

WHOIS1 Rec #4: Compliance Subgroup

Follow-up emails to maguy.serad@icann.org from Alice Jansen on 20 April 2018

- 1. Is it known (or can it be determined from ARS-sampled data) how often Registrant Contact data elements such as Registrant email address, Registrant postal address, and Registrant telephone number are absent from WHOIS records for grandfathered domain names?**

WHOIS Inaccuracy complaints created from the WHOIS Accuracy Reporting System (ARS) are processed in parallel with single and bulk submission of WHOIS Inaccuracy complaints. ICANN Contractual Compliance tracks and reports based on Syntax, Operability and Identity; more information about each category can be found at this link - <https://features.icann.org/compliance/dashboard/archives#annual-details> or on the WHOIS ARS reports. In addition, WHOIS Inaccuracy complaints are tracked for legacy and for new gTLDs. This data can be found in the monthly dashboards at this link: <https://features.icann.org/compliance/dashboard/report-list>.

Contractual Compliance's participation in the WHOIS ARS is limited to providing guidance for Registrar Accreditation Agreement obligations regarding syntax and accuracy, and processing complaints with inaccuracies identified by the WHOIS ARS. The WHOIS ARS program is managed by ICANN's Global Domains Division.

- 2. Why are a significant number of WHOIS Inaccuracy Complaints closed without any action being taken? What does Compliance treat as valid reasons for immediate ticket closure and are there any metrics for how often tickets are closed for each of those reasons?**

According to the ICANN Contractual Compliance 2017 Annual Reports <https://features.icann.org/compliance/dashboard/2017/complaints-approach-process-registrars>, out of approximately 25,000 WHOIS Inaccuracy complaints received during 2017, approximately 12,000 were closed before contacting the registrar.

Common reasons for closing a complaint before a 1st notice is sent to the registrar include:

- The reporter not providing information requested to validate the complaint,*
- The domain name is suspended when the complaint was received, or*
- The complaint is outside of the scope of ICANN's contractual authority (e.g., it is too broad or incomplete or is a request to change a registrant's own domain name information).*

While certain WHOIS Inaccuracy complaints are automatically closed by the complaint processing system (including complaints for country code top-level domains and suspended domain names), for those that are not automatically closed, Contractual Compliance will attempt to validate the information in the complaint or obtain more information before closing the complaint.

ICANN Contractual Compliance recently began reporting on closure reasons by complaint type, including those for WHOIS Inaccuracy complaints. These metrics are reported on a quarterly basis and the first quarter of 2018's report is found at <https://features.icann.org/compliance/dashboard/2018/q1/registrar-resolved-codes>.

3. What additional evidence in WHOIS Inaccuracy Complaints would Compliance find useful?

Additional evidence in WHOIS Inaccuracy complaints that compliance might find useful if the reporter provides are listed below:

- Evidence of returned mail sent to the postal address listed in the WHOIS information*
- Evidence of a bounceback or undeliverable email notification for email sent to the email address listed in the WHOIS information*
- Evidence or explanation why the telephone number listed in the public WHOIS is not accurate*
- Evidence or explanation why the person or entity listed in the public WHOIS does not exist or is not the registered name holder (RNH)*

4. Does Compliance do any analysis of WHOIS Inaccuracy trends? If not, why not? For example, would a policy be necessary to enable trend analysis?

ICANN Contractual Compliance does attempt to identify patterns and systemic issues of noncompliance within and across all of the complaint types. This effort is useful in identifying trends of issues and most importantly in identifying opportunities to conduct outreach or additional proactive monitoring.

5. It shows that one of Compliance activities is ICANN-initiated monitoring to take proactive actions. What kind of monitoring programs have been conducted or planned?

Please provide more information on what "It" refers to, so that Contractual Compliance may provide an accurate response.

To address the question about the kind of monitoring programs – Proactive monitoring is ICANN's effort to take initiative in identifying potential issues instead of waiting for issues to happen. Proactive monitoring actions, to list a few, are: the audit program, review of blogs and social media, observed behavior from complaints, WHOIS Quality Review, review related to the DNS infrastructure for example, usability and format of data escrow files, or the automated monitoring system to ensure compliance with Specification 10 of the Registry Agreement. Contractual Compliance reports on the proactive monitoring activities in the Quarterly and Annual Report published on ICANN.org under Report & Blogs.

- 6. Is there any monitoring program to check some common grounds or linkages among ARS, Audit Program, public complaints received, e.g. from specific registrar, gTLD, region?**

As stated in the response to question 5, ICANN monitors the observed behavior from complaints. For example, based on trends identified by Contractual Compliance (including review of WHOIS inaccuracy complaints submitted by the public and generated as a result of the WHOIS ARS), WHOIS Inquiry efforts were taken in 2016 that focused on registrars in China and Korea. These inquiries focused on issues with the 2013 RAA WHOIS Accuracy Specification Program (WAPS) requirements. These efforts continued for registrars in China, the United States, and other regions. Please refer to the annual update published at this link <https://www.icann.org/en/system/files/files/annual-2016-31jan17-en.pdf>.

- 7. Does compliance credit-rate registrars or just treat all of them equally?**

ICANN treats all registrars equally and does not rate them.

Please refer to the WHOIS1 Recommendation 5-9 Data accuracy Subgroup for additional questions and responses regarding WHOIS ARS.