

WHOIS Review Implementation

Briefing on WHOIS Recommendations

03 October 2017



WHOIS Recommendations

Recommendations covered in this briefing:

- Recommendation 1
- Recommendation 2
- Recommendation 3
- Recommendation 6
- Recommendation 7
- Recommendation 9
- Recommendation 15
- Recommendation 16

Recommendation 1

Recommendation 1a Summary & Board Action

Review Team Recommendation	Recommendation 1a -- It is recommended that WHOIS, in all its aspects, should be a strategic priority for ICANN the organization.
Board Action	<ul style="list-style-type: none">• The Board agrees that gTLD WHOIS is a strategic priority• The CEO will oversee improvements to the enforcement of the contractual conditions relating to gTLD WHOIS in the gTLD registry and gTLD registrar agreements.
Board Rationale	<ul style="list-style-type: none">• The Board notes that ccTLD WHOIS is the policy responsibility of each ccTLD manager• The Board notes that IP address registry WHOIS services are under the policy responsibility of each RIR, and the WHOIS review has not raised any concerns with these services

Implementation of Recommendation 1a

WHOIS is a strategic priority for ICANN the organization, and the CEO will oversee improvements to the enforcement of WHOIS related contractual conditions.

- WHOIS included in Five Year [Strategic Plan](#) as part of Strategic Objective 2.1, and funded in the [FY17 Operating Plan and Budget](#).
- Added overall coordination, oversight, and management of WHOIS portfolio role.
- CEO oversaw improvements to WHOIS obligations in contracts, including, adoption of [2013 Registrar Accreditation Agreement](#) (RAA) and the base new gTLD Registry Agreement
- Implementation of Compliance complaint handling systems, procedures, audit processes, reporting and metrics, outreach (refer to 28 September 2017 briefing deck, Recommendation 4)

Recommendation 1b Summary & Board Action

Review Team Recommendation	Recommendation 1b -- It is recommended that WHOIS form the basis of staff incentivization (including the CEO's) and organizational objectives
Board Action	<ul style="list-style-type: none">• The Board incorporated performance of the WHOIS strategy into the incentive program for the CEO• The CEO will be responsible for appropriate staff incentives.
Board Rationale	<ul style="list-style-type: none">• It is difficult to further evolve improvements to the gTLD WHOIS service without developing policy to answer fundamental questions such as: Why are data collected? What purpose will the data serve? Who collects the data? Where is the data stored and how long is it stored? Where is the data escrowed and how long is it escrowed? Who needs the data and why? Who needs access to logs of access to the data and why? How to protect personal data?

Implementation of Recommendation 1b

The Board incorporated WHOIS strategy into the CEO's incentive plan, who in turn will incentivize Staff through ICANN's compensation system.

- CEO's compensation tied to performance against the strategic objectives of ICANN as laid out in the Strategic Plan, which includes references to WHOIS
- ICANN's performance process is tied to staff's performance on projects defined to meet ICANN's 5-year strategic plan and annual operating plan and budget

Recommendation 1c Summary & Board Action

Review Team Recommendation	Recommendation 1c – The Board should create a committee that includes the CEO to be responsible for priority and key actions
Board Action	<ul style="list-style-type: none"> • Consistent with advice from SSAC, Board directs the CEO to create an expert working group to create material to launch GNSO policy work and inform contractual negotiations, as appropriate. Working group output is expected within 90 days and will ideally include a straw-man model for managing gTLD registration data. •The working group’s output will form the basis for an Issues Report to accompany Board-initiated, expedited GNSO policy work that is expected to result in consensus policy that, at a minimum, addresses the purpose of collecting, maintaining and making available gTLD registration data, and related accuracy, data protection and access issues •The Board will also call upon the registrars, registries and the staff to address the working group’s output in contractual negotiations and registry contracts, as appropriate.
Board Rationale	<ul style="list-style-type: none"> •It is difficult to further evolve improvements to the gTLD WHOIS service without developing policy to answer fundamental questions such as: Why are data collected? What purpose will the data serve? Who collects the data? Where is the data stored and how long is it stored? Where is the data escrowed and how long is it escrowed? Who needs the data and why? Who needs access to logs of access to the data and why? How to protect personal data?

Implementation of Recommendation 1c

The CEO will create an expert working group to form basis for GNSO policy work aimed at creating consensus policy to address all aspects of gTLD registration data, including collection, accuracy, data protection and access issues. Registrars, registries and ICANN staff will be asked to address the working group's output in contractual negotiations and registry contracts.

- EWG on gTLD Directory Services published [final report](#) in June 2014. Report serving as input in the current GNSO RDS PDP.

Recommendation 1d Summary & Board Action

Review Team Recommendation	Recommendation 1d – ICANN should issue public updates on progress against targets for all aspects of WHOIS
Board Action	<ul style="list-style-type: none">• Appropriate reporting of these improvements will be developed
Board Rationale	<ul style="list-style-type: none">• Board will implement per the Review Team’s direction

ICANN will develop appropriate reporting to measure and relay WHOIS improvements

- Public apprised of the implementation progress through regular updates, announcements on icann.org, blog posts, updates at ICANN meetings, the whois.icann.org website and webinars
- Additional reporting showing status and progress of all ongoing activities in the form of a roadmap will be published in the near future

Recommendation 2

Recommendation 2 Summary & Board Action

Review Team Recommendation	Recommendation 2 – The Board should oversee creation of a single WHOIS policy.
Board Action	<ul style="list-style-type: none">• The Board directs the CEO to create and maintain a single public source that compiles current gTLD WHOIS requirements for gTLD registries, registrars and registrants (including consensus policies and contractual conditions).
Board Rationale	<ul style="list-style-type: none">• The Board notes that there is not a comprehensive gTLD WHOIS policy that addresses all of the issues raised in the Review Team Report and in SAC055. There is a set of existing contractual conditions that have been developed over time by negotiation between ICANN and registries and registrars, and a small set of consensus policies that address some aspects of the management of domain name registration data. These presently available conditions and policies should be publicly available from one source.• The fundamental questions of the purpose of collecting and maintaining gTLD registration data have not been addressed through a successful policy PDP

Implementation of Recommendation 2

The Board directs the CEO to create and maintain a single public source that compiles current gTLD WHOIS policies, contractual conditions and requirements for gTLD registries, registrars and registrants.

- [Single web page](#) on icann.org contains links to all WHOIS related contractual provisions and consensus policies.
- Current RDS PDP WG is tasked with analyzing purpose of collecting, maintaining, and providing access to gTLD registration data and considering safeguards for protecting that data, determining if and why a next-generation RDS is needed to replace WHOIS, and creating policies and coexistence and implementation guidance to meet those needs.

Recommendation 3

Recommendation 3 Summary & Board Action

Review Team Recommendation	Recommendation 3 – ICANN should ensure that WHOIS policy issues are accompanied by cross-community outreach
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.

Implementation of Recommendation 3

CEO to create an informational WHOIS portal to provide access to WHOIS data and report data inaccuracies; CEO to direct staff to launch communication and outreach plan to provide key stakeholders with the information they need to use and improve collection and maintenance of gTLD registration data.

- Whois.icann.org launched. Fully translated content. Provides information on WHOIS. Includes WHOIS look-up tool and link to report inaccurate WHOIS data.
- [Registrant Benefits & Responsibilities](#) incorporated into 2013 RAA. Registrars are contractually required to a link to this document, or publish it on its website. Document also reflected in Registrants section of icann.org.
- Conducted [outreach](#) to registrars to educate them on 2013 RAA requirements.
- [Registrant educational series](#) launched to educate and inform registrants of their rights and obligations.
- Status of community discussions and implementations are provided at ICANN meetings and on icann.org.

Recommendation 15

Recommendation 15 Summary & Board Action

Review Team Recommendation	Recommendation 15 –Comprehensive Implementation Plan for implementing the Final WHOIS Review Team Report
Board Action	<ul style="list-style-type: none">• As per recommendation #1, the Board agrees that gTLD WHOIS should be a strategic priority• As per recommendation #1, the Board directs the CEO to incorporate a work plan for the improvement of WHOIS into the operating plan.
Board Rationale	<ul style="list-style-type: none">• Board will implement per the Review Team’s direction

Implementation of Recommendation 15

WHOIS will be a strategic initiative written into ICANN's Five Year Strategy Plan and with Allocated Budget in the Annual Budget.

- WHOIS included in Five Year [Strategic Plan](#) as part of Strategic Objective 2.1, and funded in the [FY17 Operating Plan and Budget](#).

Recommendation 16

Recommendation 16 Summary & Board Action

Review Team Recommendation	Recommendation 16 –Publication of Annual Reports on Implementation of WHOIS RT Recommendations
Board Action	<ul style="list-style-type: none">• The Board directs the CEO to provide resources and budget to carryout these activities, to provide annual public reports on implementation of these activities and related efforts
Board Rationale	<ul style="list-style-type: none">• Board will implement per the Review Team’s direction

Implementation of Recommendation 16

Publication of Annual Reports on Implementation of WHOIS Board Directed Recommendations

- Board adopted ICANN [action plan](#) for the WHOIS review team final report
- [2013](#) WHOIS annual report
- [2014](#) WHOIS annual report
- [2015](#) WHOIS annual report
- 2016 WHOIS annual report will be published soon

Recommendations 5, 6, 7, 8, 9

Recommendation Summary & Board Action

Review Team Recommendation Summary

Recommendation 5 -- ICANN should ensure that the requirements for accurate WHOIS data are widely and proactively 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.

Recommendation 6 -- ICANN should take appropriate measures to reduce the number of WHOIS registrations that fall into the accuracy groups Substantial Failure and Full Failure (as defined by the NORC Data Accuracy Study, 2009/10) by 50% within 12 months and by 50% again over the following 12 months.

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, 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.

Recommendation 9 -- Board should ensure that the Compliance Team develop metrics to track the impact of the annual WHOIS Data Reminder Policy (WDRP) notices to registrants; metrics should be used to As per (1) above, the Board will initiate a policy on the purpose of the gTLD WHOIS service, and this will help drive the principles behind privacy/proxy develop and publish performance targets, to improve data accuracy over time; if this is unfeasible, Board should ensure that an alternative, effective policy is developed and implemented that achieves the objective of improving data quality, in a measurable way.

Recommendation Summary & Board Action

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.

Implementation of Recs 5, 6, 7, 8, 9

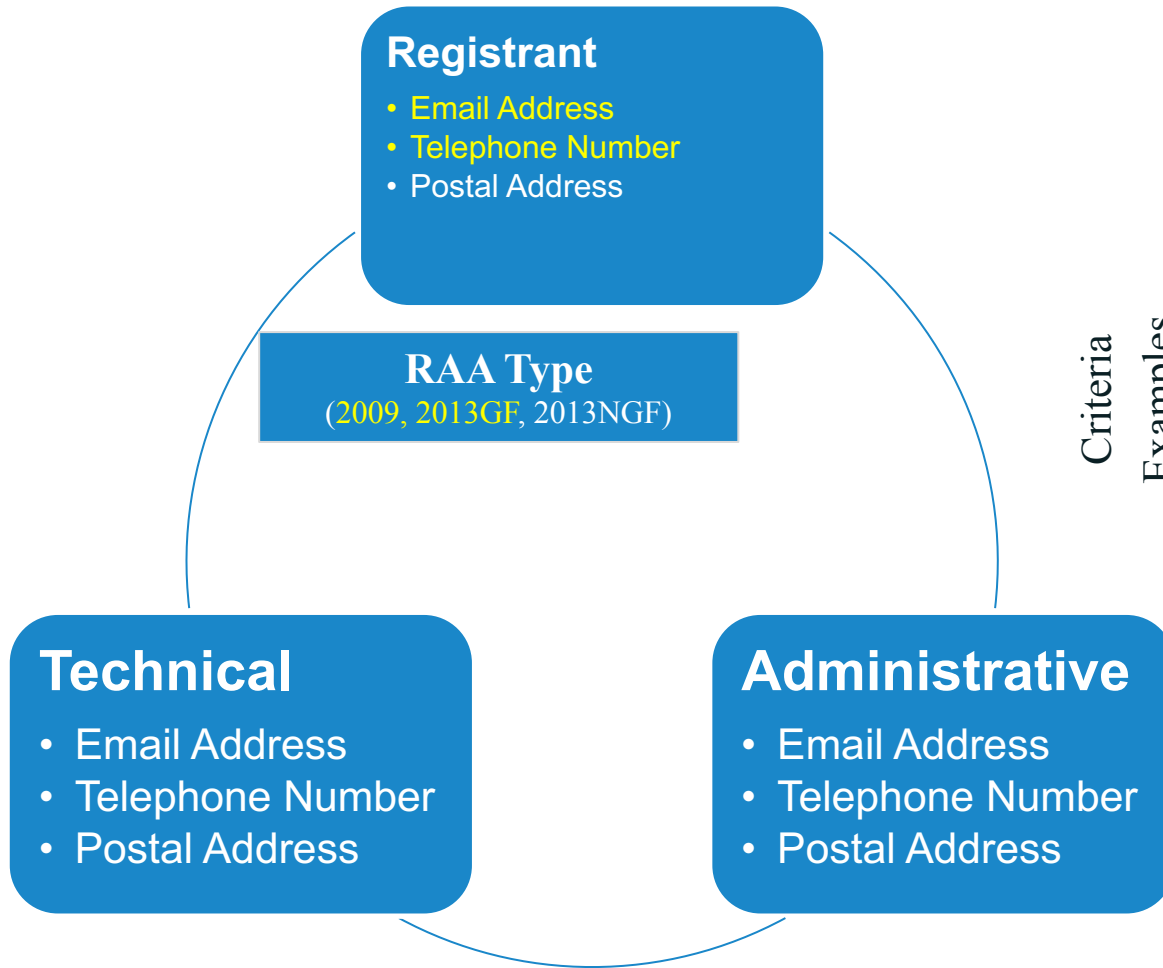
CEO to proactively identify potentially inaccurate gTLD registration data; explore using automated tools, and forward potentially inaccurate records to gTLD registrars for action; publicly report on the resulting actions to encourage improved accuracy

- WHOIS Accuracy Reporting System (ARS) launched December 2015. Reports published in June and December of each year.
 - December 2015 [report](#), webinar [presentation](#), webinar [recording](#)
 - June 2016 [report](#), webinar [presentation](#), webinar [recording](#)
 - December 2016 [report](#), webinar [presentation](#), webinar [recording](#)
 - June 2017 [report](#), webinar [presentation](#), webinar [recording](#)

WHOIS ARS

- Examines both syntax and operability accuracy of WHOIS contact information (Email, Telephone, Postal address) to the requirements of RAAs (2009 RAA or 2013 RAA)
- Potentially inaccurate records identified by the ARS are provided to ICANN Contractual Compliance for follow up according to their process
- Registrars must investigate and correct inaccurate WHOIS data:
 - Section 3.7.8 of 2009 and 2013 RAA (and WHOIS Accuracy Program Specification)
 - Failure to respond or demonstrate compliance during complaint processing will result in a Notice of Breach
- Process of reviewing and reporting WHOIS ARS test results takes four to five months before ICANN Contractual Compliance can begin processing WHOIS ARS tickets, which can result in outdated test results. Working to reduce this lag time
- More WHOIS ARS Compliance follow-up metrics are now available on the ICANN.org WHOIS ARS page here: <https://whois.icann.org/en/whoisars-contractual-compliance-metrics>

Contact types, modes, and testing criteria



Criteria
Examples

Syntax: Does the email address contain an “@”?

Operability: Did the email bounce back?

Syntax: Does the telephone number have a country code?

Operability: Did the number ring when dialed?

Syntax: Does the postal address include an identifiable country?*

Operability: Can mail be delivered to the address?

Detailed criteria listed at www.whois.icann.org/en/whoisars-validation

GF = Grandfathered. A domain registered before a registrar changed to the 2013

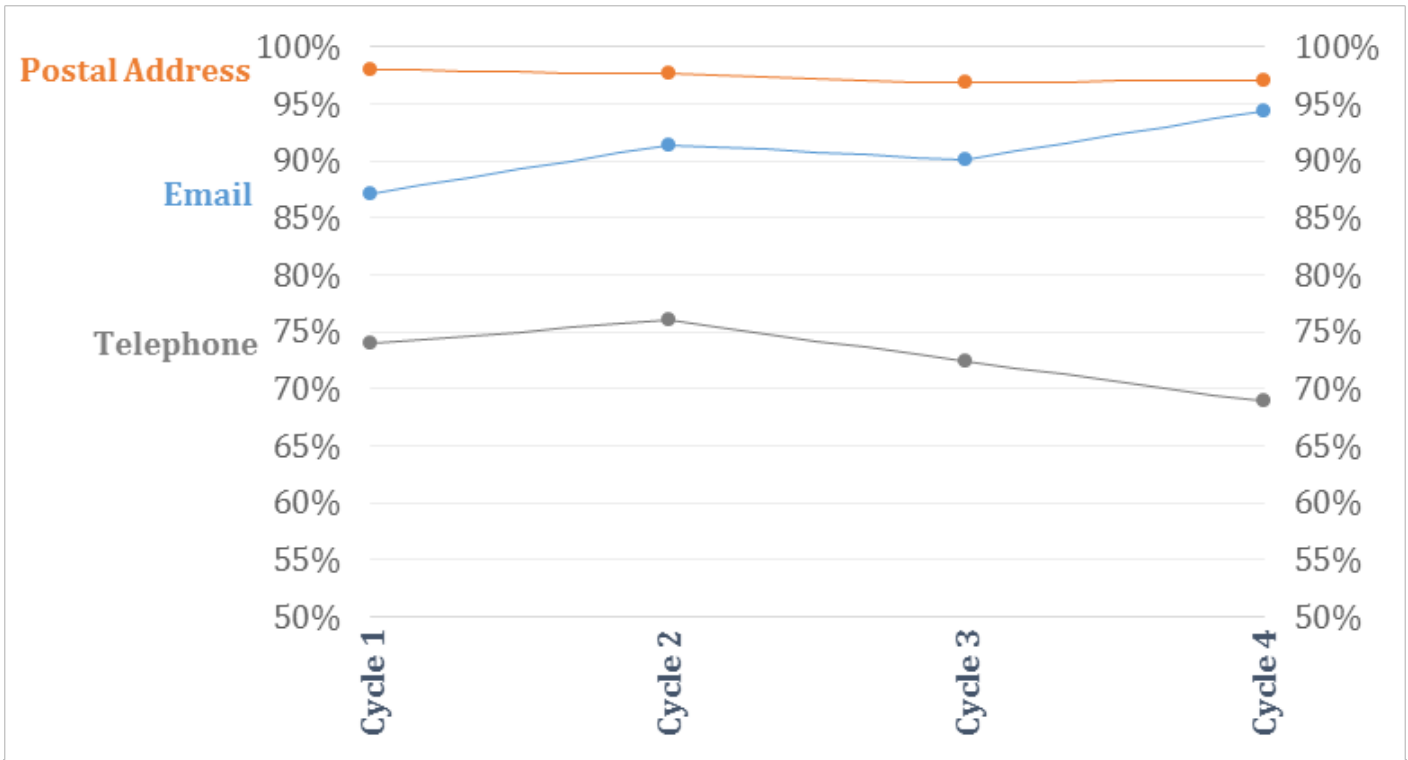
RAA. Obligated to 2009 RAA requirements.

NGF = Non-grandfathered. Obligated to 2013 RAA requirements.

Changes Over Time: Operability Accuracy by Contact Mode

Entire gTLD Space
Cycle 1 through Cycle 4

Overall Operability Accuracy			
Cycle 1	Cycle 2	Cycle 3	Cycle 4
64.7%	70.2%	65.1%	65.4%
	Δ 5.5%	Δ -5.1%	Δ -0.1%

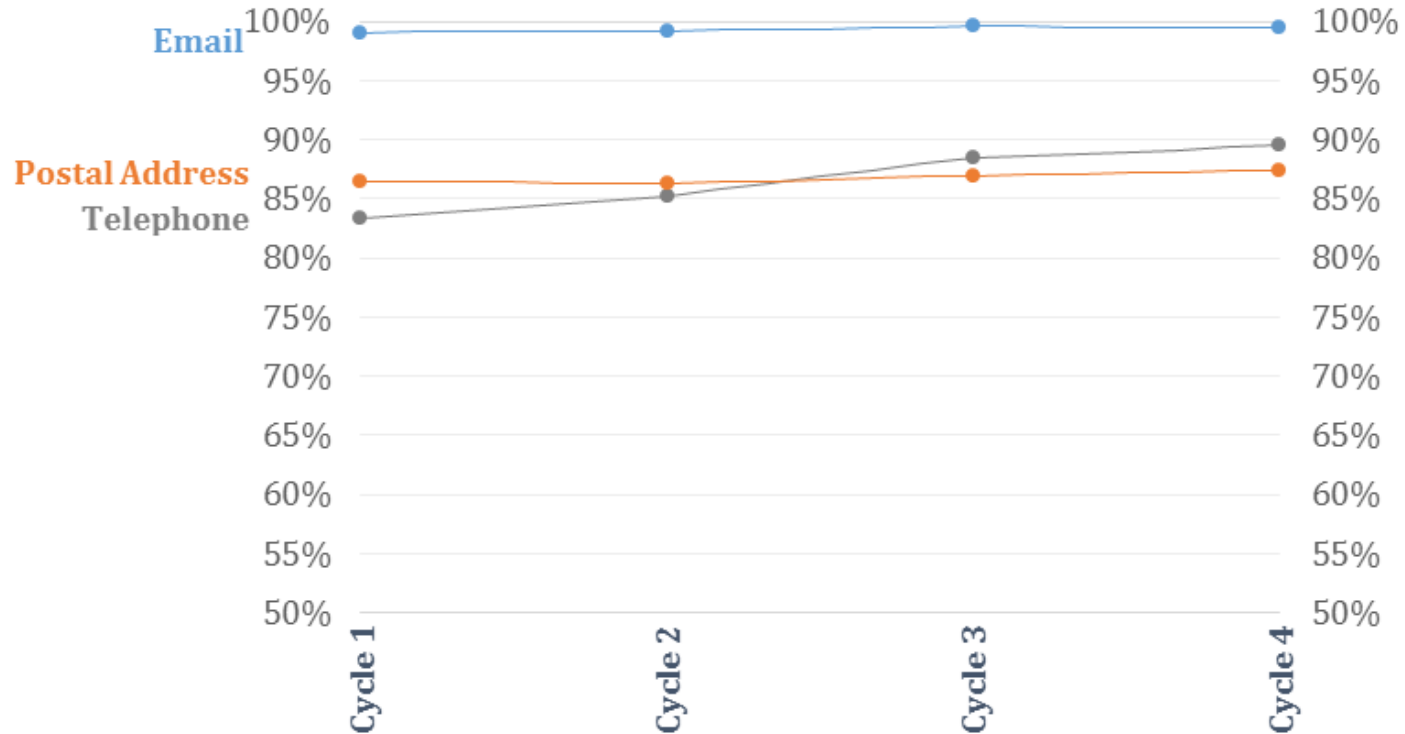


Accuracy of all 3 contact modes and all 3 contact types

Changes Over Time: Syntax Accuracy by Contact Mode

Entire gTLD Space
Cycle 1 through Cycle 4

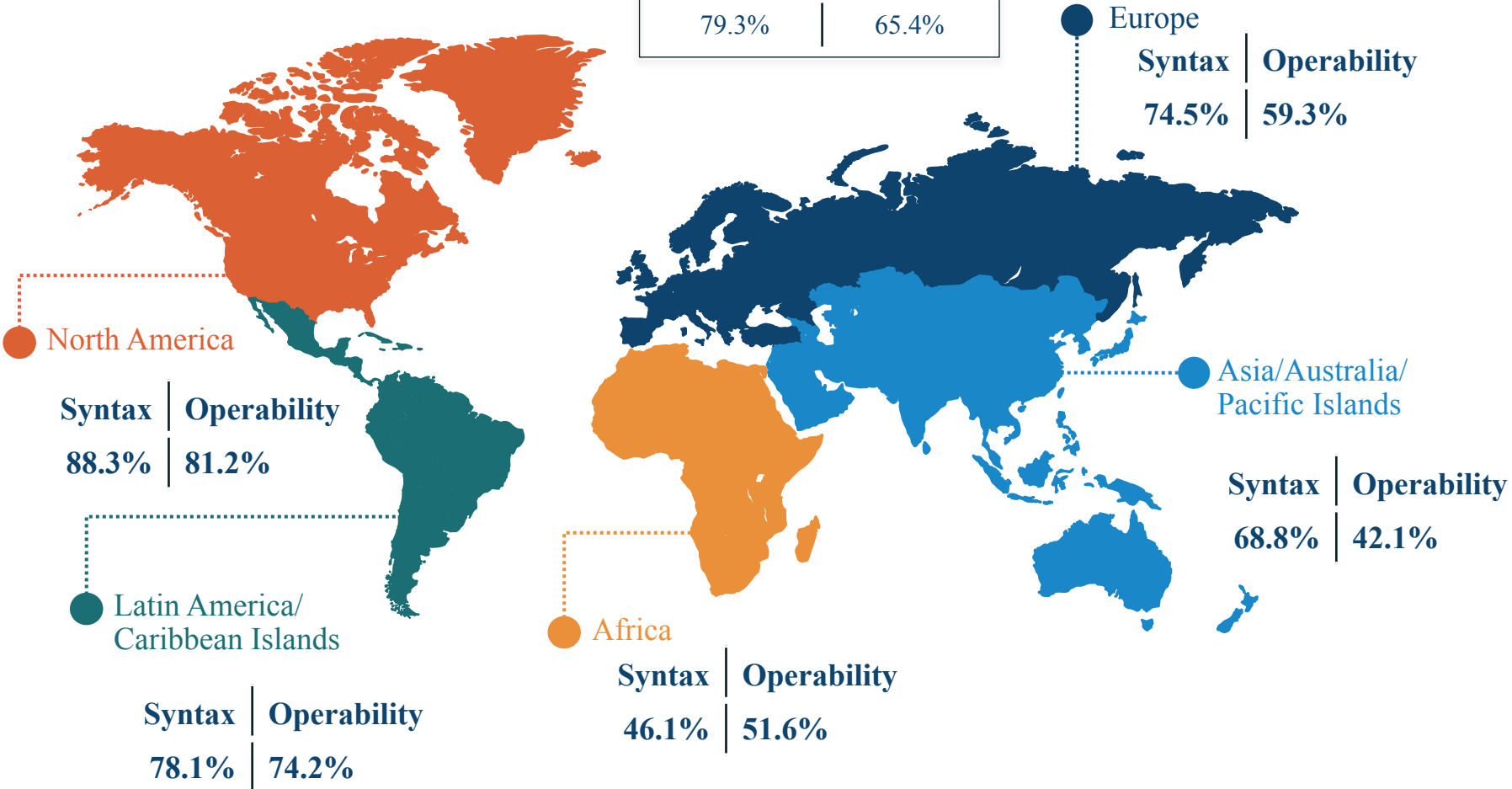
Overall Syntax Accuracy			
Cycle 1	Cycle 2	Cycle 3	Cycle 4
73.1%	75.3%	78.0%	79.3%
	Δ 2.2%	Δ 2.7%	Δ 1.3%



Accuracy of all 3 contact modes and all 3 contact types

Phase 2 Cycle 4 - Syntax and Operability Accuracy by Region

Entire gTLD Space	
Syntax	Operability
79.3%	65.4%



Phase 2 Cycle 4 – ICANN Contractual Compliance

WHOIS ARS Compliance Metrics (as of 1 July 2017)

- ⊙ Phase 2, Cycle 3:
 - ⊙ 4,552 tickets created, all have been completed.
 - ⊙ 2,662 were closed prior to 1st notice. Of those, closure reasons as follows:
 - ⊙ WHOIS data when ticket processed different from sampled WHOIS data: 60.1%
 - ⊙ WHOIS format issue identified for 2013 Grandfathered Domain: 14.3%
 - ⊙ Domain suspended or canceled: 7.9%
 - ⊙ Domain not registered when ticket processed: 7.7%
 - ⊙ Known Privacy/Proxy service: 6.3%
 - ⊙ Duplicate WHOIS compliant already pending: 3.8%
 - ⊙ Other (remaining closure reasons representing less than 0.5% of cases): 0.4%

- ⊙ Phase 2, Cycle 4 (In Progress):
 - ⊙ 4,681 tickets created. 1,424 have been closed, 3,256 remaining to be processed.
 - ⊙ 984 were closed prior to 1st notice. Of those, closure reasons as follows:
 - ⊙ WHOIS data when ticket processed different from sampled WHOIS data: 45.4%
 - ⊙ Domain not registered when ticket processed: 26.7%
 - ⊙ Domain suspended or canceled: 13.1%
 - ⊙ WHOIS format issue identified for 2013 Grandfathered Domain: 13.0%
 - ⊙ Known Privacy/Proxy service
 - ⊙ Other (remaining closure reasons representing less than 0.5% of cases): 0.1%

- ⊙ More WHOIS ARS Compliance follow-up metrics are now available on the ICANN.org WHOIS ARS page here:
<https://whois.icann.org/en/whoisars-contractual-compliance-metrics>

Implementation of Recs 5, 6, 7, 8, 9

CEO to ensure that WHOIS information pages make clear the requirements for registrants to provide accurate information, and the consequences of providing inaccurate information

- [Registrant Benefits & Responsibilities](#) incorporated into 2013 RAA. Registrars are contractually required to a link to this document, or publish it on its website. Document also reflected in Registrants section of icann.org.
- [Registrant educational series](#) launched to educate and inform registrants of their rights and obligations.

Implementation of Recs 5, 6, 7, 8, 9

Board to continue supporting RAA negotiation process to find ways to improve WHOIS accuracy

- Additional WHOIS obligations added 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

Additional information

Additional Information for Recommendation 1

- √ Board adopts FY17 update to the [Five-Year Operation Plan](#) on 27 June 2016
- √ Registrars signed new 2013 RAA (2013 – 2018); List of Registrars on the 2013 RAA available [here](#)
- √ New gTLD Registries now sign new registry agreements. List of registries available [here](#)
- √ WHOIS Accuracy Specification of 2013 RAA to be reviewed annually
- √ [First 2013 RAA WHOIS Accuracy Program Specification Review](#) concluded in 2015

- √ WHOIS projects identified in both Workforce and Halogen management systems
- √ CEO Compensation based on overall goals and objectives of the entire organization set forth in WorkFront
- √ The [Board considered the GNSO's Accreditation of Privacy and Proxy Services Final Report](#) recommendations
- √ The Board considered the [GAC's Communique on Privacy and Proxy Services Accreditation Issues](#) in June 2016
- √ [ICANN Board resolution](#) on 28 July 2015 created a new Board working group to liaise with the GNSO on policy development process and oversee the implementation of the remaining projects arising from the [Action Plan](#) adopted by the Board in response to the WHOIS Review Team's recommendations
- √ 26 April 2015 ICANN Board [resolution](#) created a new Board working group to address Registration Directory Services and follow up on WHOIS RT-related implementation

- √ Quarterly WHOIS recommendations implementations statuses updated quarterly and published on [WHOIS Review Wiki page](#)
- √ Creation of a community friendly [WHOIS portal](#)
- √ WHOIS Sessions held at all ICANN meetings
- √ [Thick WHOIS Policy](#) to ensure policy recommendations are fulfilled (PDP is currently in the Implementation stage)
- √ [Preliminary Issue Report with Public Comment](#), and [Final Issue Report](#) on next-generation gTLD Registration Directory Service (RDS) to replace WHOIS
- √ [WHOIS Data Accuracy Reporting System Phase I Report](#), [Public Comment](#) and [Report of Public Comments](#)
- √ Initial Report with Public Comment, and Staff Report on GNSO's Working Group for [Privacy & Proxy Services Accreditation Issues](#)
- √ [Public Comment](#) and [Staff Report](#) on Translation and Transliteration of Contact Information PDP

Additional Information for Recommendation 2

- √ A single [WHOIS web portal](#) with links to all related agreements, consensus policies and public education regarding WHOIS
 - [WHOIS Primer](#) and Knowledge Center
 - 2013 RAA WHOIS Accuracy Specification: [Registrar input](#); ICANN Staff input;
 - WHOIS Accuracy Reporting System (ARS): [Phase 1](#); [Phase 2](#)
 - Framework for [Next Generation RDS PDP Working Group](#)
- √ WHOIS Quarterly Reports updated to the [WHOIS Review Implementation Web page](#)
 - [WHOIS Improvements 2013 Annual Report](#)
 - [WHOIS Improvements 2014 Annual Report](#)
 - [WHOIS Improvements 2015 Annual Report](#)

Additional Information for Recommendation 3

- √ Outreach with simplified educational material for registrars and registrants by ICANN and on ICANN.org in preparation for 2013 RAA
- √ Completed system, FAQ, forms and Staff training for 2013 RAA readiness
- √ Communication launch of WHOIS web portal with links to all related agreements, consensus policies and public education regarding WHOIS

Additional Information for Recommendation 15

√ ICANN's proposed Action Plan was adopted by the ICANN Board

Additional Information for Recommendation 16

√ ICANN has published Annual Reports starting one year after the Board's approval of the [WHOIS Policy Review Team Final Report Recommendations](#)

- [WHOIS Improvements 2013 Annual Report](#)
- [WHOIS Improvements 2014 Annual Report](#)
- [WHOIS Improvements 2015 Annual Report](#)

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