Report to the GNSO Council

Submitted by ICANN Contractual Compliance

GNSO Council's Resolution 20111006
In Response to the Recommendation by
Registration Abuse Policies Working Group
on Meta Issue: Uniformity of Reporting

Submission Date: 16 March 2012

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GNSO Council Request – Uniformity of Reporting

This report is submitted by ICANN's Contractual Compliance Department (Compliance) to the GNSO Council pursuant to the GNSO Council's Resolution **20111006-2** http://gnso.icann.org/resolutions/#201109 (the "Resolution"). The Resolution is GNSO Council's response to the Registration Abuse Policies Working Group's (RAPWG) Recommendation on Meta Issue: Uniformity of Reporting.

The Resolution provides:

"… RESOLVED, in response to the recommendation on Meta Issue: Uniformity of Reporting, the GNSO Council acknowledges receipt of this recommendation, and hereby requests the ICANN Compliance Department to report on existing systems to report and track violations and/or complaints; improvements / changes made since the RAPWG Report or foreseen in the near future, and: identify gaps and any improvements that might be desirable but not foreseen at this stage. Further consideration of this Meta Issue, including the recommendations and considerations of the RAP WG in this regard, is deferred pending receipt of such information from the ICANN Compliance Department."

The Recommendation on Meta Issue by the Registration Abuse Policies Working Group's final report http://gnso.icann.org/issues/rap/rap-wg-final-report-29may10-en.pdf provides:

> *"The RAPWG recommends that the GNSO, and the larger ICANN community in general, create and support uniform reporting processes."*

Structure of this report

As per the Resolution, this report consists of:

1. Existing systems to report and track violations and/or complaints
2. Improvements / changes made since the RAPWG Report
3. Improvements / changes foreseen in the near future
4. Gaps and any improvements that might be desirable but not foreseen at this stage

Executive Summary

Compliance received 45,185 complaints in 2011. Not all complaints are valid and not all valid complaints lead to contract violations or enforcement actions. Most compliance issues are resolved informally, without the need for escalated actions, such as issuing a notice of breach.

Compliance has committed to analyze and process complaints, identify trends and provide compliance data to inform policy development. It is important to recognize that complaints received by ICANN do not capture all the abuses or issues covered in the RAPWG's final report. Further, the data derived from those complaint intake systems is limited. Therefore other sources of data should be explored if there is community support for developing a uniform reporting system.

Existing systems or tools to receive complaints are:

1. C-Ticketing System - general consumer complaints
2. W-Ticketing System - WHOIS inaccuracy claims
3. UDRP database – Uniform Domain Dispute Resolution Policy (UDRP) related compliance issues
4. Email – to Compliance staff or to compliance@icann.org

Current and future plans described in this report are part of Compliance's three year plan and are aimed to improve current systems, reporting and communications, until an enterprise-wide consolidated solution is implemented.

The plans are:

Short Term (over the next 6 months - through to August 2012)

- Ticket application enhancements (C-Ticket & W-Ticket)
- Improve document management
- System integration of standardized business process
- Investigate and provide a reporting tool for metric data analytics

Mid-Term (over the next 2 years - 2012-2013)

- Define & implement a consolidated Compliance system
- Develop and gradually rollout a Compliance dashboard
- Define and deliver Compliance risk and audit strategy

Long Term (2013 and beyond)

- Expand the new consolidated system to provide additional functionality

In summary, the short term enhancements will maximize the current systems to improve reporting and efficiency. Mid-term, a new consolidated system based on a standardized business process model will allow for increased automation, functionality and scalability.

Part 1 - Existing systems to report and track violations and/or complaints

Compliance receives and processes complaints using several individual applications. This is explained in three sections:

- Intake
- Supporting
- Missing

Intake

Compliance receives complaints received from complaint intake systems and email. Different complaint intake applications cater to specific compliance areas:

1. Consumer
2. WHOIS inaccuracy
3. UDRP non-compliance or non-implementation

The Compliance team received 45,185 complaints in 2011 from these three intake applications. The breakdown by compliance areas is shown in the chart where WHOIS Inaccuracy is the largest portion of complaints followed by Consumer Service.

For the period of October 2011 to February 2012, ticket closure rate is 68%.

Complaints

Other 4%

UDRP 1%

Consumer Transfer 13%

WHOIS Inaccuracy 55%

Consumer Service 27%
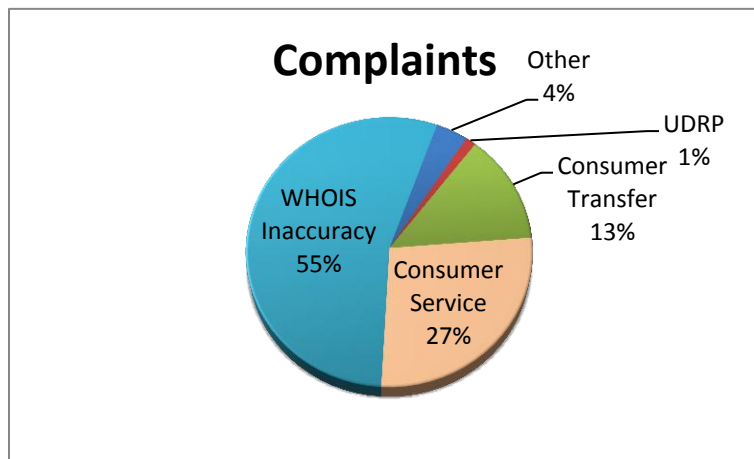
Email is also another method to receive complaints at Compliance@icann.org.

Consumer Complaints (C-Ticket)

General consumer complaints are entered at two locations; the Internic.net site and at the ICANN.org website.

http://reports.internic.net/cgi/registrars/problem-report.cgi

http://www.icann.org/en/contact

The user is asked to select one issue that best describes the nature of their complaint from the following pre-defined complaint categories (queues):

Consumer Complaint Issue	
ccTLD	Registrar Service
Contact Update	Reseller Provider
Cpanel	RIR Pen
DN Dispute	Spam Abuse
Domain Renewal	Transfer Problems
Financial Transaction	UDRP
New gTLD	Website Content
Name Password	WHOIS
Ownership Transfer	WHOIS Server Down
Redemption	

These complaints are then transferred electronically into the consumer complaint tracking application, known as the C-Ticket. This is a stand-alone solution and does not integrate with any other application. The C-Ticket is based on a third party customer support ticketing software solution for Kayaco, Inc. This software was written and installed for ICANN in June 2008. Vendor support of the software expires in December 2012. An upgrade to the latest version is technically possible but complicated. 17,698 tickets were processed in 2011.

Based on the current Compliance process, the software is used solely as a ticket tracking solution. The only automated function is an acknowledgement email sent to the complainant upon receipt of the complaint. All ticket processing activity (including reviewing, analyzing and assessing complaints, corresponding with registrars and complainants and closing tickets) is completed manually. No automated business workflow is available to move tickets through the queue.

Note: ICANN's Registrar Liaison Team also shares the C-Ticket application but is not used for tracking violations and/or complaints and therefore not covered in this report.

WHOIS Inaccuracy (W-Ticket or WDRPS)

WHOIS inaccuracy claims or complaints are entered via the Internic.net site at

http://wdprs.internic.net/

The user is asked to select the type of issue(s) that best describes the WHOIS inaccuracy of the items listed in the table below:

WHOIS Inaccuracy Selection Values	
Registrant Contact Information	Misspelled, No Such Person, Wrong Person, Missing Name
Administrative Contact Information	Incorrect Address, Incomplete Address Incorrect Phone, Missing Phone Incorrect Fax, Missing Fax Incorrect email, Missing email
Technical Contact Information	Incorrect Address, Incomplete Address Incorrect Phone, Missing Phone Incorrect Fax, Missing Fax Incorrect email, Missing email
Registration Date	Incorrect Date, Missing Date
Expiration Date	Incorrect Date, Missing Date

Complaints are then transferred electronically into a WHOIS complaint tracking application known as the WHOIS Data Problem Reporting System (WDPRS) or W-Ticket. This is a stand-alone solution and does not integrate with any other applications. W-Ticket is also based on a separate third party customer support ticketing software solution for Kayaco, Inc. This software was written and installed in December 2008. Extra software customization was written in-house on top of the Kayaco ticketing software and prevents any Kayaco upgrades. Vendor support of the software expires in December 2012. 27,413 tickets were processed in 2011.

Based on the current Compliance process, the software is used primarily as a ticket tracking solution. The extra software checks dates and sends notification emails to registrars moving tickets through the queue.

UDRP

Complaints about alleged registrar non-compliance of the UDRP (Uniform Domain Name Dispute Resolution Policy) or non-implementation of UDRP decisions are entered via the Internic.net site at

http://www.internic.net/UDRPIntakeReportSystem.html.

These entries are loaded into a SQL database. An email is generated to designated Compliance staff with the complaint information. No other activity is used or posted against the database. All business process activity is handled via email. 74 tickets were processed in 2011.

Email

Some complaints are sent from members of the ICANN community by email directly to Compliance staff or to the generic email address compliance@icann.org. A small number of complaints are referrals sent by email from other ICANN departments, ICANN Executives or Board members to Compliance staff.

The Compliance staff relies heavily on email, as the main tool to communicate with registrars, complainants, and occasionally, registry operators. Therefore, most Compliance activities are conducted by email communication and logged by the ICANN email system.

Supporting Applications

Compliance staff regularly uses other applications in their daily activities for research into complaints:

RADAR - ICANN's Registrar Application and Database Access Resource (RADAR) system is an online database for contact listings, addresses, telephone numbers, billing information, and other key registrar information.

WHOIS Lookup – Compliance staff uses various WHOIS lookup tools to verify whether an inter-registrar transfer has been completed or WHOIS contact information has been updated by a registrar.

None of these supporting applications are integrated into the ticketing systems. Hence, all lookups are manual with the results "cut & pasted" into any working documents.

Validation of current data from WHOIS lookup tools and timely up-to-date registrar contact information in RADAR are critical to the ticket processing and management process.

Missing Applications

Other compliance areas (including data escrow, finance) that do not belong to consumer, WHOIS or UDRP are all completed manually with emails and spreadsheets.

Part 2 - Improvements / changes made since the RAPWG Report

System Improvements

W-Ticket

New capabilities added:

- Validate Complaint

  System improvements were made to check the validity of complaints before complaint is automatically forwarded to the impacted registrar. If the domain name in question is suspended, deleted or not found; or if the complaint is a duplicate, the complaint is rejected.

- Queue Processing Automation

  Additional software was written that sends notification emails to registrars if no complaint updates have been applied based on simple date checks of elapsed time. The email asks registrars to demonstrate what action taken to investigate WHOIS inaccuracy reports after a set timeframe.

  If the registrar replies to the reminder notice indicating the domain name has been suspended, deleted or corrected, then the ticket is closed. If the registrar says the WHOIS data has been verified correct, the ticket is updated, and manually closed.

  In late 2011, the WDPRS was updated to send any registrar a compliance notice if a registrar fails to respond to the automated notice (see above). Follow through is manually tracked via email.

Port 43 Monitoring Tool

In September 2010, the pilot WHOIS Monitoring System (WMS) tool was further enhanced and has been in full production since. The tool provides on-going monitoring of registrars' port 43 WHOIS service.

WDRP Audit Tool

The WDRP audit tool was updated and delivered to launch the 2011 annual WDRP audit, which was completed in February 2012. All Registrars were sent the invitation to respond to an audit questionnaire. The results are being tabulated and the audit report is targeted to be published in March 2012. The 2011 audit was simplified to

only five questions. The annual WDRP audit will be incorporated into the RAA audit questionnaire from 2012 onwards.

Registrar (RAA) Audit Tool

This is a new audit tool developed by IT. A pilot was opened and closed to evaluate a new RAA audit questionnaire in February 2012. The pilot feedback is being evaluated along with the IT recommendations. Formal launch of the registrar RAA audit is scheduled for T3 FY12.

Registry Self-Assessment Tool

This is another new tool developed by IT. A pilot was opened and will be closed in March 2012 to evaluate a new registry self-assessment. The pilot feedback will be evaluated to determine changes before delivery to all registries towards the end of 2012.

Operational Improvements

The Compliance team has made significant improvements to standardize on a single process model for all compliance areas.   As shown in the Overall Compliance Process diagram below, the intake methods on the left are the ticketing systems and email. "Informal Resolution" of 1st, 2nd and 3rd notices is processed consistently across different areas, including consumer, WHOIS inaccuracy, UDRP and data escrow issues. "Formal Resolution" consistently manages notices of breach, suspension, termination or non-renewal.

Overall Compliance Process
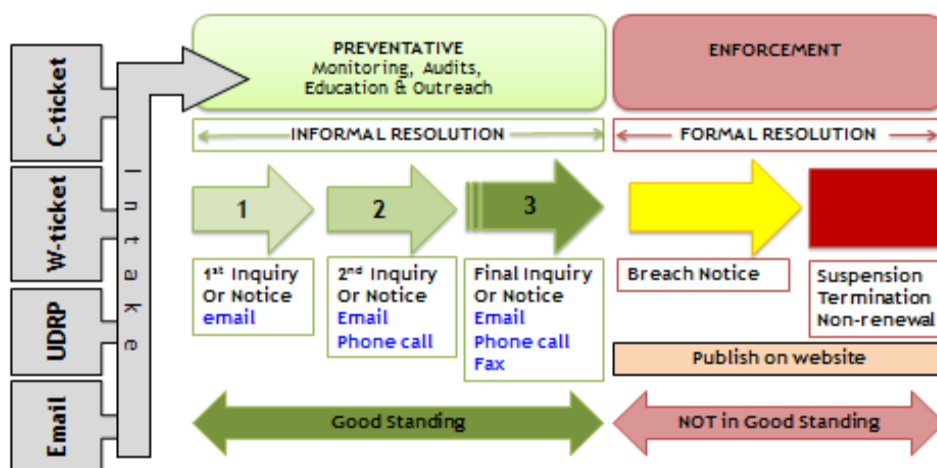
Part 3 - Improvements / changes foreseen in the near future [Short Term]

Planned Short Term improvements are:

- Ticket application enhancements
- System integration of standardized business processes
- Compliance Document Management Repository
- Investigate and provide metric data analytics dashboard
- Define and deliver compliance risk and audit strategy

Ticket application enhancements (C-Ticket & W-Ticket)

Enhancements to the existing reports and ticketing systems are planned for implementation in T2 and T3 in FY12. The objective is to maximize the current systems to improve efficiency and effectiveness. Efforts are underway with a third party software development company for the following business requirements:

- Document existing reports to include report logic, dependencies and guidelines
- Add identified data elements to current reports
- Improve speed, completeness and consistency of existing reports
- Repurpose existing database fields to match updated business processes
- Add new reports for UDRP aging and ticket processing turnaround time
- Provide bulk complaints transmittal to registrars

Note: Current Compliance reports from the ticketing systems are data extracts presented in Microsoft Excel file format.

Improve Document Management

Compliance creates and maintains a large amount of documents and records. An electronic file repository is needed to store these documents and records. ICANN has chosen the underlying technology and has started implementing a document repository solution. The Compliance Document Management Repository implementation effort has been underway since November 2011 with a target production launch in March 2012.

- Design the structure and implement a document repository for Compliance

- Integrate document repository functionality into Compliance's business processes

- Ensure secure access but easy retrieval of documents and records by compliance issue/focus area or registrar

System Integration of Standardized Business Process

Compliance has worked on standardizing business process across all areas. The next step is to align these process changes with the software enhancements. The implementation of the software enhancements are targeted for completion by the end of June 2012.

Investigate and provide a reporting tool for metric data analytics

The goal is to provide a reporting metrics for data analytics (business intelligence) solution based on existing applications. This solution will provide different views of data, which will enable Compliance to identify root causes and to proactively manage and address issues. This effort is underway with a target to build a prototype in the next few months.

# Part 3 - Improvements / changes foreseen in the near future [Mid-Term]

A consolidated Compliance system to replace the existing ticketing applications and provide an integrated business view to manage complaints. The reporting prototype is to be evaluated and adjusted to meet the rigors of ICANN's reporting needs. A timeline is provided for short and mid-term plans.

Define & implement consolidated compliance application

The goal is to define and implement solutions to enable Compliance to improve complaint management and consolidate disparate applications into one centrally managed solution. The technology should leverage existing commercial off-the-shelf technology solutions with minimum customization.

- Determine holistic solution to consolidate existing Compliance activities and systems into a single expandable Compliance-focused solution
- Replace existing Compliance applications before 3rd party vendor support expires in December 2012

Contractual Compliance IT Vision
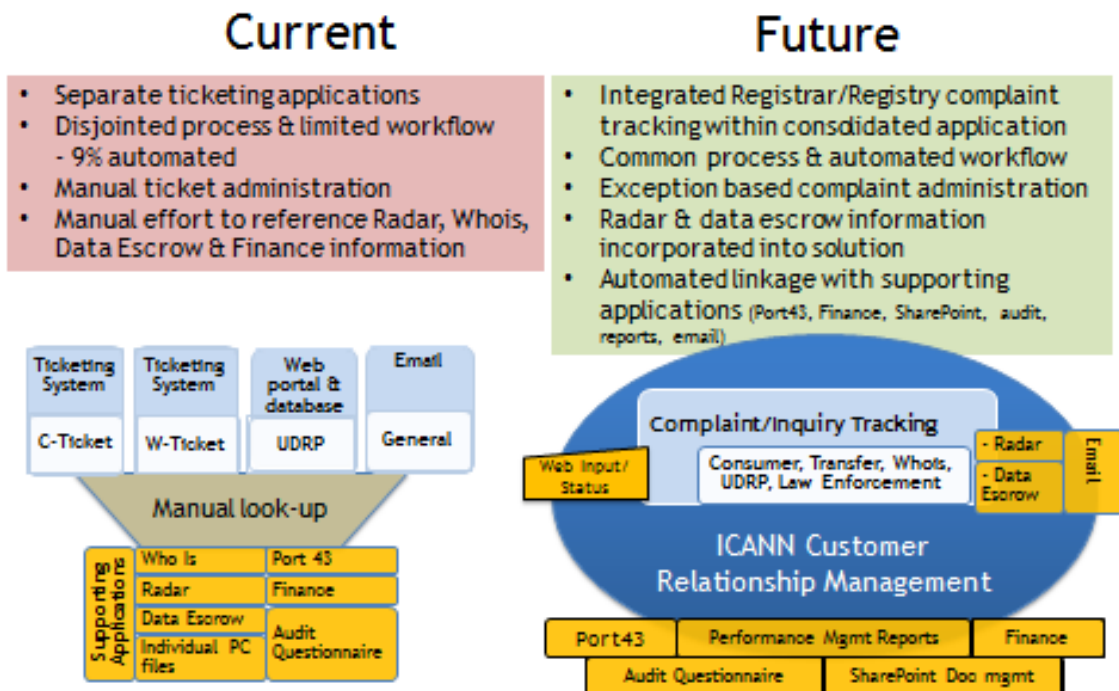
The business requirements of this new consolidated solution are designed to meet the objectives listed below, which are non-exhaustive.

Consolidated Compliance System Objectives

- Integrate existing complaint or inquiry areas into a single traceable and reportable business solution
- Capture additional information for reporting analytics and complaint trending
- Automate validation check points and inquiries
- Facilitate correspondence with registrars, registries and others based on predefined messages meeting certain compliance criteria
- Maintain complete correspondence records
- Determine method to integrate document repository
- Incorporate business processes within the system workflow for improved automation
- Provide reports for ICANN management
- Provide Compliance data and reports to the ICANN community

Develop and gradually rollout a Compliance dashboard

Business analytic reporting or business intelligence reporting will be extended past the prototype phase in the mid-term plan. This will:

- Expand prototype with available data from existing Compliance applications to determine breadth and depth of reporting requirements
- Determine if prototype reflects scope and capability to meet ICANN's reporting needs
- Modify business intelligence reporting based on prototype results
- Modify data sources needed for reporting as systems change due to consolidated Compliance application

Define and deliver Compliance risk and audit strategy

The objective is to deliver a formal strategy and methodology for Compliance audit and risk management. This effort will define an overall sustainable audit and risk management program for registrars and registries. Audits will be conducted and findings will be assessed according to risk management guidelines to mitigate risks. Included in this program are the registrar (RAA) audit questionnaire and the registry self-assessment. The Compliance audit and risk management program is targeted to be defined by December 2012.

High level timeline for Short & Mid-Term Plan

	Target by - Mar 2012	Target by – Jul 2012	Target by - Dec 2012
Enhancement	Define enhancements to existing system	• Deploy enhancements • Standard reporting • Standardize data fields	
Business Process	High level processes defined	Deploy process changes instep w/ enhancements	
Document Management Repository	Define & build doc repository site	Deploy Document Management System	
Risk & Audit Strategy	• Deliver WDRP audit questionnaire • Pilot RAA audit questionnaire	• Finalize RAA audit questionnaire • Finalize registry self-assessment • Define Compliance risk and audit strategy	• Deliver Compliance risk and audit program
Reporting Analytics	Define requirement	• Supplier chosen for prototype design • Business intelligence prototype delivered	• Prototype evaluated • Updated per consolidated solution
Consolidated Solution	Define business requirements	• Supplier chosen for application design and development • Define technical architecture • Define Business workflow • Overall project plan with deployment dates delivered and agreed to by ICANN	• 1st Phase new solution deployed • Deploy operational reports • Provide data for reporting analytics

Part 4 - Gaps and any improvements that might be desirable but not foreseen at this stage [Long Term]

Expand the new consolidated system to provide additional functionality

Other compliance areas where improvements are desirable are:

- Data escrow compliance management
- Escalation tracking management
- Integration with Document Management System
- Increased functionality to the consolidated system
- Integrate audits into the consolidated system
- Real-time reporting and publishing of data
- Integration of RADAR and WHOIS Lookup into the consolidated system

Conclusion

This report is intended to provide the GNSO Council with an overview of how complaints are currently received and processed by ICANN Contractual Compliance and our goals and plans for system improvements in the near term and future. The short and mid-term plans set the foundation for a consolidated Compliance system while delivering target enhancements to improve the management of complaints.

This report is also intended to inform the GNSO Council's discussions on next steps in relation to the RAP recommendation to develop a uniform reporting system. However, it is important to recognize that the complaints received by ICANN do not capture all the abuses or issues covered in the RAPWG's final report. Further, the data derived from those complaint intake systems is limited. Therefore other sources of data should be explored if there is community support for developing a uniform reporting system.

Please contact Compliance staff if the GNSO Council requires further information or has any questions regarding this report.