ICANN Specific Reviews – Competition, Consumer Trust and Consumer Choice Review (CCT)
Recommendation 18 - Implementation Documentation

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CCT Final Report: https://www.icann.org/en/system/files/files/cct-rt-final-08sep18-en.pdf

Board resolution on CCT Final Report: https://www.icann.org/resources/board-material/resolutions-2019-03-01-en#1.a

October 2020 resolution on a set of pending CCT Recommendations: https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-22-10-2020-en#2.a.rationale

- Recommendation submitted: September 2018
- Recommendation approved: March 2019
- Implementation completed: N/A

See for more information on CCT implementation:
https://community.icann.org/display/CCT/Implementation

CCT Recommendation 18

In order for the upcoming WHOIS Review Team to determine whether additional steps are needed to improve WHOIS accuracy, and whether to proceed with the identity phase of the Accuracy Reporting System (ARS) project, ICANN should gather data to assess whether a significant percentage of WHOIS-related complaints applicable to new gTLDs relate to the accuracy of the identity of the registrant. This should include analysis of WHOIS accuracy complaints received by ICANN Contractual Compliance to identify the subject matter of the complaints (e.g., complaints about syntax, operability, or identity). The volume of these complaints between legacy gTLDs and new gTLDs should also be compared. ICANN should also identify other potential data sources of WHOIS complaints beyond those that are contractually required (including but not limited to complaints received directly by registrars, registries, ISPs, etc.) and attempt to obtain anonymized data from these sources. Future CCT Reviews may then also use these data.

Board Action on CCT Recommendation 18

The Board notes that no further action is required at this time, and that if future RDS reviews request that data, ICANN org will provide the information to help inform their work.

Final Implementation Report

Regarding WHOIS accuracy data from ICANN Contractual Compliance: all of the data that the CCT-RT requested be made available to the RDS-WHOIS2 Review Team was provided to the RDS-WHOIS2 Review Team during the course of its deliberations. These include the subject matter of the complaint (e.g., syntax, operability, or identity) and volume of complaints between legacy and new gTLDs. This data was made available to the RDS-WHOIS2 Review Team by ICANN Contractual Compliance in April 2018 in response to an inquiry from the RDS-WHOIS2 Review Team: "ICANN Contractual Compliance tracks and reports based on Syntax, Operability

and Identity. In addition, WHOIS Inaccuracy complaints are tracked for legacy and for new gTLDs, which can be found in the monthly dashboards." With regard to WHOIS inaccuracy data from other potential sources, including but not limited to registrars, registry operators, ISPs, etc., ICANN org previously provided [feedback](#) to the CCT-RT that registry operators and registrars are not contractually obligated to provide this data to ICANN. Further, ICANN has no contractual relationship with ISPs. As such, ICANN org does not have this data. It is important to note that the RDS-WHOIS2 Review Team did not request this data to inform its work.

Additionally, within its report, the RDS-WHOIS2 Review Team made specific references to the "identity phase" of the ARS, as called out in CCT-RT Recommendation 18. The RDS-WHOIS2 Review Team noted that identity accuracy checks are "still missing" from the WHOIS ARS reports and that Recommendation 6 from RDS-WHOIS1 regarding RDS (WHOIS) accuracy was only partially implemented. However, while the RDS-WHOIS2 Review Team did make recommendations regarding continuation of the WHOIS ARS ("or a comparable tool/methodology"), the Review Team did not propose any additional recommendations specifically regarding identity checks.

The success measures for this recommendation are that ICANN org provides RDS-WHOIS2 the CCT-RT recommended data and that RDS-WHOIS2 analyzes and considers the data provided to them by ICANN org to assess whether WHOIS accuracy needs to be improved and if ICANN should proceed with the identity phase of the Accuracy Reporting System (ARS) project. In the Detailed Assessment provided to the ICANN Board, ICANN org recommended that the Board accept Recommendation 18 because, based on the measures of success for Recommendation 18 and the gap analysis (detailed above), this recommendation has been fulfilled and no further action is required. ICANN org could pose the question to future RDS-WHOIS Review Teams as to whether WHOIS inaccuracy complaint data from "registrars, registry operators, ISPs, etc." would be useful in their review and analysis.

At the time of the Board adoption of the RDS-WHOIS2 recommendations, because the topics of RDS (WHOIS) data accuracy and WHOIS ARS were to be considered in EPDP Phase 2, the Board placed each of these recommendations into a "pending" status, until such time that the Board had taken action on the EPDP Phase 2 recommendations.

Since that time, the topic of accuracy of gTLD Registration Data, in the context of the EPDP, has been placed into a separate scoping team (i.e., Accuracy Scoping Team) for deliberation. The EPDP Phase 2 Final Report did not contain any recommendations regarding accuracy of gTLD Registration Data.

In November 2020, to inform the deliberations of an accuracy scoping team, the Generic Names Supporting Organization (GNSO) Council requested ICANN org to provide a briefing on accuracy requirements and programs including how the General Data Protection Regulation (GDPR) has affected enforcement of accuracy requirements and programs. On 26 February 2021, ICANN org provided the requested briefing, which covered:

- Contractual requirements regarding accuracy, including Registrar Accreditation Agreement (RAA) requirements
- Consensus policy requirements regarding accuracy, including the Restored Names Accuracy Policy (RNAP) and the WHOIS Data Reminder Policy (WDRP)
- ICANN org programs related to accuracy, including the Registrar Compliance Program and the WHOIS Accuracy Reporting System (ARS)

Regarding the WHOIS ARS, ICANN org acknowledged in its briefing that the community places great importance on continuing activities related to measuring accuracy of registration data, such as via the ARS. However, ICANN org also noted both operational and legal challenges related to the continuation of the WHOIS ARS and recommended that it, together with the GNSO Council, develop a framework for a study on how to measure accuracy and/or obtain a snapshot of accuracy as it stands now, and that this be presented to the ICANN community for review and input.

Rationale

Recommendation 18 requested data to help inform the RDS-WHOIS2-RT's work, specifically related to the identity phase of the WHOIS ARS. In the Detailed Assessment provided to the ICANN Board, ICANN org recommended that the Board accept Recommendation 18 because, based on the measures of success for Recommendation 18 and the gap analysis (detailed above), this recommendation has been fulfilled and no further action is required. However, ICANN org could pose the question to future RDS-WHOIS Review Teams as to whether WHOIS inaccuracy complaint data from "registrars, registry operators, ISPs, etc." would be useful in their review and analysis. Based on the assessment that the requested data was provided, and the fact that the RDS-WHOIS2-RT did not request the specified data, ICANN org considers recommendation 18 complete and does not plan to conduct any further implementation work.

Timeline

Expected implementation date: N/A, as this recommendation was determined to already be implemented and no further action was required.
Final implementation date: N/A, as this recommendation was determined to already be implemented and no further action was required.

Milestones

- The requested data was made available to the RDS-WHOIS2 Review Team by ICANN Contractual Compliance in April 2018