ICANN Specific Reviews - Second Registration Directory Service Review (RDS-WHOIS2)
Recommendations 1.3 - Implementation Documentation

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RDS-WHOIS2 Final Report https://www.icann.org/en/system/files/files/resolutions-board-action-rds-whois2-final-recs-25feb20-en.pdf

Board resolution on RDS-WHOIS2 Final Report https://www.icann.org/resources/board-material/resolutions-2020-02-25-en#1.a

- Recommendation submitted: September 2019
- Recommendation approved: February 2020
- Implementation completed: n/a

See https://community.icann.org/display/WHO/Implementation for more information on RDS-WHOIS 2 implementation.

RDS-WHOIS2 Recommendation 1.3

The ICANN Board, in drafting the Charter of a Board working group on RDS, should ensure the necessary transparency of the group's work, such as by providing for records of meetings and meeting minutes, to enable future review of its activities.

Board Action on RDS-WHOIS2 Recommendation 1.3

The Board approves this recommendation. The Board approves this recommendation, with reference to clarifications received from RDSWHOIS2 Implementation Shepherds in the 29 January 2020 discussion with the RDS Board Caucus Group.

Final Implementation Report

Since the time Recommendation 1.3 was issued, the ICANN Board has sustained a significant amount of work dedicated to RDS issues, and the Board's focus on this work remains visible to the ICANN community. Just as the ICANN community's discussion on RDS-related issues has evolved, so has the form of the internal Board organization on the matter, in order to support the Board's strategic oversight of the range of issues related to RDS. Issues previously addressed by the Board Working Group on Registration Directory Services (RDS) were transferred to the Board Caucus on General Data Protection Regulation (GDPR) / Expedited Policy Development Process (ePDP), which serves to provide a holistic approach and central avenue for all RDS related items.

The scope and regularity of the Board's focus on RDS issues is significantly broader than it was during the time while the RDS-WHOIS2 was developing its recommendations, and has become integrated in the Board's regular activities and work. Part of the Board's public engagement on RDS issues has been through its placement of liaisons to each phase of the GNSO's expedited policy development processes on RDS-related issues. As each phase of recommendation is available, the Board takes action as appropriate, based on recommendations of the Board Caucus Group. To the extent that the Board Caucus Group makes recommendations to the

Board on matters under discussion, these matters are reflected in the minutes of the applicable Board meeting and any resolutions adopted by the Board on the matter (see https://www.icann.org/resources/pages/2022-board-meetings).

There have been several other activities that have been incorporated into the Board's priorities and ICANN org's standard operations that also support the implementation of Recommendation 1.3. These activities include the following:

- Government Engagement Publications: ICANN org's Government Engagement team helps to provide a trusted source of neutral technical information by publishing information about discussions taking place within governments and IGOs that could impact ICANN's mission and its remit, to the community. This includes tracking some recent legislative and regulatory initiatives around the world that relate to data protection, cybersecurity issues and e-privacy/e-evidence that could impact ICANN's mission, operations or issues within ICANN's remit. These publications are available here: https://www.icann.org/en/government-engagement/publications. See here for more information.
- ICANN Board Operational Priorities: The Board's operational priorities help the Board focus its work to make it effective in its roles. Each year, the Board identifies a number of operational priorities to provide additional focus and efficiency. The priorities include specific activities concerning oversight over policy development and cross-community initiatives, for example. RDS-related items can and have been highlighted as part of these operational items. For example, the FY22 Board Operational Priorities, as presented within a blog, specifically noted the Board's close attention on GDPR-related discussions within the community.
- ICANN President and CEO Goals: Each year, the ICANN President & CEO works with the ICANN Board and the ICANN or executive team to develop a set of goals for the new fiscal year. Some goals may touch upon matters concerning data protection/privacy. For an overview of the CEO's goals for FY23, see here: https://www.icann.org/en/blogs/details/icann-president-and-ceo-shares-goals-for-fiscal-year-2023-07-09
- In addition, the ICANN President and CEO publishes periodic reports for the ICANN Board to highlight activities across each ICANN org function area for the reporting period. Where applicable, these reports include highlights from various functions related to RDS matters. The CEO Reports to the Board are available here: https://www.icann.org/reports-to-board. The Board also provides the community with a recap of the sessions within its Board Workshops, which frequently include RDS-related items. For example, the most recent recap of the Board Workshop session, which documents that the Board discussed a potential WHOIS disclosure system, is available here: https://www.icann.org/en/blogs/details/chairs-blog-highlights-from-the-september-board-workshop-24-10-2022-en.

Because of the shift of activities within the ICANN Community and the ICANN Board on RDS-related items, the issue that this Recommendation was intended to address, *i.e.,* making sure that the Board was aware of and tracking potential impacts to the RDS, has been addressed. The Board is a regular participant in the discussions on this topic in a far different manner than before the RDS-WHOIS2 review initiated or the ICANN community came together to address the impacts of the GDPR on the RDS. Through the range of work taking place, RDS issues are central to the issues regularly considered by the Board.

Timeline

Expected implementation date: n/a
Final implementation date: n/a

Milestones

Remit transferred to the Board Caucus on General Data Protection Regulation (GDPR) / Expedited Policy Development Process (ePDP)