

RDS-WHOIS2-RT Plenary Call #7

14 September 2017



Agenda

1. Welcome, roll-call
2. Schedule of Briefings
3. Implementation Briefings on Recommendations: 5, 8, 10, 11
4. Face-to-Face Meeting #1 Agenda
5. Brief update on Scope and Terms of Reference
6. A.O.B.
7. Confirm decisions and action items

Schedule of Briefings

Agenda item #2

Schedule of Briefings

14 September 2017 (today's call):

- **Recommendation 5:** ICANN should ensure that requirements for accurate Whois data are widely and pro-actively communicated
- ~~**Recommendation 6:** ICANN should take measures to reduce number of Whois registrations that fall into the Substantial Failure and Full Failure categories~~
- ~~**Recommendation 7:** ICANN shall produce and publish an accuracy report focused on measured reduction in Whois registrations that fall into the accuracy groups Substantial Failure and Full Failure on an annual basis~~
- **Recommendation 8:** ICANN should ensure that there is a clear, unambiguous and enforceable chain of contractual agreements with registries / registrars / registrants to require the provision and maintenance of accurate Whois data
- **Recommendation 10:** ICANN should initiate processes to regulate and oversee privacy proxy service providers
- **Recommendation 11:** Internic Service is overhauled to provide enhanced usability for consumers, including display of full registrant data for all gTLD domain names

Schedule of Briefings

14 September 2017:

- High-level overview of issues pertaining to implementation
- Recommendations 5, 6, ~~7~~, 8, 10, 11 (6, 7 to be rescheduled)

28 September 2017:

- Recommendations 4, 9, 12, 13, 14

Brussels F2F meeting:

- Recommendations 1, 2, 3, 15, 16
- Please refer to leadership email regarding the briefing process
- Review materials and submit questions in advance of briefings to help Subject Matter Experts prepare and maximize benefits of briefings sessions

Schedule of Briefings

28 September 2017:

- **Recommendation 4:** ICANN should ensure that its compliance function is managed in accordance with best practice principles
- **Recommendation 9:** ICANN Board should ensure compliance develops metrics to track impact of annual Whois data reminder policy
- **Recommendation 12:** ICANN should task a WG to determine appropriate internationalized domain name registration data requirements and evaluate available solutions
- **Recommendation 13:** The final data model for T/T should be incorporated in the relevant registrar and registry agreements
- **Recommendation 14:** Metrics should be developed to maintain and measure accuracy of internationalized registration data and corresponding data in ASCII

Schedule of Briefings

Brussels F2F meeting:

- **Recommendation 1:** Whois should be a strategic priority for ICANN org
- **Recommendation 2:** ICANN Board should oversee creation of a single Whois policy
- **Recommendation 3:** ICANN should ensure that Whois policy issues are accompanied by cross-community outreach, including outreach to communities outside of ICANN with a specific interest in the issues, and on ongoing program for consumer awareness
- **Recommendation 15:** ICANN should provide a detailed and comprehensive plan that outlines how ICANN will move forward with implementing the Whois RT's recommendations
- **Recommendation 16:** ICANN should provide at least annual written reports on its progress towards implementing recommendations of the Whois RT

Implementation Briefings on Recommendations: 5, 8, 10, 11

Agenda item #3

WHOIS Recommendations

Recommendations covered in this briefing:

- Recommendation 5
- Recommendation 8
- Recommendation 10
- Recommendation 11

Recommendation 5

Recommendation Summary & Board Action

Review Team Recommendation Summary	Recommendation 5 -- ICANN should ensure that the requirements for accurate WHOIS data are widely and pro-actively communicated, including to current and prospective Registrants, and should use all means available to progress WHOIS accuracy, including any internationalized WHOIS data, as an organizational objective. As part of this effort, ICANN should ensure that its Registrant Rights and Responsibilities document is pro-actively and prominently circulated to all new and renewing registrants.
Board Action	<ul style="list-style-type: none">• The Board directs the CEO to: 1) proactively identify potentially inaccurate gTLD data registration information in gTLD registry and registrar services, explore using automated tools, and forward potentially inaccurate records to gTLD registrars for action; and 2) publicly report on the resulting actions to encourage improved accuracy.• The Board directs the CEO to ensure that WHOIS information pages make clear the requirements for registrants to provide accurate information, and the consequences of providing inaccurate information.• The Board continues to support the RAA negotiation process to find ways to improve WHOIS accuracy, and as per (1) above is initiating a PDP to reform the WHOIS policy to support the objectives and balance the concerns of the multi-stakeholder community.
Board Rationale	<ul style="list-style-type: none">• As per actions related to Recommendation 3, the ICANN portal for gTLD WHOIS services will make clear the requirements for registrants to submit accurate information, and the risk that their names may be cancelled if the information is not accurate.• ICANN will report on current levels of accuracy from the recent data studies, and will track and report on improvements.• ICANN already has an enforceable chain of contracts. The gTLD registrar agreement includes sanctions that include de-accreditation if a registrar fails to respond to reports of inaccurate WHOIS information.

Deliverables For Recommendation 5

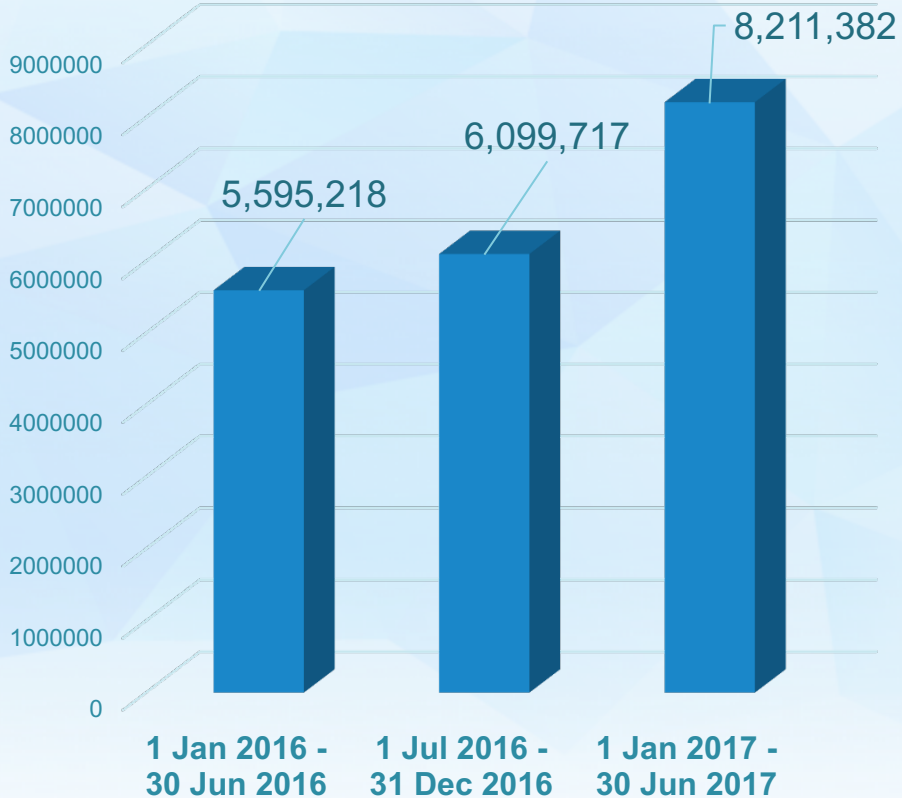
- Develop WHOIS Informational microsite to provide knowledge center, where key WHOIS-related documents can be located.
- Increase usage of WHOIS microsite.
- Ensure Registrars publish and/or provide a link on their website(s) to the Registrants' Benefits and Responsibilities Specification.

WHOIS Informational Microsite

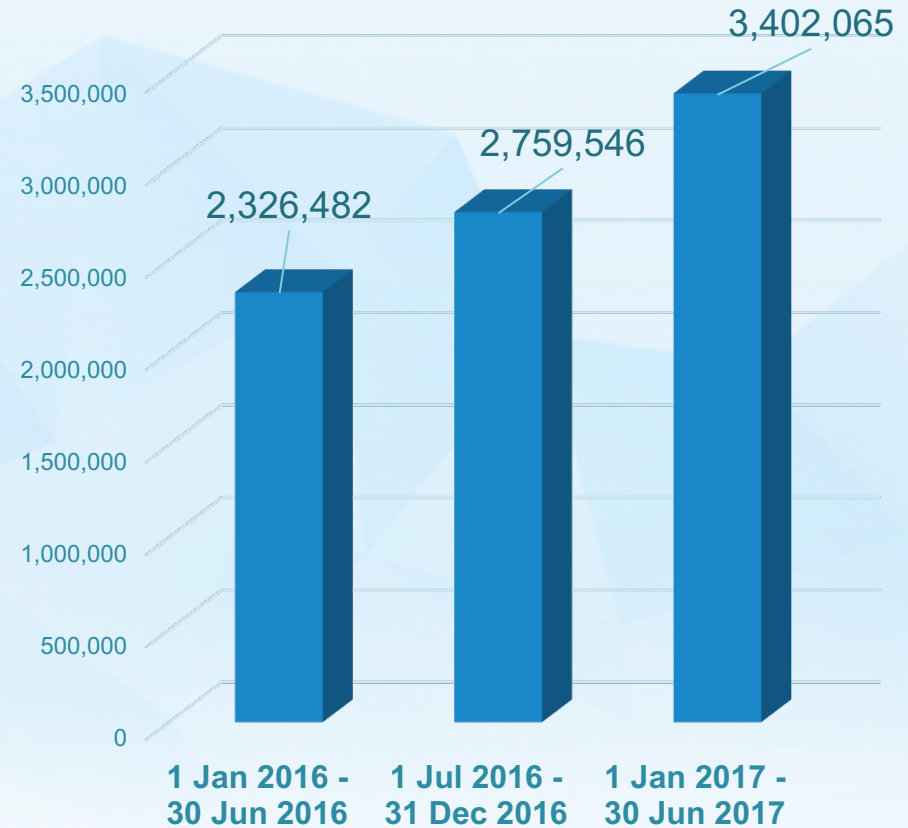
- WHOIS Informational microsite (which can be found at: <https://whois.icann.org/en>), was developed to:
 - Provide historical record of WHOIS.
 - Consolidate WHOIS policy documentation.
 - Provide mechanisms to teach people how to use WHOIS.
 - Provide mechanisms for people to submit complaints as they relate to WHOIS data.
 - Direct people to the appropriate channels to become engaged in the community on WHOIS-related topics.
 - Educate Registrants on WHOIS, their rights, and responsibilities.
 - Provide a knowledge center where key WHOIS-related documents can be located.

WHOIS Microsite Usage

Page Views



Unique Views



Publication of Registrants' Benefits & Responsibilities

- The 2013 RAA obligates each Registrar to publish on its website(s) and/or provide a link to the Registrants' Benefits and Responsibilities Specification.
- ICANN's Contractual Compliance Team checks to determine whether registrars are publishing this information and follows up to bring the Registrar into compliance if it is not doing so.

Recommendation 11

Recommendation Summary & Board Action

Review Team Recommendation Summary	Recommendation 11 -- It is recommended that the Internic Service is overhauled to provide enhanced usability for consumers, including the display of full registrant data for all gTLD domain names (whether those gTLDs operate thin or thick WHOIS services); operational improvements should include enhanced promotion of the service to increase user awareness.
Board Action	<ul style="list-style-type: none">• The Board directs the CEO to create an information portal with clear explanation of how to access the existing WHOIS information• The portal will also make it clear how to notify relevant parties of a data accuracy issue• The Board directs the CEO to have staff to create and execute a communication and outreach plan that provides key stakeholders, including users, with the information they need to use, and help improve, the collection and maintenance of gTLD registration data
Board Rationale	<ul style="list-style-type: none">• The WHOIS information for domain names and IP registries is highly distributed. A single portal will make it easier to access WHOIS information, raise accuracy issues about WHOIS information, and allow contributions on WHOIS policies.• In addition to supporting the use of WHOIS, communication and outreach is necessary to inform discussions of the fundamental questions raised by actions related to Recommendation 1.

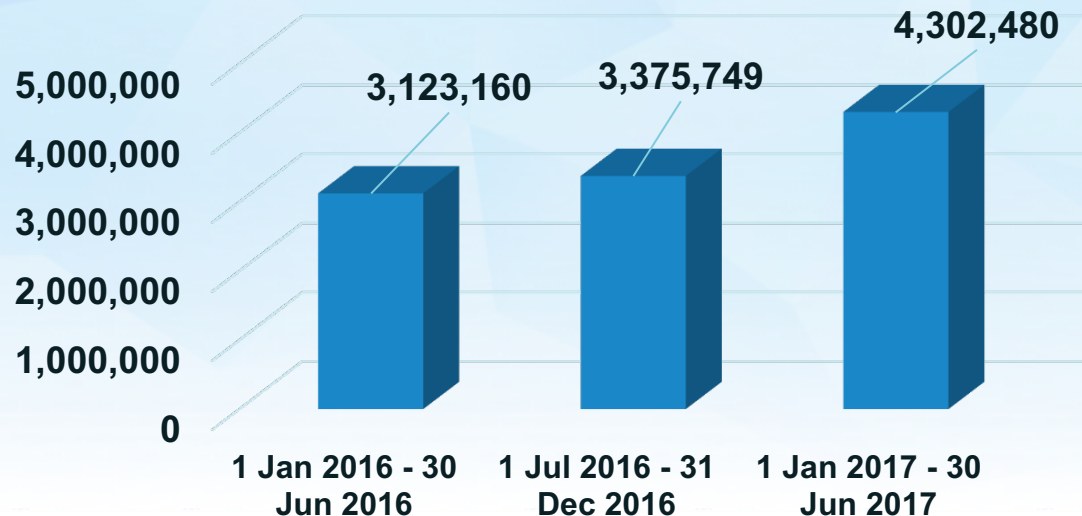
Deliverables For Recommendation 11

- Develop WHOIS Portal
- Upgrades to include overhaul of Internic Service

WHOIS Portal

- ICANN has developed a comprehensive WHOIS Portal, the development of which occurred in two phases:
 - Phase 1- Launch of WHOIS Microsite.
 - Phase 2- Launch of WHOIS Search tool on the WHOIS Microsite to offer a place where people could initiate a search of global WHOIS records.
- This lookup an easy to use one-stop look-up service was developed to replace the old Internic service WHOIS searches.

WHOIS Search Results



Internic Service Upgrades

- The enhancements to INTERNIC service is made the remaining functionality offered through INTERNIC more user friendly (DNS server info, Registrar contact details, etc.)

```
Domain Name: ICANN.ORG
Registry Domain ID: D2347548-LROR
Registrar WHOIS Server:
Registrar URL: http://www.godaddy.com
Updated Date: 2015-07-07T17:37:26Z
Creation Date: 1998-09-14T04:00:00Z
Registry Expiry Date: 2017-12-07T17:04:26Z
Registrar Registration Expiration Date:
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email:
Registrar Abuse Contact Phone:
Reseller:
Domain Status: clientDeleteProhibited https://icann.org/epp#clientDeleteProhibited
Domain Status: clientRenewProhibited https://icann.org/epp#clientRenewProhibited
Domain Status: clientTransferProhibited https://icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited https://icann.org/epp#clientUpdateProhibited
Domain Status: serverDeleteProhibited https://icann.org/epp#serverDeleteProhibited
Domain Status: serverRenewProhibited https://icann.org/epp#serverRenewProhibited
Domain Status: serverTransferProhibited https://icann.org/epp#serverTransferProhibited
Domain Status: serverUpdateProhibited https://icann.org/epp#serverUpdateProhibited
Registry Registrant ID: C67701347-LROR
Registrant Name: Domain Administrator
Registrant Organization: ICANN
Registrant Street: 12025 Waterfront Drive
Registrant Street: Suite 300
Registrant City: Los Angeles
Registrant State/Province: California
Registrant Postal Code: 90094-2536
Registrant Country: US
Registrant Phone: +1.4242171313
Registrant Phone Ext:
Registrant Fax: +1.4242171313
Registrant Fax Ext:
Registrant Email: domain-admin@icann.org
Registry Admin ID: C67701350-LROR
Admin Name: Domain Administrator
Admin Organization: ICANN
```

Recommendation 8

Recommendation Summary & Board Action

Review Team Recommendation Summary	Recommendation 8 -- ICANN should ensure that there is a clear, unambiguous and enforceable chain of contractual agreements with registries, registrars, and registrants to require the provision and maintenance of accurate WHOIS data. As part of these agreements, ICANN should ensure that clear, enforceable and graduated sanctions apply to registries, registrars and registrants that do not comply with its WHOIS policies. These sanctions should include de-registration and/or de-accreditation as appropriate in cases of serious or serial non-compliance.
Board Action	<ul style="list-style-type: none">• The Board directs the CEO to: 1) proactively identify potentially inaccurate gTLD data registration information in gTLD registry and registrar services, explore using automated tools, and forward potentially inaccurate records to gTLD registrars for action; and 2) publicly report on the resulting actions to encourage improved accuracy.• The Board directs the CEO to ensure that WHOIS information pages make clear the requirements for registrants to provide accurate information, and the consequences of providing inaccurate information.• The Board continues to support the RAA negotiation process to find ways to improve WHOIS accuracy, and as per (1) above is initiating a PDP to reform the WHOIS policy to support the objectives and balance the concerns of the multi-stakeholder community.
Board Rationale	<ul style="list-style-type: none">• As per actions related to Recommendation 3, the ICANN portal for gTLD WHOIS services will make clear the requirements for registrants to submit accurate information, and the risk that their names may be cancelled if the information is not accurate.• ICANN will report on current levels of accuracy from the recent data studies, and will track and report on improvements.• ICANN already has an enforceable chain of contracts. The gTLD registrar agreement includes sanctions that include de-accreditation if a registrar fails to respond to reports of inaccurate WHOIS information.

Deliverables For Recommendation 8

- Include additional enforcement provisions and sanctions applicable to Registrars, Registrants, and Resellers with regards to WHOIS in 2013 RAA
- Include enhanced WHOIS obligations in new gTLD Registry Agreements
- Include enhanced WHOIS obligations in renewals of existing gTLDs
- 2013 RAA WHOIS Accuracy Program Specification Review

Improvements to 2013 RAA

Accuracy	Validation of Address Fields	Verification of Email or Phone numbers
Performance	Service Level Agreement on Access	Transition to New IETF Protocol with IDN Capabilities
Standardization	Standard Display Formats	New WHOIS Output Fields: Abuse Contacts, Resellers
Privacy/Proxy	New Standards: Disclosure, Abuse Contact, Escrow	ICANN to create Accreditation Program

- The obligations under the new 2013 RAA apply to all registrars seeking to serve registries created through the New gTLD Program. Eventually, all registrars will move to the 2013 RAA.

Enhanced WHOIS Obligations in gTLD Contracts

- Registries similarly accepted improvements to their WHOIS obligations, as reflected in the base agreement for new gTLDs as well as renewal agreements for existing gTLDs (.info, .biz and .org).
- Collectively, these contract revisions are expected to accelerate improvements in the accuracy rates and overall reliability of the WHOIS system.

Recommendation 10

Recommendation Summary & Board Action

Review Team Recommendation Summary	<p>Recommendation 10 -- ICANN should initiate processes to regulate and oversee privacy and proxy service providers. ICANN should develop these processes in consultation with all interested stakeholders. This work should take note of the studies of existing practices used by proxy/privacy service providers now taking place within the GNSO. The goal of this process should be to provide clear, consistent and enforceable requirements for the operation of these services consistent with national laws, and to strike an appropriate balance between stakeholders with competing but legitimate interests. At a minimum, this would include privacy, data protection, law enforcement, the industry around law enforcement and the human rights community.</p>
Board Action	<ul style="list-style-type: none">• The Board notes that staff has made the use and accreditation of privacy and proxy providers part of the RAA negotiations. The Board also notes that the GNSO has had discussions about a potential PDP relating to these issues.• The Board notes that staff has initiated community discussions on privacy and proxy “best practices” that will inform next steps.• As per (1) above, the Board will initiate a process to create a straw-man document on the purpose of collecting and maintaining gTLD registration data, and this will help guide further policy in this area.
Board Rationale	<ul style="list-style-type: none">• ICANN will initiate a process to develop proposed accreditation requirements for proxy providers, and these will be subject to public comment. Aspects of these requirements that raise policy issues will be provided to the GNSO.• The list of objectives provided by the WHOIS review team will be provided as input into any development of accreditation requirements.• The Board notes that the development of clear policy around the purpose of collecting, maintaining and making available gTLD registration data, and related accuracy, data protection and access issues, will help guide future policies and implementations in this area.• The Board notes that the OECD has created a set of privacy guidelines that were originally adopted by the OECD in 1980 and have served as the basis for developing national privacy laws. These guidelines may assist in assessing the suitability of rules around privacy /proxy providers.

Deliverables For Recommendation 10

- Include obligations related to Privacy/Proxy Providers and create a Privacy/Proxy Accreditation program in 2013 RAA
- Examine policy issues related to Privacy/Proxy Services
- Privacy & Proxy Services Accreditation Issues (PPSA) PDP
- GNSO approval of PDP Final Report
- Board approval of Final Report of Recommendations
- Implementation Plan developed

Privacy & Proxy Accreditation Program Overview

- The 2013 Registrar Accreditation Agreement (RAA) includes [a Specification on Privacy and Proxy Registrations](#) that contains requirements for privacy and proxy service registrations offered through Affiliates and Resellers of registrars accredited under the 2013 RAA.
- These requirements will be replaced by the Privacy and Proxy Accreditation Program. ICANN is implementing this program based on [Final Recommendations](#) that were developed by the GNSO Privacy & Proxy Services Accreditation Issues PDP Working Group, adopted by the GNSO Council and approved by the ICANN Board.

How Is This Accreditation Program Implemented?

- ICANN organization is currently working with an Implementation Review Team (IRT), comprised of 40+ community volunteers, to implement the Final Report's recommendations.
- IRTs are convened to ensure that ICANN's implementation of policy recommendations is consistent with the community's intent in drafting those recommendations. IRTs are also available to answer questions surrounding the intent of Policy Recommendations, to consider operational issues and to escalate any topics that may require additional examination by the GNSO Council.
- ICANN is developing an accreditation program that will require privacy and proxy service providers to enter into a contract (an Accreditation Agreement) with ICANN. This contract means that ICANN's Contractual Compliance department will have direct enforcement authority over accredited privacy and proxy service providers to ensure that these entities are compliant with the program's requirements.

Privacy & Proxy Accreditation Implementation Status

Implementation Project Status

Updated 19 June 2017



- The IRT is discussing issues related to the intent of the Final Recommendations to guide the ICANN organization's drafting of the first Privacy and Proxy Service Provider Accreditation Agreement discussion draft.
- On 13 Dec 2016, The Board adopted the scorecard, titled [GAC Advice-Helsinki Communique: Actions and Updates](#). The scorecard encourages the IRT to continue to work with the Governmental Advisory Committee's Public Safety Working Group to address the concerns expressed by the GAC regarding accreditation of Privacy and Proxy Service providers.
- The GAC Public Safety Working Group developed a draft proposed framework for Privacy and Proxy Service providers' responses to requests from law enforcement authorities. This draft framework is being refined within the Implementation Review Team to ensure consistency with the intent of the Final Recommendations.

Additional information

Additional Information

- The following ICANN informational resources are available for WHOIS Data Reminder Policy (WDRP) compliance:
 - Whois Data Reminder Policy ([WDRP](#))
 - WDRP [FAQs](#) For Domain Name Registrants
 - [Implementation](#) of the Whois Data Reminder Policy (WDRP)
 - Contractual Compliance New Registry Agreement Compliance Monitoring Efforts ([Additional WHOIS Information Policy](#))
 - [Clarifications](#) to the Registry Agreement and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (WHOIS) Specifications
- <https://www.internic.net/>

Face-to-Face Meeting Agenda #1

Agenda Item #4

F2F Meeting Goals

Brussels F2F Meeting Goals (as agreed by leadership team):

- To understand Specific Review processes
- To identify tasks to be performed by subgroups and allocate responsibilities
- To fully understand and agree upon work plan and Terms of Reference
- To complete planned implementation briefings

F2F Meeting Outline (proposed to reflect the above goals):

Day 1 – Monday, 2 October | 09:00 – 17:30 CET

- Welcome, opening remarks, roll-call, administrative items
- Overview of Specific Review process flows
- Scope Discussion
- Status of Terms of Reference

Day 2 – Tuesday, 3 October | 09:00 – 17:30 CET

- WHOIS1 Implementation Briefings
- Working session to finalize and formally adopt Terms of Reference, including text of Objectives reflecting agreed-upon Scope of Review
- Working session to refine Workplan and timeline, including division of tasks into subgroups and responsibilities
- Confirm leadership team, plenary call schedule, AOB

Brief Update on Scope & Terms of Reference

Agenda Item #5

Brief Update on Scope & Terms of Reference

Terms of Reference v7 (distributed with call materials)

- See Draft ToR-Template-RDS-WHOIS2-RT- v7 - Sept 10.docx
- Updated sections reflect agreements reached in last plenary call:
 - Replacement and Removal of Members
 - Dependencies on other Organizations

Summary of Scope Agreements v4 (distributed with call materials)

- See Scope-v04-draft-clean3.docx
- Updated rows reflect agreements reached in last plenary call
- Action items:
 - Bylaws 4.6.(e)(ii): Stephanie to suggest language on effectiveness component
 - Bylaws 4.6.(e)(ii): Cathrin to produce draft text reflecting RT's discussion on law enforcement objectives
- Agreed Scope to be cast into specific review Objectives text, to be inserted into ToR Section “Mission and Scope” for RT adoption and then transmittal to the ICANN Board

A.O.B.