

CSG / WHOIS RT Meeting Report, Tuesday 21 June 2011 Singapore

This report was developed by the BC Secretariat, Benedetta Rossi, and has been approved by the BC. It is shared with the other CSG constituencies as a courtesy and can be posted and distributed. If you find significant errors please send an email with the requested change to Benedetta Rossi, at secretariat-bc@hotmail.com.

Attendees:

Philip Corwin, ICA
Jonathan Matkowsky, BC
Chris Chaplow, BC
Scott McCormick, BC
Mike Rodenbaugh, BC/IPC
John Berard, BC
Steve DelBianco, BC
Marilyn Cade, BC
Tony Holmes, ISPCP
Ron Andruff, BC
Tony Harris, ISPCP
Wolf Ulrich-Knoben, ISPCP
Fred Felman, BC/IPC
Brian Winterfeldt, IPC
Faisel Shah, BC/IPC
Jim Baskin, BC

Alain Bidron, ISPCP
Marijo Keukelaar, BC
Mikey O'Connor, BC
Martin Sutton, BC
Mark Partridge, IPC
Luca Barbero, IPC
Claudio Digangi, IPC
David Taylor, IPC
Kristina Rosette, IPC
Phillip Marano, IPC
Christoph Steck, Telefonica ,
ICC GUEST
Ayesha Hassan, BC
J. Scott Evans, IPC
*Susan Kawaguchi, BC

*Lynn Goodendorf, BC

GUESTS AND SPEAKERS:

Khalil Rasheed, ICANN
Omar Kaminski, Lac-ralo,
Richard Leaning, SOLA-UK

*WHOIS Review Team [RT]

Alice Jansen, ICANN
Bill Smith, ICANN
Emily Taylor, ICANN
Sharon Lemon, ICANN
Michael Yakushev, ICANN
Omar Kaminski, ICANN

Background and Introduction

The CSG held several mini sessions during the Singapore meeting, in order to accommodate all the topics and external meetings of interest to the CSG. This mini session was part of the full CSG sessions, but took place from 2pm to 3pm on Tuesday, June 21st 2011.

The CSG rotating coordinator for Singapore's meeting was Tony Holmes, ISPCP chair, and he officiated at this mini segment of the CSG. The meeting was well attended by representatives from all three constituencies, and one or two special guests. The WHOIS RT and ICANN staff attendees are also shown in the participants list.

Tony Holmes, ISPCP Chair, as CSG Coordinator, opened the meeting by welcoming and introducing the WHOIS Review Team, stating that the WHOIS project is incredibly important to the CSG. Tony then introduced Emily Taylor, Chair of WHOIS RT who thanked the CSG for meeting with the WHOIS RT, and introduced members of RT and their proposed format for the exchange.

WHOIS RT Presentation

Emily Taylor (Emily) outlined the WHOIS RT's background which derives from the Affirmation of Commitments [AoC] reviews, along with the Accountability and Transparency Review Team, and the Stability and Security Review Team.

The WHOIS RT has been in place for approximately six months; so far they have identified their end scope: to evaluate the extent to which ICANN's existing WHOIS policy and its implementation are effective and meet the legitimate needs of law enforcement and promote consumer trust.

Within this scope there are multiple complex issues that need to be defined. The WHOIS RT's early work has been focused on trying to reach a common understanding about what these different terms actually mean in order to proceed on that basis. At the San Francisco ICANN Meeting in March 2011 a public comment was done on those definitions.

Emily explained that the reason the team would highlight issues that have come to the surface so far in their study, and get as much feedback as possible from the community. She asked the CSG for feedback on the issues they have outlined, but also on any other issue that the CSG members could think of.

One RT member is very concerned that while the WHOIS RT is working on an evidence based approach, the evidence so far is there is no document that talks about WHOIS policy. There are a set of consensus based policy amendments, pieces of language in contracts that could be taken as policy. But in the perspective of this RT member, this is implementation of a policy, not the policy itself.

Emily proceeded onto a different aspect of policy that is the balancing between individuals' expectations of privacy, business use of proxy services or privacy services, and also how to make the data available while also not transgressing applicable national rules.

One member mentioned that the review team is looking for verification for different issues. They have done a lot of work to identify the broad scope of issues, and have come back to the community with a set of questions. Some of the questions are open-ended questions, and the CSG was asked to let the RT know if according to them this approach is not effective. They have anecdotal evidence amongst themselves, but seeing as they are working on an evidence based approach, they need the evidence, and this is where the community feedback becomes crucial. Responses to these questions, and any others will help the RT.

The questions presented by the WHOIS RT were the following:

1. What measures should ICANN take to clarify its existing WHOIS Policy?
2. How should ICANN clarify the status of the high level principles set out in the AoC and the GAC principles on WHOIS?
3. What insight can country code TLDs (ccTLDs) offer on their response to domestic laws and how they have or have not modified their ccTLD WHOIS policies?
4. How can ICANN balance the privacy concerns of some registrants with its commitment to having accurate and complete WHOIS data publicly accessible without restriction?
5. How should ICANN address concerns about the use of privacy proxy services and their impact on the accuracy and availability of the WHOIS data?
6. How effective are ICANN's current WHOIS related compliance activities?
7. Are there any aspects of ICANN's WHOIS commitments that are not currently enforceable?
8. What should ICANN do to ensure its WHOIS commitments are effectively enforced?
9. Does ICANN need any additional power and/or resources to effectively enforce its existing WHOIS commitments?
10. How can ICANN improve the accuracy of WHOIS data?
11. What lessons can be learned from approaches taken by ccTLDs to the accuracy of WHOIS data?
12. Are there barriers, cost or otherwise, to compliance with WHOIS policy?
13. What are the consequences or impacts of non-compliance with WHOIS policy?
14. Are there any other relevant issues that the Review Team should be aware of? Please provide details.

ACTION: The CSG was asked to provide answers to the WHOIS RT's questions via email at:

whoisrt-discussion-paper@icann.org

More information on the WHOIS RT can be found here:

<http://www.icann.org/en/public-comment/public-comment-201107-en.htm#whois-rt>

Conclusion

The meeting was adjourned by Steve Metalitz, IPC Vice Chair, who thanked the WHOIS RT for meeting with the CSG, and stating that detailed feedback on the questions submitted by the WHOIS RT would be emailed to Emily Taylor by the CSG.

Action for each constituency to be individually determined.

Please find the transcript for this meeting here: <http://singapore41.icann.org/node/24535>