

# Contractual Compliance Report

For the Period of 1 – 31 January 2024

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## KEY HIGHLIGHTS FOR JANUARY 2024

- Finalized the timeline and selection of registrars for the new audit round focused on validating registrars' compliance with the Registrar Accreditation Agreement (RAA), ICANN Consensus, and Temporary policies.
- Sixty-two (62) registrars were selected and received pre-audit notifications.
- Received 1,816 new complaints and forwarded more than 271 notifications to contracted parties (CPs) during investigations into compliance with numerous requirements across ICANN policies and agreements
- Continued providing contractual compliance input to different policy and working groups

## OVERVIEW OF ACTIVITY

### Audit Program

The Contractual Compliance Audit team finalized the timeline and selection of registrars for a new audit round launching in February 2024. The audit is focused on validating Registrars' compliance with multiple terms of the 2013 version of the RAA and ICANN Temporary and Consensus Policies.

Sixty-two (62) registrars were selected for the audit. On 29 January 2024 Pre-Audit notifications were sent to all 62 registrars informing them of their inclusion in the audit. Requests For Information (RFIs) will be sent to all 62 selected registrars in February.

### Contractual Compliance Enforcement

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

### Notices of Breach

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

### Notices of Suspension/Terminations

Neither new notices of suspension nor termination were issued in January 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 January, Contractual Compliance received 1,816 new complaints (1,752 against registrars and 64 against registry operators (ROs)) and sent 271 inquiries and notices (collectively, referred to as "compliance notifications") to CPs. The number 271 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 registration data inaccuracy. Most notifications sent to ROs addressed obligations related to registry fees, zone file access, and monthly reports. During January, the Contractual Compliance team closed 1,387 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 January 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 January, the Contractual Compliance team continued to process compliance inquiries related to the Temporary Specification. The team initiated five new inquiries concerning reasonable access to non-public registration data (Section 4.1, Appendix A). In addition, the Contractual Compliance team continued addressing 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 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 January, 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 metrics related to complaints 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 January, the Contractual Compliance team continued processing service-related compliance notifications for the Registration Data Access Protocol (RDAP). From October 2019 to January 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**

There were no Compliance outreach activities during this reporting period.

**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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