submission process. The ALAC understanding is that regardless of the submission vehicle, each complaint is reviewed on its merits and processed individually.
2. However, this methodology is not suitable when the subject of a complaint is not an individual occurrence, but a more wide-spread problem that affects multiple gTLD registrations.
3. Just as the UDRP allows multiple related disputes to be filed in the same single complaints, CC should allow multiple, related issues to be raised in a single complaint.
4. If such a process were created, the workload of CC could be better controlled, and substantive issues could be resolved quicker and earlier than by using today's methodology alone.
5. It is reasonable that, at least at the start, the use of such a "related complaint" submission process be used only by those with whom ICANN can develop a good working relationship, and possibly accreditation for the existing bulk-submission tool could be used to determine who could use the new process.
6. This recommendation is being submitted to CC on behalf of the At-Large Advisory Committee, and the ALAC believes that it is to all parties' mutual advantage that we have the opportunity to further investigate such a process with Contractual Compliance.

## **ALAC Statement on the Related-Issue Compliance Submission Process**

ICANN Contractual Compliance (CC) accepts complaints either on a one-by-one basis using web-based submission tools, or for selected partners, using a bulk-submission process. The ALAC understanding is that regardless of the submission vehicle, each complaint is reviewed on its merits and processed individually. Such a methodology is warranted to address the wide range of complaints that might be received by CC, coupled with the need to ensure that all of the specifics of a complaint are understood and well-founded before any action with a registrar is initiated.

However, this methodology is not suitable when the subject of a complaint is not an individual occurrence, but a more wide-spread problem that affects multiple gTLD registrations. In such case, the individual handling of related situations causes much repetitive work and moreover, does not allow CC to avail itself of the underlying patterns and related issues discovered by the complaint originator.

Just as the UDRP allows multiple related disputes to be filed in the same single complaints, CC should allow multiple, related issues to be raised in a single complaint. Just as a UDRP panel has the opportunity to consider the complete set of related complaints at the same time, CC should give itself the same benefit.

If such a process were created, the workload of CC could be better controlled, and substantive issues could be resolved quicker and earlier than by using today's methodology alone. Moreover, as ICANN develops its internal technology to review Whois accuracy, the discovery of such related problems are likely to be made in-house, and it is inevitable that CC must gear up for these cases.

It is reasonable that, at least at the start, the use of such a "related complaint" submission process be used only by those with whom ICANN can develop a good working relationship, and possibly accreditation for the existing bulk-submission tool could be used to determine who could use the new process.

This recommendation is being submitted to CC on behalf of the At-Large Advisory Committee, and the ALAC believes that it is to all parties' mutual advantage that we have the opportunity to further investigate such a process with Contractual Compliance.