ICANN 62
POLICY FORUM
PANAMA CITY
25–28 June 2018

Registrar Outreach

ICANN Contractual Compliance

ICANN 62
26 June 2018

ICANN

Agenda

⊙ Welcome

⊙ Brief Update from Contractual Compliance Since 2018 GDD Summit

⊙ Responses from Contractual Compliance to Temporary Specification Questions from Registrar Stakeholder Group

Update Since 2018 GDD Summit

Highlight of activities since May 2018

- ➢ Continue to work on enhancements to reporting

- ➢ September 2017 Round Registrar Audit Report published

- ➢ Registry audit in progress

- ➢ Support policy efforts and review teams

- ➢ GDPR preparation activities

  - ➢ Temporary Specification

  - ➢ ICANN org (internal) GDPR compliance efforts

Questions from Registrar Compliance Sub Group

Email received on 7 June 2018 related to Temporary Specification

1. *Has Compliance received complaints specific to GDPR (e.g., complaints about requests for access to redacted WHOIS)?*
2. *Is compliance proactively monitoring registrar compliance with the Temporary Policy? If so, how?*
3. *Have any of Compliance's processes changed as a result of the GDPR?*
4. *Has Compliance defined new complaint types as a result of the Temporary Policy? If so, what constitutes a valid complaint?*
5. *How are WHOIS Inaccuracy complaints handled if WHOIS is not available as a result of GDPR?*
6. *How will transfer complaints be handled now that the gaining registrar FOA may not be sent as part of the transfer process?*

Responses to Registrar Stakeholder Group Compliance Sub Group Questions related to Temporary Specification

Questions from Registrar Compliance Sub Group

Email received on 7 June 2018 related to Temporary Specification

1. *Has Compliance received complaints specific to GDPR (e.g., complaints about requests for access to redacted WHOIS)?*

   ➢ Contractual Compliance has not received complaints specific to denial of access to non-public registration data
   ➢ Most complaints received to date are regarding changes to registration data (e.g., data is perceived as missing)

2. *Is compliance proactively monitoring registrar compliance with the Temporary Policy? If so, how?*

   ➢ Temporary Specification compliance is reviewed and addressed, as applicable, during processing of third party complaints

Questions from Registrar Compliance Sub Group

Email received on 7 June 2018 related to Temporary Specification

3. *Have any of Compliance's processes changed as a result of the GDPR?*

   ➢ Contractual Compliance has adjusted review of complaints to account for changes in registration data
      - ➢ Inquiries used where registration data is redacted
      - ➢ Requesting different/additional information where necessary to understand situation (e.g., request for non-public WHOIS)

4. *Has Compliance defined new complaint types as a result of the Temporary Policy? If so, what constitutes a valid complaint?*

   ➢ No new complaint type; complaints continue to be received and processed from existing web form submissions

Questions from Registrar Compliance Sub Group

Email received on 7 June 2018 related to Temporary Specification

5. *How are WHOIS Inaccuracy complaints handled if WHOIS is not available as a result of GDPR?*

   ➢ WHOIS Inaccuracy complaint review has been adjusted to account for registration data changes (details on following slides)
   ➢ For any complaint review that requires non-public registration data, ICANN requests specific data from contracted party

6. *How will transfer complaints be handled now that the gaining registrar FOA may not be sent as part of the transfer process?*

   ➢ Transfer complaint review has been adjusted to account for Temporary Specification Appendix G changes
   ➢ **NOTE**: Updated approach is noted in red on following slide

RrSG Compliance Sub Group: Transfer validation

ICANN Contractual Compliance Transfer Complaint Validation

- There are various requirements under the Transfer policy related to inter-registrar transfers and change of registrant
  - Appendix G of Temporary Specification adds new requirements
- If determined in scope of RAA and Transfer Policy, complaint will be forwarded to registrar for review
- ICANN's requests for information and records from registrar are driven by contractual and policy requirements, content of complaint and available information
  - Copies of correspondence between registrar/reseller and reporter/registrant
  - If applicable, non-public registration data for relevant fields
  - Reason for denial of transfer or change of registrant
  - Gaining registrar to confirm access to registration data; if no access: FOA is not requested; will not ask for Change of Registrant; will ask for WHOIS Accuracy Program Specification validation/verification confirmation
- Additional follow up with reporter and registrar as needed

Questions & Answers

Send compliance questions

To: compliance@icann.org

Subject line: ICANN 62 Registrar Outreach Session

The ICANN 62 presentations are available at:

- The ICANN Contractual Compliance outreach page at this link
https://www.icann.org/resources/compliance/outreach

- The ICANN 62 Schedule page at this link https://schedule.icann.org/