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Unidentified Participant: --We can deal with it in some questions as we go along, just mindful that the time is already probably quite late, that some people in -- perhaps we should get underway. I know it's about midnight for Kathy (ph) and potentially for others in some time zones.

Unidentified Participant: I think that's fine.

Kathy Kleiman: Peter (ph), this is Kathy. Was there any indication of how many members of the GAC might be joining us tonight?

Peter: Not that I saw, Kathy, to be honest.

Kathy Kleiman: Okay.

Peter: I saw some exchanges between Heather (ph) and Emily (ph) in the organizing, but I didn't see -- there was a couple of people sort of saying that -- maybe I saw two. So to be honest, I'm not really sure.

Kathy Kleiman: Okay, thanks. And I'm happy to stay awake for you as long as the meeting goes on. But if you hear snoring, it's probably me.

Peter: Well, I guess, if no one objects, I'll just start talking about the review. I'm -- the slides I believe have been circulated to both the WHOIS review team members and also to GAC members.

Alice: Peter, sorry to interrupt. Just to confirm, are we comfortable with the call being recorded?

Peter: Yes, that's fine.

Alice: Yes? Thanks for (inaudible).

Peter: If anyone -- does anyone else have a problem with the call being recorded? Doesn't sound like it, so I think that's fine, Alice (ph). Thanks.

Alice: Thanks.

Peter: So for the GAC members, we have several members of the review team here on the call. We -- as you'd be aware, it's a cross-community review team which was established under the affirmation of commitments. On the call I believe we have James Liddell (ph), Kathy Clyman (ph), Michael Yukashev (ph), Seth Reese (ph), Susan Caragucci (ph) and myself, so that's representatives from GNSO -- I'm going to get all this wrong, probably - from the GAC, from the CCNSI. I must admit that I'm not sure which constituency

Seth came -- oh, from the ALAC, of course. So you have on the call and able to answer questions members of the review team from several different constituencies.

We began our work, or the mandate began in October 2010. We also have other members of the review team who obviously aren't here now. But we've published and consulted on a number of documents so far. Back in January 2011 we put out a -- our scope of work in a roadmap for comment. And most significantly, we published the draft report of the review team in December, and that is still open for comment. So one of the key messages, I guess, to get across to the GAC and also to other constituencies and stakeholders within individual countries is that this report is open for comment, and we really strongly encourage interested stakeholders to come forward with comments on any of the recommendations or observations or findings in the report.

As part of the report, we -- there are a number of attachments and various tasks. One, which is an addendum to the report and which is a letter to ICANN Compliance, there is methodology and outreach, background and glossary, and there is also some results from a consumer study which the WHOIS review team commissioned and which was undertaken by User Insight. Going forward, the target date for the final report is the 30th of April, so obviously the Costa Rica meeting is scheduled before that date. So the WHOIS review team will be undertaking community outreach in meetings in Costa Rica in addition to taking the written submissions on the draft report.

For those of you who have seen the draft report, you'll see that we make a number of findings, and also a number of recommendations. The slide on findings makes it clear that the review team found that there really wasn't a clear WHOIS policy. The policy and implementation didn't keep pace with the real world. Now, the results of one of ICANN's -- an ICANN study into accuracy found that over 20 percent of gTLD WHOIS data was really very inaccurate, and also that the users of WHOIS have difficulty finding those responsible for websites. There are some of their key findings, and they have informed the WHOIS review team's thinking and also the recommendations which we can -- which we have come to.

The review team also found that there was a policy gap in relation to privacy and proxy services. I think at base level, even the distinction between those two sorts of services isn't well understood or defined. Basically these are services which service providers offer a service of limiting the amounts of publicly available WHOIS information, and what -- I'm not sure what the exact wording we decided to stick with, but essentially on the underlying registrant. And this has a number of follow-on implications, particularly the way it's being implemented at the moment, where there is not really any regulation, I guess, of those services.

The other finding was -- so building on these sort of observations is a finding that the current implementation of WHOIS services does not help to build consumer trust, and there is a need to raise awareness and improve user friendliness.

In terms of recommendations, the WHOIS review team made several, and they were clustered into different categories. The first was that there should be a single WHOIS policy that is clear and that people can point to, and that that should then flow throughout the WHOIS environment, ecosystem, whatever we call it. It should be referenced in agreements with contracted parties, and it should include all consensus policies.

Of the current consensus policies, there is a WHOIS data reminder policy, and the WHOIS review team recommended a number of ways that this could be made more effective in terms of having metrics to track the impact, targets for improvement, and if that wasn't feasible, then to develop an alternative to improve data quality. So this is to address the finding where we found that 20 percent of data was grossly inaccurate, and then there was the significant other portions of the WHOIS data which was also

inaccurate to varying degree, depending on which metric you use, I guess, to measure inaccuracy.

The review team also recommended that WHOIS become a strategic priority for ICANN, so this encompasses a number of elements, that ICANN allocate sufficient resources, that ICANN's compliance staff are fully resourced, that ICANN take a proactive regulatory role and encourage a culture of compliance, and that the Board really basically ensure that it is a priority in terms of the way that ICANN as a corporate entity is structured. So the draft recommendation we had was that a senior executive be responsible for overseeing who is compliant.

And in terms of thinking about how ICANN can reach this goal of improving who is making it a strategic priority, improving compliance and so on, one thing that we focused on was how ICANN can effectively do this. It's not only a compliance issue. It's also an outreach issue and awareness raising and education and so on. So we were looking for ICANN to basically take an active outreach and education awareness raising role around WHOIS.

In terms of data accuracy, we had some very specific recommendations, and they were to reduce the number of unreachable WHOIS registrations by 50 percent within 12 months, and then a further 50 percent the following 12 months. The review team chose not to be prescriptive about exactly how ICANN should achieve that. So I know already in some correspondence and discussion that we've had following the release of the report, people have asked, for example, why the review team did not up front recommend that there be upfront validation of data going into WHOIS. And the reason for that is there wasn't consensus on -- a number of reasons. There wasn't consensus on the review team for that approach, and the other is to acknowledge that implementation details are probably best dealt with elsewhere within the community, and the review team is sort of providing high-level guidance on goals.

So we also decided that -- to recommend that it would be important to get better data for future review teams and for the ICANN community to be able to measure improvements. So we recommended that there be regular accuracy reports on an annual basis so that, following the -- you know, ICANN's consideration of the work of this review team, we're able to monitor whether there have been actual measurable improvements.

We also recommended that there be annual status reports on progress towards achieving the goal set out by the WHOIS review team, and that these will be published by the time the next WHOIS review team starts. So the next WHOIS review team is in a better position in terms of the sort of concrete data it has available than this review team. We had some very good data on accuracy and in a few other areas, but in some areas we relied very heavily on information provided by the community and in what we were able to learn from our own experiences. In some areas it would certainly be of benefit to the next review team if there was better data available.

The review team also focused on the ways that ICANN can actually enforce its WHOIS policies and obligations, and these are largely through the contracts that it has with contracted parties, with registries and registrars. And so, again, without getting bogged down in contract language, which did not seem to be a place that the review team could usefully spend its energies, we instead focused on principles, I guess. I'm not sure whether that's the right word. Other review team members might want to correct some of my language here.

But instead of focusing on what the RIA (ph) or registry agreement should be saying in detail, what we focused on was that they should be enforceable. They should be clear, that if there is to be a requirement for accuracy, then the contract should make it very clear that that is the case, and that the -- for cases where contracted parties are found to not be following their contractual obligations, that there be a clear, enforceable and

graduated series of sanctions so that there isn't -- that they're clear and enforceable I guess is very important, but also graduated, that it's not simply some sort of, you know, revocation of a contract, which is essentially a nuclear option which is unable to be used, so that there be a series of graduated sanctions so that we can encourage compliance in an effective, a meaningful, and in a reasonable way.

We also asked that -- ICANN to consider widely and proactively communicating the requirements, the data accuracy. And ICANN already has a registrant rights and responsibilities document, and we recommend that this be proactively and prominently circulated.

There are a number of recommendations which we also went to in terms of our findings about privacy of proxy services. So as we found that there were -- there are a large number of privacy and proxy services in use, and it accounts for a very significant proportion of the gTLD WHOIS registrations. In terms of privacy services, again, we focused not so much on minute detail of implementation but on high level principles. So if -- we recommended there be clear, consistent, and enforceable requirements, that is a privacy service is used, that it is clearly labeled as such in the WHOIS entry, and that privacy services themselves are able to be contacted and have standardized procedures for relaying and revealing the underlying registrant in cases where it is required.

Now, some of this we recognize will require further work by the community to flesh out these details, and we think that's entirely appropriate. But we focused on the principles of if there are to be privacy services -- and it seems from what we heard from the community in our first rounds of consultations there were significant signals to the community that either argued very strongly for these services or recognized that, in some circumstances, there is a need. So we recommended for the first time, I believe, that these be fully recognized and brought into the ICANN ecosystem, but we're also arguing that there be very clear rules for their operation.

In terms of proxy services, we -- one of the first things we did, I guess, was recommend that there be a clear definition of what this is, and if it is different, to -- to delineate the difference between a privacy service and a proxy service. The proxy service, as I understand it, where a person effectively stands in for someone else in terms of -- for WHOIS purposes. So we -- first, one of the things we do is recommend a definition for that. And in this case, we recommended some voluntary best practice guideline, which go to a lot of the same points and principles as we're recommending for privacy services, but again which will require further work from the community to fully flesh out. But again, this is bringing proxy services within the ecosystem using voluntary best practice guidelines.

Another area where the review team put a lot of attention was in terms of data access. The affirmation of commitment talks about accessible and publicly accessible. And it's -- the consumer research which the WHOIS review team commissioned, demonstrated pretty clearly that (inaudible) -- for a member of the public trying to find out who is responsible for a gTLD registration -- domain registration, there was very low awareness.

So the WHOIS review team turned its attention to how we can make it easier for people to access WHOIS data and to increase accessibility. And in this case, we as yet have not reached a consensus position, so we have put out two alternatives for public comment. And I'm hoping -- there's been some discussion since this was released. I'm hoping that these recommendations are worded clearly enough that we get feedback from the community on what was intended, which is, as I understood it, for ICANN to take a role in easing access to WHOIS data, not creating a centralized database itself but creating a centralized portal whereby other access -- other databases, whether they be at the registry level or the registrar level, or the reseller, I guess in some cases, are able to be accessed in a consumer-friendly way.

So I expect that that will be -- well, I trust that all of these will be of interest to GAC members. But in terms of consumer accessibility, I think this is an interesting one, and particularly as it's one where the review team is clearly and actively seeking public comment to come to a firm view, and I would really draw your attention to that one.

The review team also turned its attention to internationalized domain name. This is a very important issue, given the growing number of IDN TLDs which are out there, gTLDs, which will be coming through in the new gTLD program. And as I must admit I'm no expert on this, so if someone wants to -- from the review team can -- if I get this wrong, but I understand it that the current WHOIS protocol does not easily lend itself to IDN data. I believe it only can work with ASCII, and everything else needs to be translated to ASCII. And as I understand it, this is one source of inaccurate -- amongst other things, in terms of accessibility, is also a source of inaccurate WHOIS data. So the WHOIS review team made a number of recommendations to address that problem.

So we're -- the WHOIS review team is seeking feedback on timeframes for implementation, who should be tasked with implementing the recommendations in light of ICANN's structure in terms of whether it's the Board, whether it's the GNSO in terms of a policy development process, whether it's something that staff can implement. So there are a range of ways that these recommendations can be implemented, and it's going to be very important to ensure that the right entities are tasked and identified. So input on all of the recommendations and on how we can monitor progress between now and the next review.

That's a pretty quick skip through a lot of material. I expect there may be questions, and there may be things which I didn't do justice. So rather than hogging the telephone for too long, I will pass it over to either other review team members or to GAC colleagues who may have questions or comments.

First of all, I'll just -- are others still on the call? I know that some of the review team colleagues are. If the GAC colleagues don't have questions for the review team as such, as I've mentioned previously in communications to the GAC via the GAC list and at meeting -- our meetings, I'm obviously happy to answer any questions that I'm able to directly by the GAC list or through my direct e-mail.

Okay. In the absence of any questions or comments for the WHOIS review team, or further comments from the review team, I guess we can close the call. And in addition -- my last comment to you is, in addition to myself, other members of the review team have particular expertise and interest in certain areas. I'm sure they're all happy to take comments, and I'm happy to act as a central coordinating point for any comments or questions, if that would help.

Kathy Kleiman: Peter, this is Kathy.

Peter: Hi, Kathy.

Kathy Kleiman: I wanted to thank you for the presentation, the overview, and highlight, as I'm sure I think you did, but the meeting on Tuesday with the GAC between 11 and 12, and--.

Peter: --Oh, yes, yes--.

Kathy Kleiman: --That that will be another time to ask questions. We'll be presenting this material again, and, you know, bring -- you know, it's very important to have input from the GAC so that we're looking forward to a big discussion that Tuesday in Costa Rica.

Peter: Yes. Thank you for bringing that up, Kathy. And you've also prompted me to recall that the review team is also having a public meeting on the Monday of Costa Rica. I expect

that many GAC colleagues are in the same position as Emily, and European colleagues, the time zone is not particularly friendly. So I will be ensuring that the -- that I get in touch with those colleagues and ensure that we are well prepared for the discussion in -- on Tuesday in Costa Rica.

Well, thank you all for joining, and I look forward to communicating with you again soon.

Unidentified Participant: Thanks, Peter.

Unidentified Participant: Yes, thanks, Peter.

Unidentified Participant: Thanks, Peter.

Unidentified Participant: Thank you.

Unidentified Participant: Good night, all.