RDS Purpose: ICANN Contractual Enforcement

DT5 Answers to Questions – Final Version for WG Review 7 March 18

From: https://community.icann.org/display/gTLDRDS/Phase+1+Documents (See the 2nd link for DT5)

Definition: Information accessed to enable ICANN Compliance to monitor and enforce contracted parties' agreements with ICANN.

1. *Who associated with the domain name registration needs to be identified and/or contacted for the ICANN Contractual Enforcement Purpose?*

   - ICANN compliance needs to be able to identify and as necessary contact the representatives from the associated registrar and/or registry who is knowledgeable about the contracted party's fulfillment of RDS or other contractual requirements. ICANN compliance may also need to contact the registrant or its designated representative to confirm or verify facts or assertions made regarding the registrar's or registry's compliance.

2. *What is the objective achieved by identifying and/or contacting each of those entities?*
   - The objectives for contacting any of the entities listed for question 1 above, if needed, are:
     - To provide notification of any possible compliance issues
     - To ask clarifying questions about any possible compliance issues
     - To communicate possible compliance actions under consideration
     - To provide official notification of final actions taken.

3. *What might be expected of that entity with regard to the domain name?*
   - Domain name registrars and registries would be expected (by ICANN compliance) to do any or all the following as applicable:
     - Ask clarifying questions about issues identified by ICANN Compliance
     - Respond to questions asked by ICANN Compliance
     - Provide relevant information to assist ICANN Compliance in their deliberation.
     - Appeal actions taken by the ICANN Compliance.

Comment [O1]: It is important to note that there was divergence in the DT about whether ICANN Compliance would need to contact registrants in fulfilling its responsibilities. The DT reached out to Compliance to seek their input.

Comment [O2]: It may be helpful to understand that some contract requirements relate directly to the RDS. In its deliberation going forward on the proposed purpose of ICANN Contractual Enforcement, the WG may need to decide whether this purpose should just involve RDS related contractual requirements or compliance with all contract requirements.