Joint Recommendations for ICANN Compliance from Members of the RySG and IPC

NOTE: These recommendations are not requests for, nor do they likely require, ICANN Compliance to collect new or additional data; rather, these recommendations aim to elicit greater clarity, transparency and better analysis of existing data. Participating members of the RySG and IPC look forward to working with you and your team on ways to improve compliance reporting at ICANN.

RECOMMENDATION #1:

ICANN Compliance should provide more details on the type of abuse that is the subject of the complaint. For example, the abuses should be identified by abuse type, such as copyright infringement, trademark infringement, distribution of malware, etc. In addition, it would be useful for ICANN Compliance to report whether the abuses pertain to new GTLDs or legacy TLDs.

In addition to the above, ICANN Compliance should categorize complaints into two basic classes: 1) complaints that allege a registry's violation of a specific term or provision in their registry contract or policies; or 2) complaints that allege an action or a failure to take action that is not based on any specific term or provision in a contract or policy.

RECOMMENDATION #2

ICANN Compliance should provide more detail and analysis on why the number of abuse complaints was shown to increase (or decrease) over a prescribed period [3 months, or 6 months]. For example, is the number of abuse complaints correlated to increasing number of domain names registered or some other factors?

RECOMMENDATION #3

The largest reason for abuse complaints being closed is that "insufficient evidence" was provided. Because ICANN Compliance makes a determination about sufficiency; ICANN should explain what the standard is that is being applied for "sufficiency." ICANN Compliance should, perhaps, produce a "model complaint" for review. Included in that should be greater specificity about formal requirements for notices, (such as the type of information that needs to be provided), as well as the substantive evidentiary requirements that would be sufficient to trigger an inquiry by ICANN.

RECOMMENDATION #4

ICANN Compliance should review an abuse complaint to determine whether it meets the specific formal criteria for a valid complaint, prior to opening a case in the first instance. ICANN should log the number of "invalid" complaints, and should collect data on deficiencies for the purposes of improving notice quality through education and other measures.

RECOMMENDATION #5

In ICANN Compliance's update in Hyderabad, they reported that there was a 200% increase in registries not completing their Specification 9 "Code of Conduct" self-audit and certification. When there are unusual changes in reporting, ICANN should research and analyze the reasons for the dramatic change. For example, is the reason more registries failed the audit is because more registries were required to file an audit for the first time.