



Privacy and Proxy Service Provider Accreditation Program

IRT Meeting | 25 April 2017

Agenda

- Status update: PSWG law enforcement framework proposal
- Provider de-accreditation process

PSWG Status Check

- Final Report contained minimum requirements for any future LEA disclosure framework
- Board directed ICANN organization to encourage IRT-PSWG dialogue to address GAC concerns
- Request sent to PSWG in January to develop strawman proposal for LEA framework
- Proposal will be discussed/refined within IRT to ensure consistency with intent of Final Report

Background

- De-accreditation may be voluntary or involuntary
- “...reasonable safeguards to ensure that a customer’s privacy is adequately protected in the course of de-accreditation of a customer’s P/P service provider—including when transfer of a customer’s domain name or names is involved—should be integral to the rules governing the de-accreditation process.” (Final Report p. 17)
- Final Report included general principles for de-accreditation that are intended to minimize privacy risks

Comparison to Registrar De-Accreditation

- The WG notes that the current practice for registrar de-accréditation involves sending of several breach notices by ICANN Compliance prior to termination. While P/P de-accréditation may not work identically, WG recommends that ICANN explore practicable ways in which customers may be notified before de-accréditation becomes effective.
- See Final Report p. 17

De-Accreditation Principle 1

- Customers should be notified in advance of de-accreditation.
- The WG recommends that de-accreditation become effective for existing customers 30 days after notice of termination. Mere publication of a breach notice on the ICANN website (as is now done for registrar de-accreditation) may not be sufficient to constitute notice.
- See Final Report p. 17

De-Accreditation Principle 2

- Each step in de-accreditation process should be designed as to minimize the risk that a customer's personally-identifiable information is made public.
- See Final Report p. 17

De-Accreditation Principle 3

- The WG notes that risk of inadvertent publication of customer details may be higher when Provider is not Affiliated with accredited registrar.
- As such, implementation should take into account the different scenarios that can arise when the provider being de-accredited is, or is not, Affiliated with an ICANN-accredited registrar.
- See Final Report p. 17

Change of Registrant

- “[T]he WG recommends specifically that, where a change of Registrant (as defined under the IRTP) takes place during the process of de-accreditation of a proxy service provider, a registrar should lift the mandatory 60-day lock at the express request of the beneficial user, provided the registrar has also been notified of the de-accreditation of the proxy service provider.”
- See Final Report p. 18

Overview: Registrar De-Accreditation Process

- ICANN process: De-Accredited Transition Procedure
- Process begins when registrar voluntarily terminates or is involuntarily terminated
- If registrar has names under management, ICANN reaches out to terminating registrar to designate a gaining registrar to receive the names
- Gaining registrar must be accredited, operational in all TLDs, no outstanding compliance issues

Overview: Registrar De-Accreditation Process

- If no gaining registrar designee, ICANN proceeds with application to all registrars or uses the “registrar pool”
- ICANN attempts to find registrar able to receive bulk transfer and able to demonstrate prior experience in managing a portfolio of registrations/customers comparable to those of the de-accredited registrar
- De-Accredited Transition Procedure at <https://www.icann.org/en/system/files/files/dart-p-11jul13-en.pdf>

Privacy/Proxy De-Accreditation Process Option 1

- Require Provider to notify customers (at least 30 days' notice) that Provider is being de-accredited and provide transition period to allow customers to transfer to a new registrar that offers PP
 - No ICANN-managed transfer process
 - This could be a floor and Providers could be allowed to adopt additional protections
 - If customer elects not to transfer, contact data could be published in WHOIS after de-accreditation

Privacy/Proxy De-Accreditation Process Option 2

- Transition procedure could be developed similar to registrar model
- Potential challenges to this approach:
 - Costs to gaining registrar could making finding gaining registrar/provider difficult or impossible
 - Lack of information about underlying customers (languages spoken, locations, etc) would make it difficult to locate comparable provider

Thank you!



Thank You and Questions

Reach me at: amy.bivins@icann.org

Email IRT list at: gdd-gnso-ppsai-impl@icann.org

IRT community wiki space:

<https://community.icann.org/display/IRT/Privacy+and+Proxy+Services+Accreditation+Implementation>

Implementation Status Page:

<https://www.icann.org/resources/pages/ppsai-2016-08-18-en>