WHOIS REVIEW TEAM MEETING
ICANN 42 Meeting in Dakar – Preliminary Report

RT Selectors and Members
(ET) Emily Taylor – Chair
(BS) Bill Smith
(KK) Kathy Kleiman – Vice-Chair
(LD) Lutz Donnerhacke
(PN) Peter Nettlefold
(SH) Sarmad Hussain
(SR) Seth Reiss
(SK) Susan Kawaguchi
(WW) Wilfried Woeber

Remotely
(JB) James Bladel
(MY) Michael Yakushev
(SL) Sharon Lemon

Apologies
(LG) Lynn Goodendorf
(OK) Omar Kaminski

ICANN Staff
(AJ) Alice Jansen
(DN) Denise Michel
(ON) Olof Nordling

Transcript to be provided

Third Parties Invited by the Review Team
(CLO) Cheryl Langdon-Orr
(KR) Khalil Rasheed
(MS) Maguy Serad
(SB) Stacy Burnette

The WHOIS Review Team (RT) undertook the following:

Saturday, 22 October 2011

The Review Team held an informal meeting on Saturday, 22 October. The primary objective of this session was for Members to share their expectations and to exchange views on their desiderata for the Dakar meeting.

1) Structure

The Team acknowledged the volume of material and information currently available in their draft report and resolved to channel content by building a draft structure. While acknowledging that further work is required on this, Members will present the results of their straw man proposal to the full Team on Sunday, 23 October for their consideration.

2) ATRT: Lessons Learned

(CLO) - former Accountability & Transparency Review Team (ATRT) Member - offered to share her experience and lessons learned from the atrt process to the Review Team under the Chatham House Rule be invoked. This led to a fruitful discussion.

Sunday, 23 October 2011 & Monday, 24 October 2011

The WHOIS policy Review Team held their formal face-to-face meeting on 23-24 October 2011.

1) Agenda & Preliminary Report

The WHOIS Review Team resolved to adopt the Dakar agenda as well as the preliminary report of their conference call held on 12 October 2011. Please refer to https://community.icann.org/display/whoisreview/Dakar+Meeting and https://community.icann.org/display/whoisreview/Call+22+-+12+October+2011 for full information.

2) Chapters

Review Team Members discussed the content of chapters prepared by penholders. This led to heated debates on contentious topics such as thick/thin WHOIS, privacy/proxy services etc.

3) Recommendations

The WHOIS Policy Review Team reiterated its resolute intention to produce readable and implementable recommendations. Given that WHOIS is a cross-community issue, the Team recognized the importance of their exercise and reflected upon consequences their report may trigger.

While recognizing the hard work that was put into the drafting effort, the Review Team stressed that the current recommendations document contained a large number of duplications. The Team agreed that the document ought to be skimmed with a view to retrieving the essence of recommendations. The Review Team Chair encouraged members to articulate recommendations in a high level, yet iterative, fashion.

The Review Team focused on the *Marina del Rey map* which comprises recommendations emerging from (PN)'s gap analysis as well as (ET) and (PN)'s respective recommendations on data accuracy. Members reviewed recommendations one by one and highlighted the contentious sections that will require additional discussion and wordsmithing. The Team teased out the sections upon which consensus was reached. This document may be found on the private wiki at: https://community.icann.org/display/whoisreviewprivate/Draft+Recommendations

Based on discussions the Review Team had on privacy/proxy, (BS) and (KK) pulled together a substantial paper on findings, conclusions and definitions inherent to the subject matter. This document triggered a trail of heated debates and discussions. Consensus was reached on a number of issues with the caveat that wordsmithing be applied to some instances. Note: Member (LD)'s expressed the wish that his disagreement on the following draft recommendation be recorded: *ICANN should develop and manage a system of clear, consistent and enforceable requirements for all privacy services providers consistent with national laws. This should strike an appropriate balance between stakeholders with competing but legitimate interests. At a minimum this would include privacy, law enforcement and the industry around law enforcement*.

To consult this document, please refer to the private wiki:
https://community.icann.org/display/whoisreviewprivate/Draft+Recommendations

4) Structure

The Team reviewed the document crafted during the informal session and finalized its content. The Team resolved to adopt the following structure:

1. Policy
2. Implementation
3. Strategic priority
4. Communication
5. Privacy/proxy

Members defined what these categories would entail and added a placeholder for IDNs ((WW) and (SH) to submit a paper). This document also includes a number of pointers. For full information, please refer to the WHOIS private wiki:
https://community.icann.org/display/whoisreviewprivate/Brainstorming+in+Dakar

5) User Insight Report

(BS) walked the Review Team through the User Insight presentation:
https://community.icann.org/display/whoisreviewprivate/User+Insight+Report

Team Members meticulously reviewed the consumer study results/findings and concluded that consumer awareness of WHOIS was very low. They furthermore observed that consumers of WHOIS were not *consumers* per se but rather law enforcement, brand protection, domain industry and the private industry around law enforcement. The Team noted the users' difficulties in understanding and finding WHOIS records. Members enquired whether a written report could be provided to them so that it could be annexed to the report. (ET) volunteered to relay this request to (LG).

6) ICANN Compliance Staff

The Review requested a meeting with ICANN Compliance Staff in order to receive an update on most recent achievements. Maguy Serad (Senior Director - Contractual Compliance), Stacy Burnette (Director - Contractual Compliance) and Khalil Rasheed (Senior Manager - Contractual Compliance) provided the Review Team with an overview of their activities and responded to their queries. The Chatham House Rule was invoked for this portion of the meeting.

7) Timeline

The Review Team reiterated its intention to publish its draft report by **30 November** and to gather the ultimate contributions at the ICANN 43 Costa Rica meeting for their final report.

8) Special thanks

The Review Team applauded their Chair's great leadership and thanked (ET) for her patience, dedication and diplomacy.