

A photograph of the Charminar in Hyderabad, India, at night. The monument is illuminated with warm yellow lights, contrasting with the dark blue and black sky. The structure features two prominent minarets with multiple tiers of arches and balconies. In the background, other city lights and a communication tower are visible. The overall mood is serene and majestic.

ICANN|57 HYDERABAD



Registry Outreach

Contractual Compliance | ICANN 57 | 4 November 2016

Agenda

- ⦿ Brief Update Since ICANN 55
 - ⦿ Registry Agreement Lessons Learned
 - ⦿ Security Reports Common Practices
 - ⦿ Annual Certifications Reminder
 - ⦿ Registry Stakeholder Group Compliance Questions
- ⦿ Questions & Answers
- ⦿ Additional slides in appendix:
 - ⦿ Policy updates
 - ⦿ Registry Metrics
 - ⦿ New Registry Agreement Audit Update

Registry Agreement Lessons Learned

RA Lessons Learned

1

Zone File Access Requirements (CZDS)

Complying with reasons for denial of access

2

Assignments: Change of Control & MSA

Complying with requirements for notification to and approval by ICANN

3

Service Level Agreement (SLA) Monitoring

Complying with DNS/DNSSEC and RDDS SLAs

4

Monthly Reporting

Complying with monthly reporting obligations

1. Zone File Access Requirements (CZDS)

Replying to Requests & Reasons for Denial under Specification 4

- ⦿ Agreement is not explicit on when gTLD must reply to requests for access
 - ⦿ Be reasonable, open and transparent
 - ⦿ Establish, publish and adhere to policy that informs requestors by when to reasonably expect a response
 - ⦿ ICANN inquiry forwards user complaints about pending requests
- ⦿ Reasons for denying access under Specification 4:
 - ⦿ Failure to satisfy credentialing requirements of Section 2.1.2
 - ⦿ Incorrect or illegitimate credentialing requirements of Section 2.1.2
 - ⦿ Reasonable belief requestor will violate terms of Section 2.1.5

2. Assignments: Change of Control & MSA

Complying with requirements for notification to and approval by ICANN

- ⦿ Section 7.5 of the Registry Agreement
- ⦿ Assignment: direct or indirect change of registry operator or material subcontracting arrangement (MSA) related to Critical Function (including redundancies for those functions)
- ⦿ Advance notice to ICANN
- ⦿ Approval from ICANN required prior to some changes
- ⦿ Additional Information, including how-to guides and required forms
<https://www.icann.org/resources/assignments>

3. SLA Monitoring Communications

Specification 10 of Registry Agreement – EBERO Thresholds

- ◉ Service Level Agreement (SLA) monitoring alerts, including automated escalated compliance notices for DNS/DNSSEC and RDDS implemented
- ◉ Requires registry operators to keep contacts with ICANN up to date
- ◉ Upon resolution of the failure, Compliance will follow up to inquire about the cause and fix
- ◉ Monitoring and alerts have been effective at obtaining increased response time of registry operators to downtimes

4. Monthly Reporting

Complying with Monthly Reporting requirements

- ◉ Specification 3 of the registry agreement
- ◉ Two reports are required: Registry Functions Activity and Per Registrar Transaction Report
- ◉ Registry operator must provide one set per TLD, using API described in draft-lozano-icann-registry-interfaces, see Specification 2, Part A, Section 9, reference 5
- ◉ Reports are required to be uploaded by 20th day of month for any prior month TLD is delegated
 - ◉ Even if TLD is delegated on last day of the month (e.g., TLD delegated 31 October, October reports must be uploaded by 20 November)

New Registry Agreement Audit – Security Reports Common Practices

Specification 11, Section 3b Security Threat Technical Analysis and Reporting

- ⦿ Analyses performed by external party or internally by Registry Operator / Registry Service Provider
- ⦿ Statistical reports most commonly include:
 - ⦿ Number of domain names reviewed during analysis
 - ⦿ List of domain names with potential threats
 - ⦿ Type of the threat identified - malware, botnets
 - ⦿ Type of actions taken in response to threats
 - ⦿ Status (open/pending/closed) and statistics on actions taken
 - ⦿ Additional details on threats such as IP address, geographic location and registrant information
 - ⦿ Trends and alerts
- ⦿ Most common periodicity was daily reporting

Reminder: Annual Certification Requirements

Annual Compliance Certification

Complying with requirement to submit Annual Certification of Compliance and conduct internal review of Registry Operator

- ◉ Who Executes the Certification

- ◉ “an executive officer of the Registry Operator”

- ◉ What to Submit

- ◉ Certification of Continued Compliance with Specification 13
- ◉ Certification of Continued Compliance with Exemption
- ◉ Certification of Continued Compliance with Specification 9
 - ◉ If Registry Operator or Registry Related Party operates as a provider of registrar or registrar-reseller services and no Specification 13 or Exemption status granted

Annual Compliance Certification (continued)

- ⦿ Registry Related Party (Specification 9):
 - ⦿ Parent or subsidiary
 - ⦿ Affiliate - person/entity that controls, is controlled by or is under common control (Section 2.9(c))
 - ⦿ Subcontractor (e.g., service providers)
 - ⦿ Other related entity
- ⦿ Notification of Affiliation to ICANN required by Registry Operator (Section 2.9(b)) and registrar (2013 RAA Section 3.21)
- ⦿ Internal review at least once per calendar year to ensure compliance – Certification and review results due by 20 January each year
- ⦿ Requirement to conduct review and submit certification (if applicable) is effective upon signing Registry Agreement/Specification 13/Exemption
 - ⦿ Not dependent on delegation, operation or registrations

Registry Stakeholder - Compliance Questions

Q: *Dashboard metrics are not very useful on their own. How does Compliance intend to add value to these statistics, in particular clarifying baseless/un-actionable cases from largely-automated reporting sources?*

- ⦿ Dashboard metrics measure Efficiency and Effectiveness – measures were communicated in response to public comment item #31 at <https://www.icann.org/en/system/files/files/report-comments-op-budget-fy17-five-year-06jun16-en.pdf>
- ⦿ In addition, ICANN will provide measure on staffing utilization by projects in Contractual Compliance Annual Report
- ⦿ Request for information:
 - ⦿ What statistics and measures are useful and expected?
- ⦿ ICANN receives complaints from multiple sources and reviews for contractual scope before forwarding to contracted parties

Q: *Status of hiring a new Senior Vice President of Contract Compliance and Consumer Safeguards*

- ⦿ Job description was published early October
- ⦿ No new updates at this moment



Send compliance questions

To: compliance@icann.org

Subject line: ICANN 57 Registry Outreach Session

The ICANN 57 presentations are available at:

- The ICANN Contractual Compliance Outreach page at this link

<https://www.icann.org/resources/compliance/outreach>

- The ICANN 57 Schedule page at this link <https://icann572016.sched.org/>

Appendix

- Policy Updates
- Registry Metrics
- New Registry Agreement Audit Update
- Visit <https://www.icann.org/resources/pages/gtld-2012-02-25-en> for more information about:
 - Process Guidelines & Clarifications
 - Contractual Obligations Guidelines

Policy Updates

Policy and Working Group Efforts

Actively contributing to registry-related policies and Working Groups

- ⦿ Competition, Trust and Choice Review
- ⦿ Rights Protection Mechanism Review
- ⦿ New gTLD Subsequent Procedures
- ⦿ Clarification of Public Interest Commitments Specification 11, Section 3b Advisory and Security Framework
- ⦿ IGO-INGO: Curative Rights Protections and Protection of Identifiers
- ⦿ Thick WHOIS & Registration Data Access Protocol (RDAP)

Policy and Registry Agreement Updates

Registry-related policies and agreement updates in process since ICANN 55

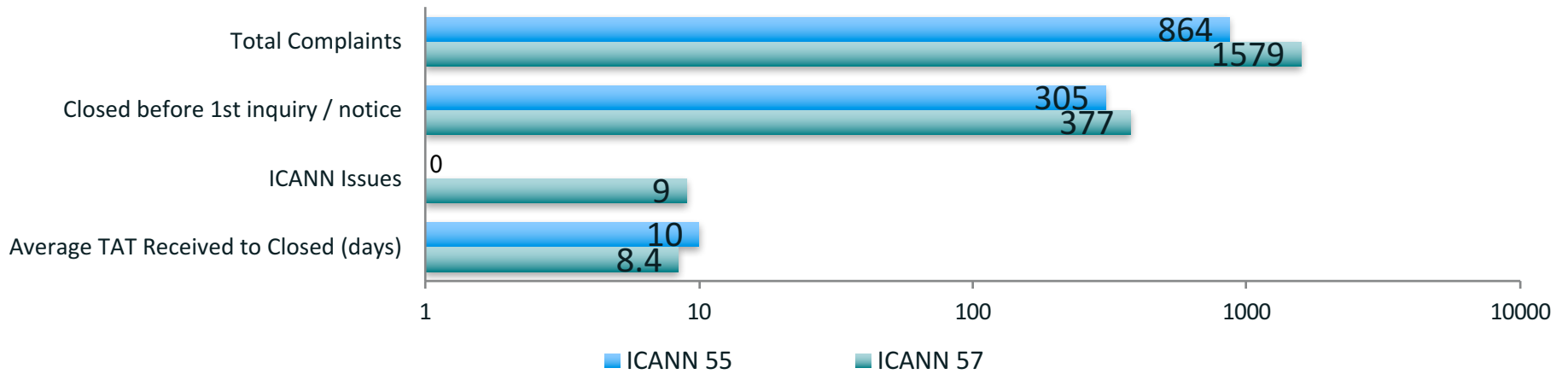
- ⦿ Proposed amendments to base New gTLD Registry Agreement
<https://www.icann.org/public-comments/proposed-amend-new-gtld-agreement-2016-05-31-en>
- ⦿ Registry Registration Data Directory Services (RDDS) Consistent Labeling and Display Policy (CL&D) – 1 February 2017 implementation date has been withdrawn and revision posted for public comment
<https://www.icann.org/news/announcement-2016-10-21-en>
- ⦿ Plan for Thin to Thick Whois Transition published for public comment
<https://www.icann.org/news/announcement-2-2016-10-26-en>

Registry Metrics

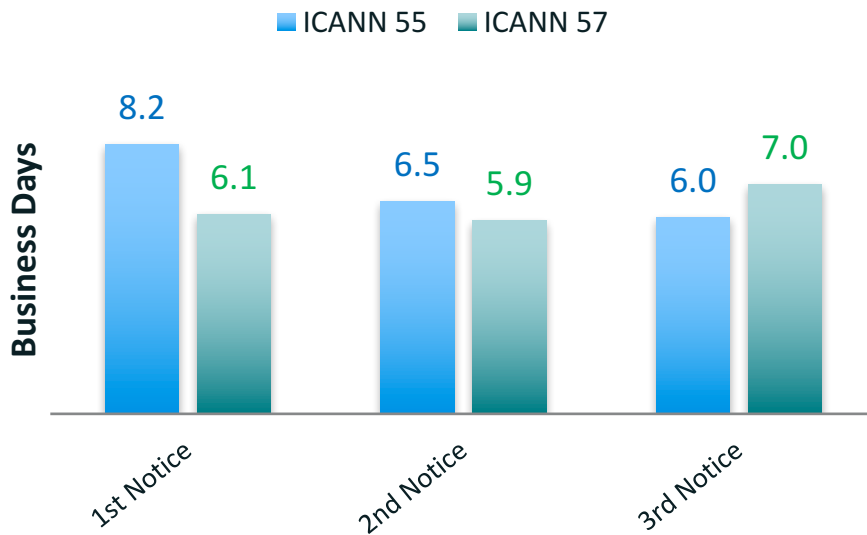
Registry Complaint Types in Detail

Registry Complaints	Quantity		Closed before 1st inquiry / notice		ICANN Issue	
	ICANN 55	ICANN 57	ICANN 55	ICANN 57	ICANN 55	ICANN 57
ZONE FILE ACCESS	293	732	74	176	0	2
REGISTRY DATA ESCROW	262	81	145	0	0	0
MONTHLY REPORT	105	140	2	1	0	1
SLA	93	40	22	23	0	1
REGISTRY OTHER	24	86	11	66	0	2
ABUSE CONTACT DATA	22	40	23	40	0	0
BULK ZFA	19	2	0	0	0	0
RESERVED NAMES/CONTROLLED INTERRUPTION	14	40	9	21	0	1
BRDA	10	13	0	0	0	0
PIC	6	9	5	6	0	0
RR-DRP	5	27	5	27	0	0
CODE OF CONDUCT	3	315	4	9	0	2
URS	3	7	2	6	0	0
CLAIMS SERVICES	3	1	3	1	0	0
SUNRISE	2	0	0	0	0	0
REGISTRY FEES	0	14	0	0	0	0
MISCONDUCT	0	0	0	0	0	0
BANKRUPTCY	0	0	0	0	0	0
WILDCARD PROHIBITION	0	1	0	0	0	0
SLA ALERTS	0	31	0	1	0	0
Total	864	1,579	305	377	0	9

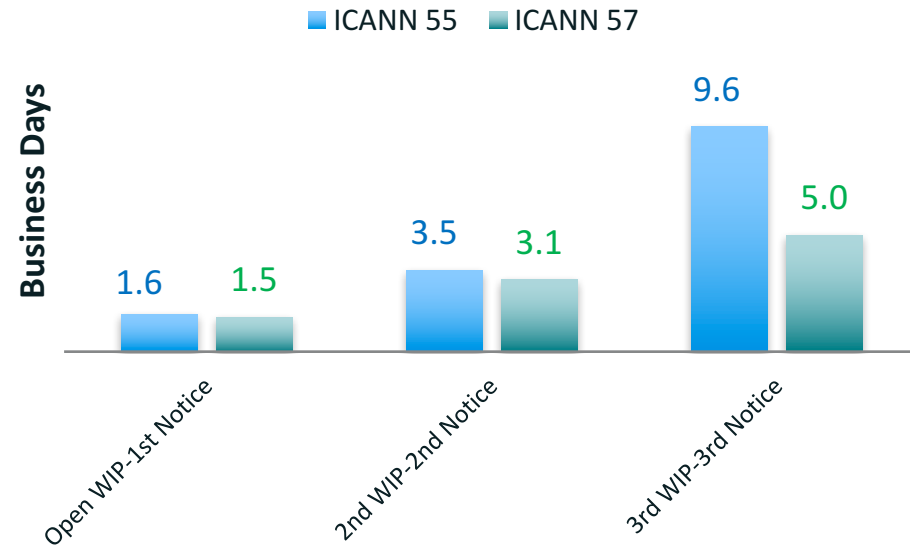
Registry Complaint Volume & Turnaround Time



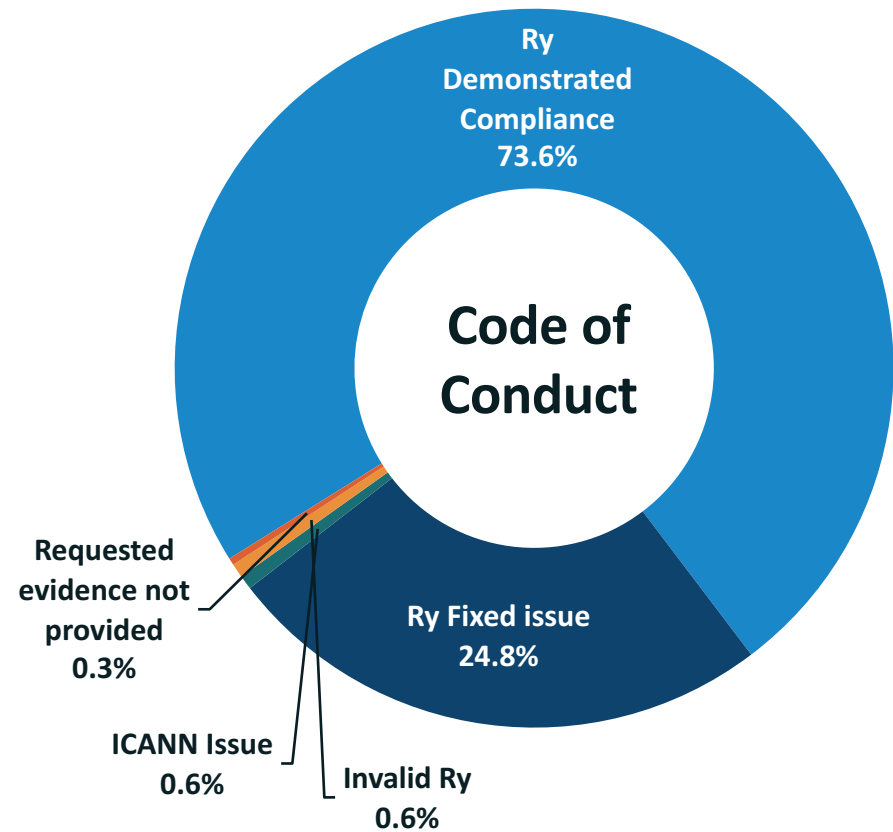
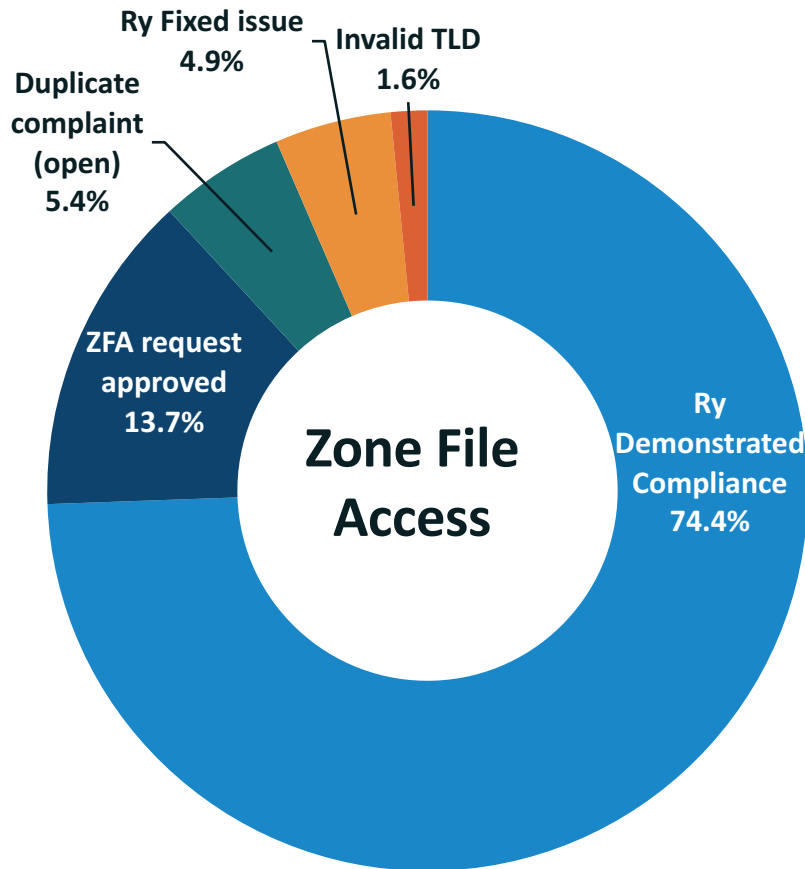
Registry Average Turn Around Time (TAT)



Staff Average Turn Around Time (TAT)

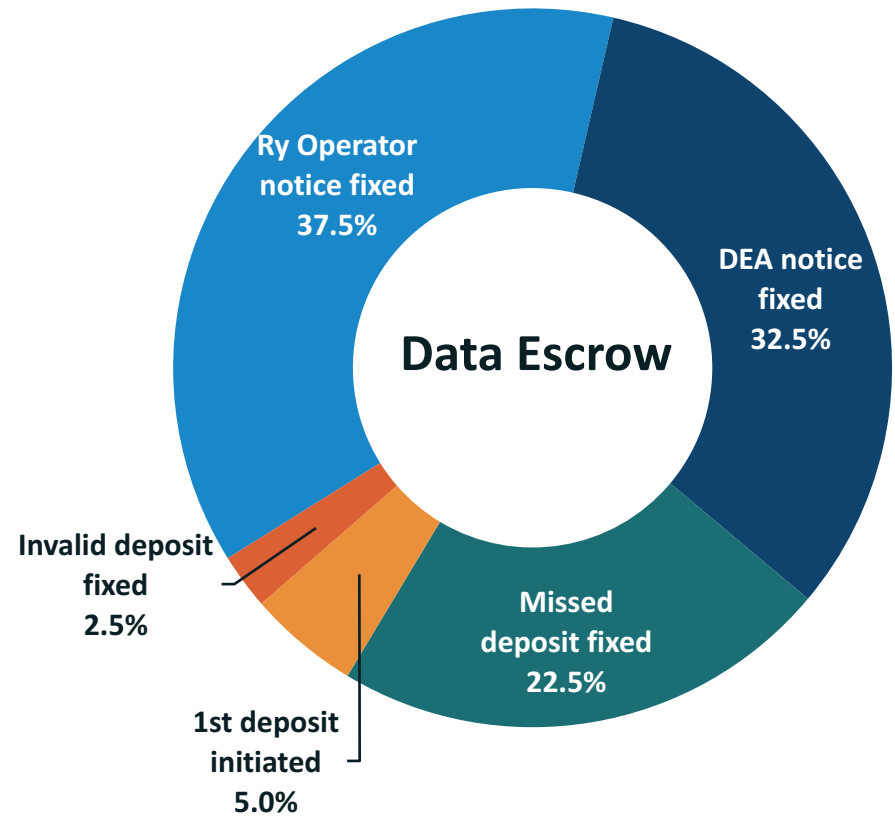
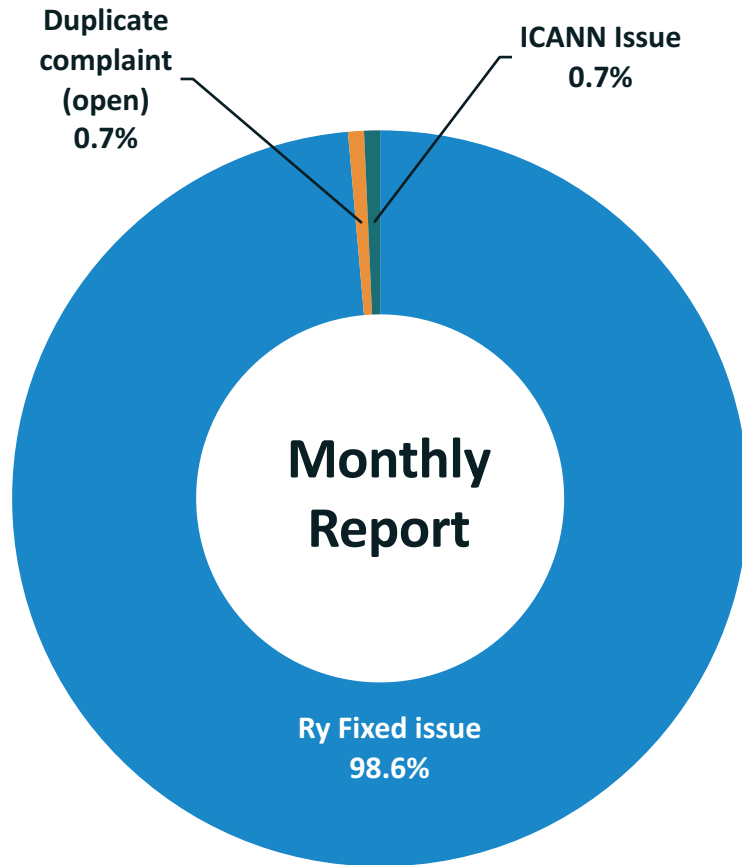


Registry Complaint Types & Top Closure Reasons (Feb 2016 – Sep 2016)



Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.

Registry Complaint Types & Top Closure Reasons (Feb 2016 – Sep 2016)



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New Registry Agreement Audit Update

New Registry Agreement Audit Timeline – January 2016

Audit Program Milestones

Pre-Audit Notification	Request for Information (RFI) Phase			Audit Phase		Initial Report	Remediation	Final Report
	1 st Notice	2 nd Notice	3 rd Notice	Begin	End	Date Issued	Start - End	Date Issued
13 Jan 2016	27 Jan 2016	17 Feb 2016	24 Feb 2016	2 Mar 2016	13 May 2016	16 May 2016	16 May - 20 Jun 2016	27 Jun 2016

New Registry Agreement Audit – January 2016 Summary

- ⦿ Eight of 10 registry operators successfully completed Remediation Phase; remaining two registry operators are processing necessary Registry-Registrar Agreement (RRA) amendments
- ⦿ 2016 January Contractual Compliance New Registry Agreement Audit Report at <https://www.icann.org/resources/pages/compliance-reports-2016-04-15-en>
- ⦿ Compliance encourages Registry operators to review Audit scope at <https://www.icann.org/en/system/files/files/audit-plan-new-registry-agreement-04dec15-en.pdf>

New Registry Agreement Audit - Key Issues and Impact Analysis

Issues Noted	Registries with Deficiencies	Potential Risk/Impact
Data Escrow (DE) and Bulk Registration Data Access (BRDA) files: <ul style="list-style-type: none"> - Some mandatory fields missing in the DE and BRDA files 	20%	Correct processing and escrowing of registration data is required for data restorability and consumer protection
Monthly reporting issues; number of domains over / underreported	20%	Inaccurate monthly reporting of domain counts may result in reporting incorrect domain counts to public and over- or under-payment for domains
Link to ICANN Whois information/policy missing from new gTLD Registry's website	40%	Link to ICANN Whois information/policy is important method of informing and educating public and potential customers about use and importance of accurate Whois information
Link to DNSSEC Practice Statements (DPS) missing from new gTLD Registry's website	60%	Publication of DPS is important method of informing and educating public and potential customers of important information in regards to the Registry's operations
Registry-Registrar Agreements missing required language	20%	Missing required language in Registry-Registrar Agreements, specifically regarding consequences of using registration for prohibited and/or illegal activity, potentially permits abusive content