Contractual Compliance

ALAC Meeting

7 April 2013

ICANN

BEIJING

Agenda

➢ Update on Improving User Experience – Front end

➢ Processes & Enforcement

➢ Update on Audit Program

➢ Q&A

Consolidated Complaint System Update

Improved User Experience

http://www.icann.org/en/resources/compliance/complaints

- ✓ Moved complaint submission from Internic.net to ICANN.ORG
- ✓ Whois Inaccuracy rolled out 25 March 2013
- ✓ User Friendly & Easier Navigation
- ✓ Added site navigation based on complaint types
- ✓ Frequently Asked Questions and Guidance will be in 6 UN languages
- ✓ Filing a complaint in English
- ✓ Improved email correspondence to the complaint reporter and the Registrar/Registry
- ✓ Added a follow-up Continuous Improvement Pulse Survey for the reporter and contracted parties

Consolidated Complaint System Update

Rollout Plan for Consolidated Compliance System

By ICANN 47 - July 2013

- Move remaining complaint forms from Internic to ICANN.ORG
- Complete migration into consolidated complaint application
- Add capability to submit multiple complaints for same complaint type
- Finalize & implement Bulk Complaint into new system

By ICANN 48 – Nov 2013

- Prioritize & Define new Registry complaint
- Improve metric reporting application
- Migrate compliance functions into ICANN Enterprise CRM

Contractual Compliance Update

Improved Transparency

Compliance Reporting:

✓ Publish Annual Report found at: http://www.icann.org/en/resources/compliance/reports

✓ Publish Monthly Updates found at: http://www.icann.org/en/resources/compliance/reports

✓ Reporting in 6 UN languages

Compliance Global Metrics:

✓ Online Access to Compliance Metrics on MyICANN found at: https://www.myicann.org/

Organization Update

- **Contractual Compliance reports to CEO**

- **15 Staff members strong**
  - Head of Compliance (1)
  - Registrar and Registry Compliance (13)
    - ➢ Prevention & Enforcement
    - ➢ Operations
    - ➢ Performance Measurement and Reporting
  - Risk and Audit Management (1)

- Arabic, English, French, Hindi, Korean, Mandarin, Spanish and Urdu

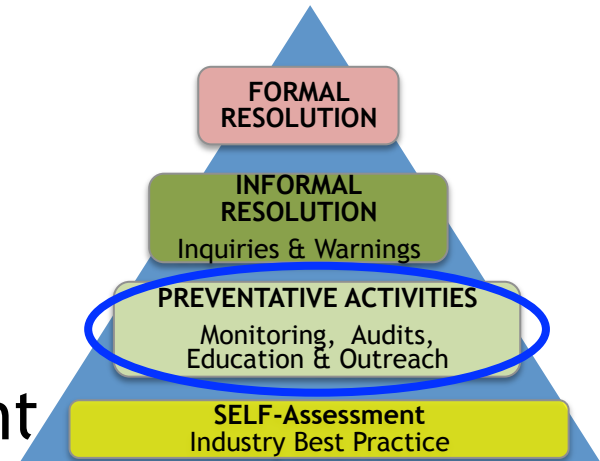Link to Contractual Compliance Staff - http://www.icann.org/en/resources/compliance/staff

Contractual Compliance Processes

To address the internal processes and points of authorization – link to:

http://www.icann.org/en/resources/compliance/approach-processes

Overall Audit Plan

➢ Rollout in 2013

➢ Each Registry and Registrar agreement

➢ Random selection over a three-year period
- Year one: 1/3rd of Registry and Registrar Agreements
- Year two: another 1/3rd from the remaining list
- Year three: the remaining 1/3rd of all contracted parties

➢ New agreements may be included, at any time

➢ May be subject to more than one audit

➢ Three outreach sessions held in September 2012 with contracted parties

Overview of Phases

2012-2015 Audit Process Flow

	Week 1 to Week 12	Week 13 to Week 15	Week 16 to Week 28	Week 29 to Week 31
Planning Phase	Start → Create Audit Scope ✓ → Build Audit Schedule-(2 Wks) ✓			
Organizing Phase	Develop Metrics Goals ✓ / Establish Roles ✓	Assign Resources (1 Wk) ✓		
Pre-Audit Notification Phase		Send 2 Weeks Notification to Rg/Ry ✓		
Audit Phase			1) Request sent for Information-RFI (1-2-3 Process) ✓ 2) Collect and Collate Data (3 Weeks) ✓ 3) Conduct Audit(6-8 Weeks)- Q&A (2 Weeks)-by CC ✓	
Reporting Phase				Reporting -Results ✓ -Statistics
Remediation Phase				Remediation -Work w/ Rg/Ry → Stop

*Planning:
13 Aug. 2012 to 30 Aug. 2012

*Organizing:
30 Aug. 2012 to 30 Oct. 2012

*Organizing (resources):
5 Nov. 2012 to 9 Nov. 2012

*Pre-Audit Notice:
12 Nov. 2012 to 23 Nov. 2012

*RFI: 26 Nov. 2012 to 4 Jan. 2012

*Audit (includes collection): 7 Jan. 2013 to 29 Mar. 2013

*Questions/Answers: 1 April 2013 to 12 April 2013

*Report Results:
Approximately 15 April 2013 to 19 April 2013

Remediation Efforts: 22 April 2013 to
TBD (to be determined)*

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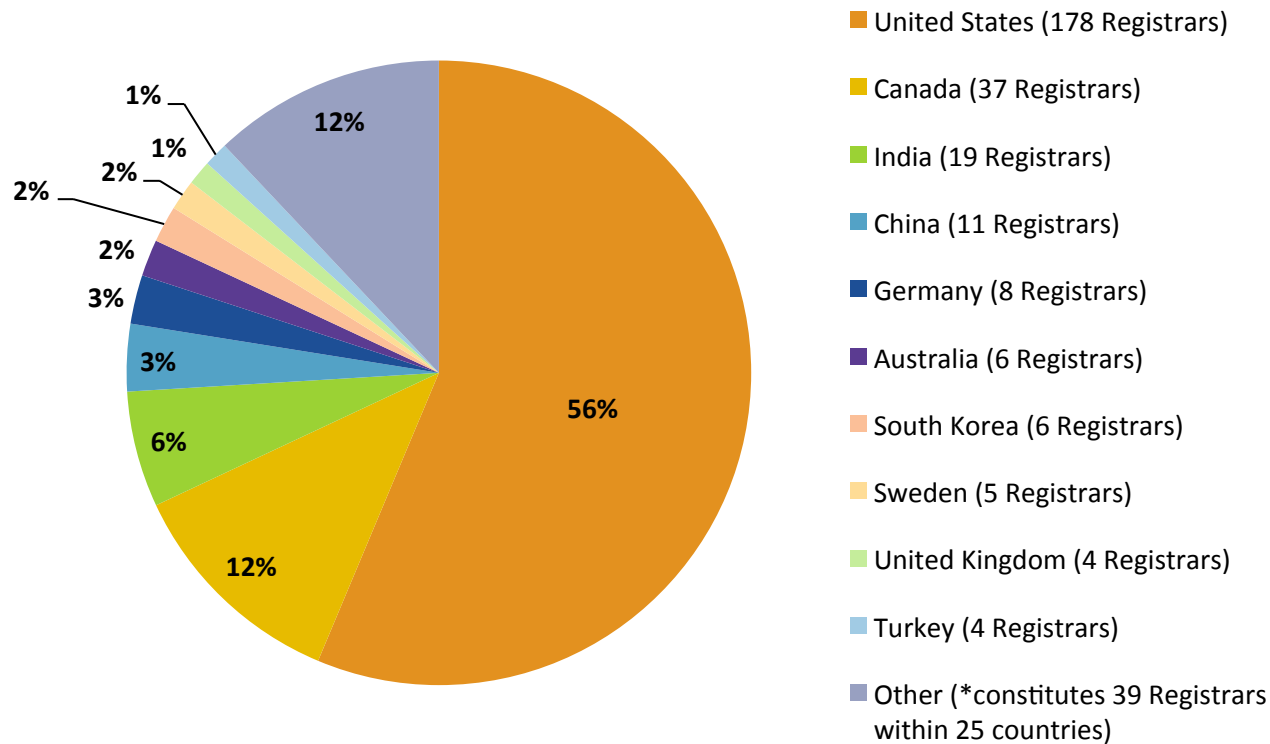NO.46 · 7-11 APRIL 2013
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Audit Communications to Date

+ Pre-Audit Notice emailed on 13 November 2012

+ 1st (Nov. 26), 2nd (Dec. 17) and 3rd (Dec. 28) notices both emailed and faxed to 317 Registrars, 6 Registries

+ 1) Reminder sent to 317 Registrars and 6 Registries on 4 December, 2012
  2) Reminder sent on 20 March to Batch 1&2 Registrars

+ Frequently Asked Questions (FAQ) sent to all Registrars on 10 December 2012

+ Newsletter Updates

+ Registrar Audit Report:
  + Batches 1&2 – issued 8 Mar (97 total)
  + Batch 3 – issued 22-26 Mar (62 total)
  + Batch 4 (final) – issued 29 Mar (28 total)

+ Registry Audit Report:
  + Batch 1 - issued 22 Mar (2 total)
  + Batch 2 - issued 26 Mar (2 total)
  + Batch 3 – issued 29 Mar (1 total)

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Countries Represented (Year 1)

Registries: 4 US TLDs, 1 Asia, 1 UK
Registrars:

Audit Year 1 – Top 10 Selected Registrar Countries

- United States (178 Registrars)
- Canada (37 Registrars)
- India (19 Registrars)
- China (11 Registrars)
- Germany (8 Registrars)
- Australia (6 Registrars)
- South Korea (6 Registrars)
- Sweden (5 Registrars)
- United Kingdom (4 Registrars)
- Turkey (4 Registrars)
- Other (*constitutes 39 Registrars within 25 countries)

	Language	# of Rg
1	Mandarin Chinese	12
2	Cantonese	1
3	Korean	6
4	French	6
5	German	6
6	Spanish	5
7	Swedish	5
8	Dutch	4
9	Turkish	4
10	Italian	3
11	Ukrainian	2
12	Hungarian	2
13	Polish	2
14	Russian	2
15	Japanese	2
16	Danish	2
17	Arabic	2
18	Hebrew	1
19	Portuguese	1
20	Vietnamese	1
21	Norwegian	1
Total Registrars		**70**

***Total count on countries covered- 35 Countries**

RFI Phase - Breach Letters
(11 Jan 2013 - 31 Mar 2013)

IANA	Registrar	Cure Date
282	Central Registrar, Inc. DBA Domainmonger.com (last login: 1/14)	Termination Status
439	USA Webhost, Inc.	15 January 2013
475	R. Lee Chambers Company LLC d/b/a DomainsToBeSeen.com (insufficient data)	Termination Status
1039	Cheapies.com Inc. (insufficient data)	1 February 2013
1155	Power Brand Center Corp. (Owe $17K- breach extended to 2/8)	29 January 2013
1405	Internet NAYANA Inc.	17 January 2013
1421	Lime Labs LLC (to be de-accredited/terminated)	Termination Status
1428	Homestead Limited dba Namevault.com	1 February 2013
1509	Korea Electronic Certification Authority, Inc. (Crosscert, Inc.)	17 January 2013
1586	Mat Bao Trading & Service Company Limited d/b/a Mat Bao	15 January 2013

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Audit Phase - Statistics (Year 1)

Top Test Areas with Most Deficiencies (Batch 1 & 2)

Legend:
- ■ Mar 8, 2013 % Registrars w/ Potential Deficiencies
- ■ Mar 27, 2013 % Registrars w/ Potential Deficiencies

Test Area	Mar 8, 2013	Mar 27, 2013
3.16 Registrar public contact details not found on Registrar website	59.8%	9.3%
3.3.1 to 3.3.5 Whois free public search not found on website or redirects	37.1%	0.0%
4.3.1 Inter-Registrar Transfer Policy (IRTP) : No FOA or Authinfo Code doc was provided	23.7%	7.2%
4.3.1 IRTP: TEAC: Phone # discrepancies between RFI and RADAR	20.6%	2.1%
3.4.2 Registration Agreement not provided	18.6%	6.2%
3.4.2 Payment documentation not provided	18.6%	10.3%
3.10 Insurance : Certificate of Insurance	18.6%	7.2%
3.3.1 to 3.3.5 Whois- Port43/ Web: Registrar Identity not returned in Whois query search results	14.4%	4.1%
4.3.1 IRTP: TEAC: Email discrepancies between RFI and RADAR	14.4%	3.1%
4.3.1 IRTP: TEAC: Mailing address discrepancies between RFI and RADAR	12.4%	0.0%

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Audit Phase - Statistics (Year 1)

Top Test Areas with No Deficiencies – Batch 1 & 2

1. 3.7.5.3 to 3.7.5.6   EDDP-Domain name renewal: <u>Domain is referenced in payment documentation</u> and documentation of deletion notification

2. 3.12   Reseller agreement fully addresses provisions 3.12.1, 3.12.2, 3.12.3, and 3.12.5

3. 4.3.1   Consensus Policies – Inter-Registrar Transfer Policy (IRTP): Authinfo code documentation reference the <u>domain name</u>

4. 4.3.1   Consensus Policies - IRTP: Transfer Emergency Action Contact (TEAC) : <u>Contact information populated in RADAR</u>

Reporting Phase (Year 1)
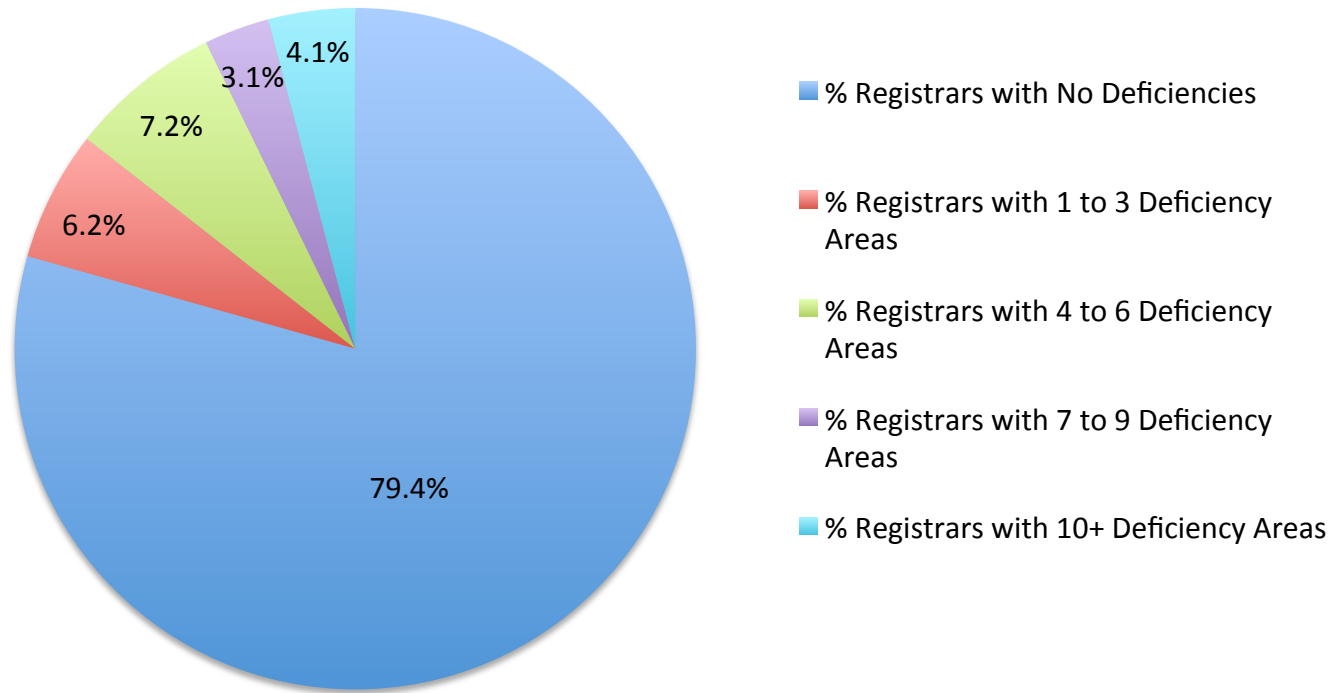
"Public" Reports to be published by June 2013

+ List of Registrars/Registries
+ Statistics Reports (see Remediation section):
  + RFI Phase Completion %, Audit Phase Completion %
  + % Registrars with Deficiency (per provision)
  + Breach Notice

"Non-Public" Reports

+ Audit Report results to every registrar and registry at Audit Phase completion

Reporting Phase (Year 1)

Batch 1 & 2 (97 Registrars)

- % Registrars with No Deficiencies
- % Registrars with 1 to 3 Deficiency Areas
- % Registrars with 4 to 6 Deficiency Areas
- % Registrars with 7 to 9 Deficiency Areas
- % Registrars with 10+ Deficiency Areas

As of 27 March 2013

Remediation Phase (Year 1)

Status Types:

+ In remediation

+ Complete with no deficiencies

+ Have not responded

   + Escalated to Enforcement

Wednesday Outreach Sessions Room

Room: Function Auditorium

11:00 – 12:30 Contractual Compliance Update

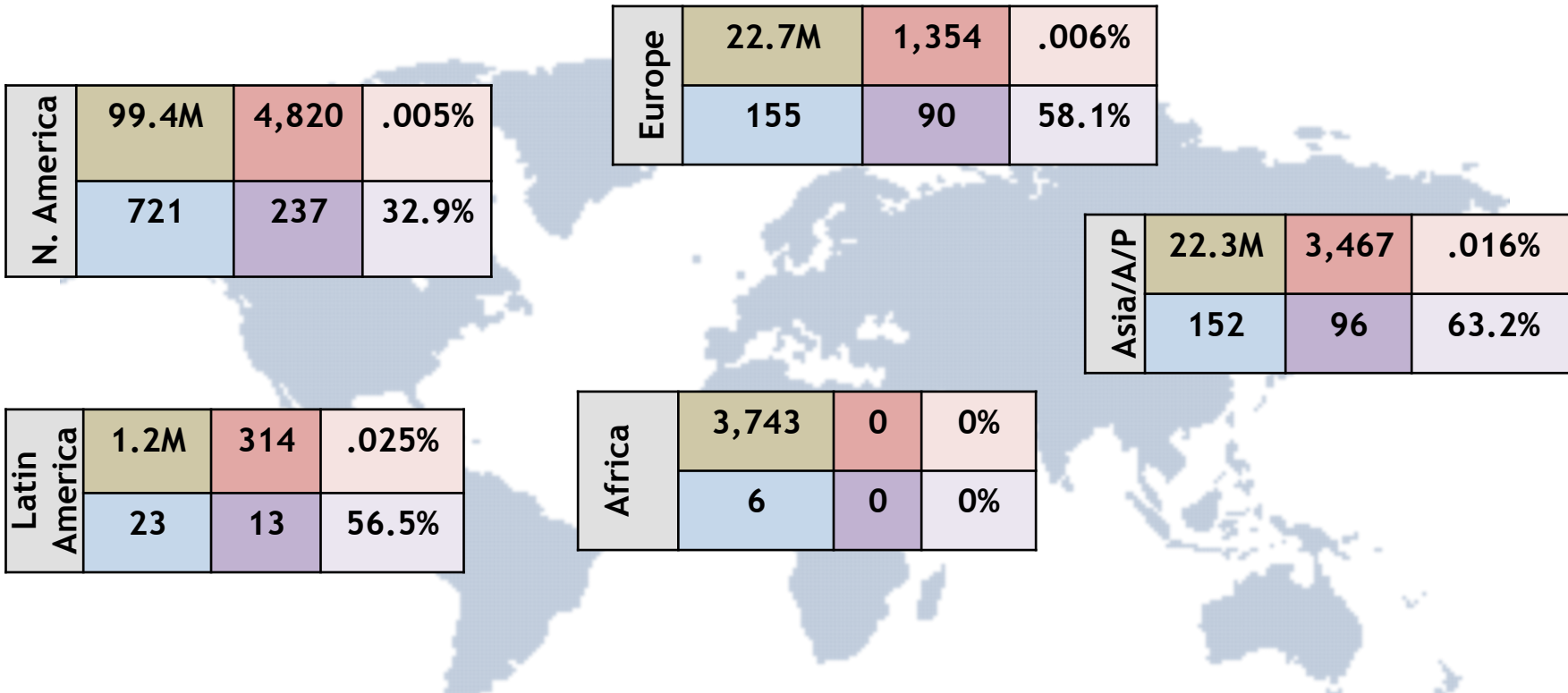# Additional Resources

- Learn more about ICANN Compliance

  http://www.icann.org/en/resources/compliance

Thank You & Questions?

Please send questions to Compliance@icann.org
Subject line: **ICANN46 ALAC – Compliance Meeting**

# Complaints per Domain Volume
October 2012 – February 2013

N. America	99.4M	4,820	.005%
	721	237	32.9%

Europe	22.7M	1,354	.006%
	155	90	58.1%

Asia/A/P	22.3M	3,467	.016%
	152	96	63.2%

Latin America	1.2M	314	.025%
	23	13	56.5%

Africa	3,743	0	0%
	6	0	0%

LEGEND	December 2012 Domain Volume/Million	# Complaints	% Complaints per Domain Volume
	# registrars per region	# registrar w/ Complaints	% registrars with complaints per region

Note: "# registrars per region" data may contain some obsolete registrars but is retained for reporting history

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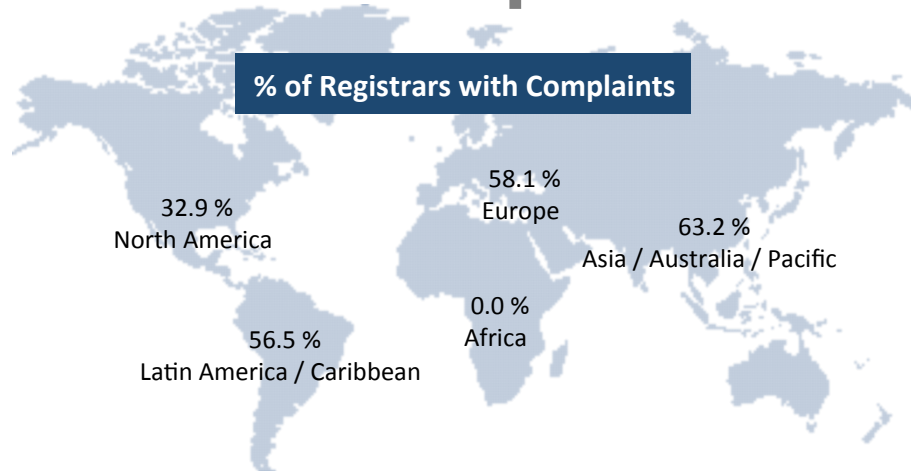
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Complaint Types and Phases
October 2012 – February 2013
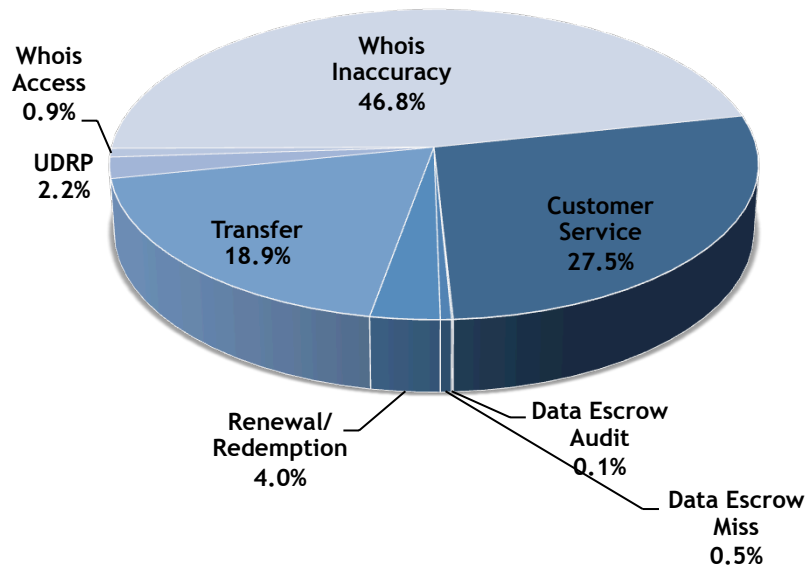
12,744 Complaints
27 Enforcement Actions

Oct 2012 – Feb 2013	All Complaints Received by Type	Quantity
Prevention Phase	Customer Service	3,503
	Data Escrow Audit	9
	Data Escrow Miss	63
	Transfer	398
	UDRP	2,412
	Renewal/Redemption	280
	Whois Access	116
	Whois Inaccuracy	5,963
	Total Complaints	12,744
Enforcement Phase	Breach	19
	Suspension	0
	Terminated/Non-Renewal	8

Contractual Compliance Global Metrics

% of Registrars with Complaints

58.1 %
Europe

32.9 %
North America

63.2 %
Asia / Australia / Pacific

0.0 %
Africa

56.5 %
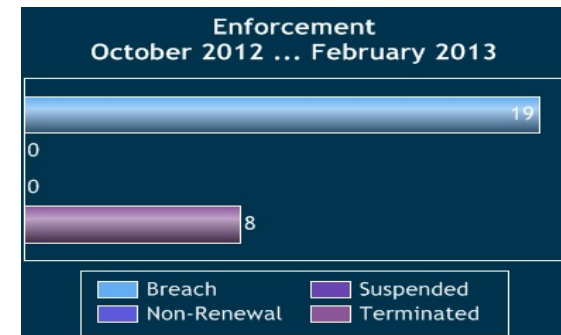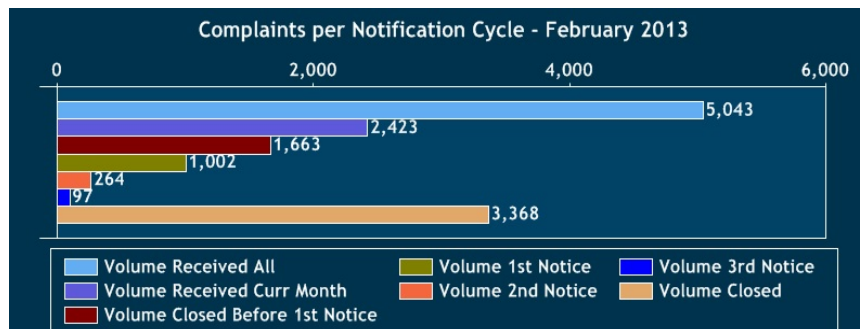Latin America / Caribbean

Registrar List

Registry List

Global Domain Count & Trending

Global Complaint Counts by TLD

Complaint Count
October 2012 ... February 2013

Prevention: 12,744

Enforcement: 27

Complaints per Notification Cycle - February 2013

Volume Received All	5,043
Volume Received Curr Month	2,423
Volume Closed Before 1st Notice	1,663
Volume 1st Notice	1,002
Volume 2nd Notice	264
Volume 3rd Notice	97
Volume Closed	3,368

Legend: Volume Received All · Volume Received Curr Month · Volume Closed Before 1st Notice · Volume 1st Notice · Volume 2nd Notice · Volume 3rd Notice · Volume Closed

Enforcement
October 2012 ... February 2013

Breach	19
Non-Renewal	0
Suspended	0
Terminated	8

Legend: Breach · Non-Renewal · Suspended · Terminated

- Contractual Compliance Metrics hosted at MyIcann:
  https://www.myicann.org/
- An explanation with the drill down details can be found at:
  http://www.icann.org/en/resources/compliance/outreach

ICANN Contractual Compliance
New Complaint Navigation, FAQ & Whois Inaccuracy Form

- Moved complaint submittal from Internic to ICANN.ORG

- Reorganized Complaint Navigation

- Improved Frequently Asked Question (FAQ) content

- Add Take Action column to search data or submit complaint

- Expands for remaining compliance complaints