

# Contractual Compliance Report

For the Period of 1 – 29 February 2024

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## KEY HIGHLIGHTS FOR FEBRUARY 2024

- Launched a new audit round focused on validating registrars' compliance with the Registrar Accreditation Agreement (RAA), ICANN Consensus, and Temporary policies. The sixty-two (62) selected registrars received Requests for Information (RFIs)
- Received 3,970 new complaints and forwarded more than 387 notifications to contracted parties (CPs) during investigations into compliance with numerous requirements across ICANN policies and agreements
- Participated in multiple outreach and training sessions during the ICANN79 Prep Week and other events to deliberate on a wide range of contractual requirements, including Domain Name System (DNS) Abuse
- 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 RAA and the ICANN Temporary and Consensus Policies.

Sixty-two (62) registrars were selected for the audit. On 12 February 2024, RFIs were sent to all 62 selected registrars. Registrars are currently in the process of responding to the RFI by submitting requested responses and documentation.

### Contractual Compliance Enforcement

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

### Notices of Breach

No new notices of breach were issued in February 2024. The Compliance team continued working on reviewing the records and information related to breach notices issued in the prior months.

### Notices of Suspension/Terminations

No new notices of suspension or termination were issued in February 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 February, Contractual Compliance received 3,970 new complaints (3,930 against registrars and 40 against registry operators (ROs)) and sent 387 inquiries and notices (collectively, referred to as "compliance notifications") to CPs. The number 387 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 generic registrar (i.e., registrar issues with no dedicated complaint form). Most notifications sent to ROs addressed obligations related to registry fees, zone file access, and monthly reports. During February, the Contractual Compliance team closed 4,101 complaints without having to contact a single CP.

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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 February 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 February, the Contractual Compliance team continued to process compliance inquiries related to the Temporary Specification. The team initiated four new inquiries concerning reasonable access to non-public 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 of this are 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 February, the Contractual Compliance team continued:

- Providing contractual compliance input for implementation of the Expedited Policy Development Process (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 non-public registration data under current requirements and future policy recommendations, as it relates to the design and development of the Registration Data Request Service (RDRS)

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

In February, the Contractual Compliance team continued processing service-related compliance notifications for the Registration Data Access Protocol (RDAP). From October 2019 to February 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 183 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

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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**

On 20 February 2024, ICANN Contractual Compliance presented a [program update](#) with a focus on three areas during the pre-ICANN 79 prep week:

1. The provision of information and data related to the enforcement of the Registration Data Access Protocol (RDAP) requirements
2. ICANN Contractual Compliance's readiness efforts to start enforcing the new DNS Abuse requirements on 5 April 2024
3. The provision of information and data related to ICANN Contractual Compliance's support of policy and working group efforts as well as other initiatives of the community

ICANN Contractual Compliance attended the "Get Engaged in ICANN: Seminar for Registrars" on 21 February 2024 in Vienna, Austria, organized in collaboration with the ICANN GDS and ICANN GSE Europe teams. The seminar addressed ICANN Compliance's readiness for new DNS Abuse requirements, alongside sharing best practices for combatting and mitigating DNS Abuse. RDAP enforcement, the registrar data escrow transition process, and registrar audit details were also covered during the seminar. The team shared details of complaint trends and efforts to support policy development and community engagement.

On 22 February 2024, ICANN Contractual Compliance participated in the [Registrant Program \(Program\)](#) Update ICANN79 Prep Week session. During the session, the team provided an update on the Program's activities and solicited feedback from the ICANN community about issues and challenges impacting domain name holders/registrants that the Program could address. During this session, ICANN Contractual Compliance shared data and information related to the type of complaints received in 2023 from self-identified registrants, the compliance actions taken, and outcomes.

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>

**Reports:**  
<https://www.icann.org/resources/pages/compliance-reports-2021>

**Performance Measurement Dashboard:**  
<https://compliance-reports.icann.org/compliance/dashboard/report-list>



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