

# Contractual Compliance Report

For the Period of 1–31 March 2024

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## KEY HIGHLIGHTS FOR MARCH 2024

- Continued reviewing responses and documentation received from the sixty-two (62) registrars selected for the audit launched in February 2024. Received 2,608 new complaints and forwarded more than 380 notifications to contracted parties (CPs) during investigations into compliance with numerous requirements across ICANN policies and agreements.
- Participated in multiple sessions during the 79th ICANN Community Forum held in San Juan, Puerto Rico.
- Participated in a webinar for ICANN Accredited Registrars and Resellers from Eastern Europe and Central Asia covering multiple contractual areas including the Domain Name System (DNS) abuse requirements in effect since 5 April 2024, the Uniform Domain-Name Dispute Resolution Policy (UDRP), the Registration Data Access Protocol (RDAP), and the Data Escrow Transition Plan.
- Continued providing contractual compliance input to different policy and working groups.

## OVERVIEW OF ACTIVITY

### Audit Program

In February, the Contractual Compliance Audit team launched a new registrar audit round. The audit is focused on validating registrars' compliance with multiple terms of the 2013 version of the Registrar Accreditation Agreement (RAA) and the ICANN Temporary and Consensus Policies. Sixty-two (62) registrars were selected for the audit.

As of the end of March, fifty-three (53) registrars have submitted complete responses and documentation in reply to the Request for Information sent 12 February 2024. Seven registrars are still in the process of submitting responses. Two registrars have been postponed until the next audit round.

### Contractual Compliance Enforcement

All notices can be found [here](#).

### Notices of Breach

On 27 March 2024, ICANN sent a [Notice of Breach](#) to the registrar ALIBABA.COM SINGAPORE E-COMMERCE PRIVATE LIMITED ("ALIBABA.COM" or "Registrar"). The breach was a result of the failure of the registrar to: (1) take reasonable and prompt steps to investigate and respond appropriately to reports of abuse, as required by Section 3.18.1 of the Registrar's then effective RAA; (2) provide to ICANN records related to abuse reports as required by the Registrar's then effective RAA; and (3) pay due accreditation fees, as required by Section 3.9 of the RAA. Additional concerns were included in the Notice of Breach and questions presented to the Registrar related to ALIBABA.COM's:

- Pattern of unresponsiveness or untimely and incomplete responses to ICANN Contractual Compliance.
- Website not displaying certain mandatory content. Namely, the ALIBABA.COM's fees for redeeming/restoring generic top-level domain (gTLD) names, as required by Section 4.1.1 of the Expired Registration Recovery Policy; and (2) the names and positions of ALIBABA.COM's officers, as required by Section 3.17 and the Registrar Information Specification of the RAA.

The deadline to cure is 17 April 2024. This includes not only addressing the specific reports that are subject to the Notice of Breach, but also providing a detailed remediation plan, with

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implementation dates, to ensure compliance with abuse report handling obligations moving forward.

### **Notices of Suspension/Terminations**

No new notices of suspension or termination were issued in March 2024.

### **Enforcement Notices Escalated to the ICANN Legal Team (Mediation)**

The ICANN Legal team received no new escalations.

### **Compliance Matters Related to Registrars and Registry Operators**

In March, Contractual Compliance received 2,608 new complaints (2,546 against registrars and 62 against registry operators (ROs)) and sent 380 inquiries and notices (collectively, referred to as “compliance notifications”) to CPs. The number 380 refers to the first, second, and third compliance notifications and does not account for notifications sent to request clarification or additional evidence following a CP’s response.

Most notifications sent to registrars addressed obligations related to abuse, transfer, and registrar data escrow. Most notifications sent to ROs addressed obligations related to registry data escrow, zone file access, and monthly reports. During March, the Contractual Compliance team closed 2,033 complaints without having to contact a single CP.

Examples of complaints closed without contacting a single CP include instances in which the complainant:

- Failed to respond to ICANN Contractual Compliance’s request for evidence.
- Complained about a domain registered in a country code top-level domain.
- Submitted a duplicate complaint either before resolution of the original complaint or about an issue that was already resolved at the time the complaint was reviewed (e.g., the domain is subject to a pending WHOIS inaccuracy complaint).

In all the cases, the Contractual Compliance team educated complainants on ICANN’s authority and provided alternatives where appropriate.

### **Compliance Monthly Dashboard and Trend Reporting**

Click the links below to view the dashboard and reporting trends for March 2024:

- [Contractual Compliance 2024 Monthly Dashboards](#)
- [Contractual Compliance Twelve-Month Trends Reporting](#)

### **Enforcement of the Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data via the Interim Registration Data Policy**

In March, the Contractual Compliance team continued to process compliance inquiries related to the Temporary Specification. The team initiated five new inquiries concerning reasonable access to nonpublic registration data (Section 4.1, Appendix A). In addition, the Contractual Compliance team continued addressing the previously submitted cases currently under remediation or pending further responses and collaborations. The team also continued educating complainants on Temporary Specification requirements for out-of-scope or invalid complaints. Examples include when complainants believe registration data, which is redacted per the Temporary Specification, is “missing” from the public WHOIS, or privacy, or proxy service data are redactions, or that all non-European data should be displayed, etc. In March, the Contractual Compliance team continued:

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- Providing contractual compliance input for implementation of the EPDP on the Temporary Specification Phase 1 recommendations.
  - Attending Board Caucus calls concerning EPDP and the European Union’s General Data Protection Regulation, and Data Protection and Privacy.
  - Providing complaint metrics concerning alleged violations of the Temporary Specification and compliance notices or inquiries sent and closed during the month.
  - Providing input on contractual requirements for third-party access to nonpublic registration data under current requirements and future policy recommendations, as it relates to the design and development of the Registration Data Request Service.

### **Registration Data Access Protocol Implementation**

In March, the Contractual Compliance team continued processing service-related compliance notifications for the RDAP. From October 2019 to March 2024, the Contractual Compliance team processed notifications with respect to the implementation of the RDAP service and registration of base Uniform Resource Locators (URLs). Current information indicates that all registry operators have registered URLs, while 179 registrars have not yet uploaded their URLs to the Naming Services portal. In addition, the team initiated new compliance cases related to CPs conformance with RDAP Response Profiles and Technical Service Guide requirements. The Contractual Compliance team continues to collaborate with CPs that have not yet implemented RDAP or whose RDAP implementation is not in conformance with the requirements, as well as those that have presented remediation measures to become compliant. These CPs are requested to provide regular updates on their open compliance cases regarding their progress towards remediation. There is no indication that any registrars or ROs have ceased to operate WHOIS services.

### **Policy and Working Group Efforts**

The Contractual Compliance team collaborated across the ICANN organization (org) on assessing the multiple recommendations produced by policy development, implementation, and review teams. The following activities took place:

- Participated in the ICANN org’s feedback group tasked with reviewing the first batch of stable recommendations for the expedited policy development process (EPDP) on Internationalized Domain Names.
- Continued providing contractual compliance input for implementation of the EPDP on the Temporary Specification for gTLD Registration Data Phase 1 recommendations.
- Continued providing contractual compliance input on the Second Security, Stability, and Resiliency Review Team recommendations.
- Continued providing contractual compliance inputs and clarifications to address the PDP Working Group’s questions raised during the review of Transfer Policy Review – Group 1(b) topics relating to Change of Registrant.

### **Outreach**

From 2 March through 7 March 2024, the Contractual Compliance team attended the 79th ICANN Community Forum held in San Juan, Puerto Rico. During ICANN79, members of the Contractual Compliance team participated in multiple sessions related to, for example, the DNS abuse requirements coming into effect on 5 April 2024 or the Public Interest Commitments/Registry Voluntary Commitments. The team also had numerous in-person meetings with community members to address questions related to contractual obligations and the contractual compliance process.

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On 19 March 2024, the Contractual Compliance team, in collaboration with the ICANN GSE team, conducted another webinar for ICANN Accredited Registrars and Resellers from Eastern Europe and Central Asia. The webinar was held in Russian, which enhanced understanding and boosted active participation and communication. A total of 24 people attended the webinar, representing 13 registrars and reseller organizations.

During the webinar, the Compliance team provided updates on its readiness for the new DNS abuse requirements in effect since 5 April 2024. The team also shared with the participants details regarding ICANN's Advisory: [Compliance With DNS Abuse Obligations in the Registrar Accreditation Agreement and the Registry Agreement](#) which provides guidance on the interpretation of and compliance with the new requirements.

Additionally, the discussion covered topics such as the UDRP, the RDAP, and the Data Escrow Transition Plan, among others. The webinar was well-received, with participants expressing strong interest in more frequent similar events that will focus specifically on current topics directly impacting registrars and resellers.

**To learn more about ICANN's Contractual Compliance work, please visit:**  
<https://www.icann.org/resources/pages/compliance-2012-02-25-en>

**Notices:**  
<https://www.icann.org/compliance/notices>



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