Here is a working draft of some escalation procedures excerpted from a document being developed by some ccTLD and gTLD registries. It is a work in progress and I have been told that a revised version of the base document will be distributed more widely in a day or two. To the extent that changes are made to proposed escalation procedures, I will communicate them.

To respect the work that has already been done, I am including the full text as written without any edits or comments. I think that provides a good starting point for our work on escalation procedures. Please do a quick review of them and provide your thoughts on our DT-M list.

Individual party dispute

1. Where a TLD registry operator has a dispute regarding agreed levels of service or performance with the IFM, and the parties have been unable to negotiate a satisfactory outcome, the TLD registry operator will lodge a written complaint with the CSC. The CSC will request a written response from the IFM within 10 working days, will assess the circumstances, and will attempt to facilitate an agreed outcome between the parties. All disputes between the IFM and TLD registry operators will be archived for future reference.
2. Should this stage of resolution fail, the CSC will engage the services of an external mediator and will provide reports to the mediator on previous attempts at resolution. The IFM will also provide a report to the mediator. If the mediator is able to bring the parties to an agreed outcome, appropriate remedial action will be taken and records of the dispute will be archived.
3. Should mediation fail, an Independent Appeals Panel (IAP – see below) will be engaged by the CSC. All previous attempts at resolution will be considered. The IAP will take a decision that is binding upon both the TLD registry operator and IFM.

“Systemic failure”

The escalation process for a “systemic” or critical failure of the IFM regarding agreed levels of service or performance will follow precisely the same process as a dispute raised by a TLD registry operator with the exception of the first step.

1. The CSC is empowered to determine a significant failure of the IFM, either due to the outcome of a periodic audit or the CSC’s evaluation of a rising number of TLD registry operator complaints.
2. The CSC will request a written report from the IFM within 30 days to supplement the outcomes of the audit and/or record of complaints. If the CSC determines that the response is adequate, the CSC will direct the IFM to take remedial action and may choose to initiate additional audits or reviews of the on-going performance of the IFM
3. Should this stage of resolution fail, the CSC will engage the services of an external mediator and will provide reports to the mediator on previous attempts at resolution. If the mediator is able to bring the parties to an agreed appropriate remedial action will be taken and records of the dispute will be archived.
4. Should mediation fail, an Independent Appeals Panel (IAP – see below) will be engaged by the CSC. All previous attempts at resolution will be considered. The IAP will take a decision that is binding upon the TLD registry operator (where applicable), CSC and IFM.