RDS-WHOIS2-RT Brussels Face-to-Face Meeting

DAY 1 – 16 April 2018



Welcome, Roll-Call, Sol Updates, Administrative Items

Agenda Item #1

Time: 09:00-09:10

Presenters: Review Team Leadership & ICANN org



Sol Updates, Roll-Call, Administrative Items

Raise your hand if you wish to be added to the queue

Session is recorded:

- Always use your microphone
- State your name before speaking
- Limit use of your laptop

Breaks:

- Reception desk/area for coffee breaks
- Kitchen area for lunch

Badges



Opening Remarks

Agenda Item #2

Time: 09:10-09:20

Presenters: Review Team Leadership



Meeting Objectives

Overall goals for this meeting

- Present every subgroup's questions to be answered, research methodology and materials, and draft findings
 - To help the full RT understand the subgroup's analysis
 - To flag any open questions, potential overlaps, or gaps
- As applicable, introduce subgroup-identified issues/problems and proposed recommendations (if any) to address them
- Critical assessment of current status of each subgroup/issue,prognosis, and the need for any strategic changes
- Review the RT's work plan to confirm next steps and dates

Outputs to be produced from this meeting

- Questions and action items for each subgroup to address in report
- Due dates for final subgroup reports
 - Subgroup 1 WHOIS1 Recommendation Implementation Review
 - Subgroups 2-5 Additional Review Objectives
- Plan to consolidate subgroup reports into draft RDS-WHOIS2 report and begin full RT work on proposed recommendations (if any)



Overview of Rapporteurs' Updates

#	Subgroup	Rapporteur	Day of FtoF Meeting	Time Allocated
	WHOIS1 Rec #1 - Strategic Priority	Cathrin	1	30 min
	WHOIS1 Rec #2: Single WHOIS Policy	Carlton	1	30 min
	WHOIS1 Rec #3: Outreach	Alan	1	30 min
	WHOIS1 Rec #4: Compliance	Susan	1	120 min
1	WHOIS Rec #5-9: Data Accuracy	Lili	1	60 min
	WHOIS Rec #10: Privacy/Proxy Services	Volker (Susan)	2	120 min
	WHOIS Rec #11: Common Interface	Volker (Susan)	2	30 min
	WHOIS Rec #12-14: Internationalized Domain Names	Dmitry	2	30 min
	WHOIS Rec #15-16: Plan & Annual Reports	Lili	1	30 min
2	Anything New	Stephanie	3	60 min
3	<u>Law Enforcement Needs</u>	Thomas (Cathrin)	3	60 min
4	Consumer Trust	Erika	2	60 min
5	Safeguarding Registrant Data	Alan	3	30 min



Day 1 Objectives

Agenda Item #3

Time: 09:20-09:30

Presenters: Review Team Leadership



Day 1 – Morning Program

08:30-09:00 - Breakfast

09:00-09:10 - Welcome, Sol updates, roll-call & administrative items

09:10-09:20 – Opening remarks

09:20-09:30 - Day 1 objectives

09:30-09:35 – Work plan

09:35-09:45 - Criteria for SMART recommendations

09:45-10:15 - WHOIS1 Recs #15-16: Plan & Annual Reports

10:15-10:30 - Break

10:30-11:00 - WHOIS1 Rec #1: Strategic Priority

11:00-11:30 – WHOIS1 Rec #2: Single WHOIS Policy

11:30-12:30 – WHOIS1 Recs #5-9: Data Accuracy

12:30-13:30 - Lunch



Day 1 – Afternoon Program

13:30-15:30 – WHOIS1 Rec #4: Compliance

15:30-15:45 - Break

15:45-16:15 - WHOIS1 Rec #3: Outreach

16:15-17:15 - Parking lot for items to be further discussed TBD

17:15:17:30 - Review day 2 agenda and closing remarks

19:30-21:30 - Dinner (offsite)



Day 1 Objectives

- Present and discuss subgroup outputs for Objective #1:
 - Consistent with ICANN's mission and Bylaws, Section 4.6(e)(iv), the Review Team will
 - a) evaluate the extent to which ICANN Org has implemented each prior Directory Service Review recommendation (noting differences if any between recommended and implemented steps),
 - assess to the degree practical the extent to which implementation of each recommendation was
 effective in addressing the issue identified by the prior RT or generated additional information useful to
 management and evolution of WHOIS (RDS), and
 - c) determine if any specific measurable steps should be recommended to enhance results achieved through the prior RT's recommendations.

This includes developing a framework to measure and assess the effectiveness of recommendations, and applying that approach to all areas of WHOIS originally assessed by the prior RT (as applicable).

- Critical assessment of current status of each subgroup/issue,prognosis, and the need for any strategic changes
- Points to consider throughout Day 1
 - Do you have any questions or feedback on each subgroup's output?
 - Are there any overlaps between subgroups that need to be resolved?
 - O Did the subgroup fully-address at least a) and b) above?



Work Plan & Deliverables

Agenda Item #4

Time: 09:30-09:35

Presenters: ICANN org



Work Plan & Deliverables

DATE	DELIVERABLE		
By 24 May	Subgroups to incorporate edits identified in Brussels		
By 28 June ICANN62	 Seek community input on draft findings/recommendations Approve draft findings and recommendations 		
By 31July	Approve draft report for public comment		
7 August – 5 October	Public comment on Draft Report		
By 30 November	Update draft report based on public commentAssemble final recommendations		
By 21 December	Approve final report for submission to ICANN Board		

Per work plan submitted to ICANN Board on 9 February 2018



Agenda Item #5

Time: 09:35-09:45

Presenters: ICANN org









R ELEVANT

T IME-BOUND

Evaluate results:

what is expected, how to get it done and what the target is?



- 11 questions to encourage discussion and consideration to result in clear, useful and implementable recommendations:
 - 1. What observed **fact-based issue** is the recommendation intending to solve? What is the "problem statement"?
 - 2. What are the **findings that support the recommendation**?
 - 3. How significant would the impact be if not addressed:
 - 1. Very significant
 - 2. Moderately significant
 - 3. Impacted areas (for example, security, transparency, legitimacy, efficiency, diversity, etc.)
 - 4. What is the **intent of the recommendation**?
 - 5. What **outcome** is the Review Team seeking? How will the effectiveness of implemented improvements be measured? What is the **target for a successful implementation**?



- 6. Does the Review Team envision[2] the implementation to be:
 - a) Short-term: implemented within 6 months
 - b) Mid-term: implemented within 12 months
 - c) Longer-term: implemented in more than 12 months
- 7. Is the recommendation aligned with ICANN's strategic plan and ICANN mission? If yes, how?
- 8. Does this recommendation require new policies to be adopted? If yes, what stakeholders need to be engaged in the policy development process to support successful implementation of this recommendation?
- 9. Is related work already underway? If so, what is it and who is carrying it out?



S.M.A.R.T. Recommendations

- 10. Who are the (responsible) parties that need to be involved in the implementation work for this recommendation?
 - 1. Community
 - 2. ICANN org
 - 3. Board
 - 4. Combination of the above
- 11. If only 5 recommendations can be implemented due to community bandwidth and other resource constraints, would this recommendation be one of the top 5? Why or why not?



Suggested Recommendations Format

Recommendation:	Included in your subgroup report template	
Findings:	report template	
Rationale:		
Impact of Recommendation:		
Feasibility of Recommendation:		
Implementation:		
Priority:		
Level of Consensus:		



Agenda Item #6

Time: 09:45-10:15

Presenter: Lili Sun

Subgroup Members: Lili, Alan, Chris

Subgroup Wiki: https://community.icann.org/x/9pIEB



WHOIS1 Recommendations

- Rec 15 ICANN should provide a detailed and comprehensive plan within 3 months after the submission of the Final WHOIS Review Team report that outlines how ICANN will move forward in implementing these recommendations.
- Rec 16 ICANN should provide at least annual written status reports on its progress towards implementing the recommendations of this WHOIS Review Team. The first of these reports should be published one year, at the latest, after ICANN publishes the implementation plan mentioned in recommendation 15, above. Each of these reports should contain all relevant information, including all underlying facts, figures and analyses.

Questions the subgroup attempted to answer when assessing this objective:

- 1. Check whether Action Plan properly addressed the other 16 recommendations
- 2. Assess the effectiveness of the already-published WHOIS Annual Reports

Research and background materials used to answer questions:

- WHOIS1 Final Report, Action Plan, & Implementation Reports
- Implementation Briefing Presentation, Answers to Questions, & Written Briefing
- ICANN 5-Year Strategic Plan and ICANN FY2017 Operating Plan and Budget
- 2013-2016 WHOIS Annual Reports



Describe your methodology to answer questions and analyze the materials

- Review all the background materials to assess whether the WHOIS1 Recs #15-16 have been implemented, have the objectives been met.
- Plan to base analysis in part upon key findings for all other WHOIS1 Recs

Based on the analysis, what are the main findings?

- This subgroup couldn't find any separate work plan with milestones, deliverables and/or specific deadlines beyond the <u>Action Plan</u>.
- Except ICANN FY 2013 Operating Plan and Budget, this subgroup has difficulties in tracking the budget and resources allocated to the implementation of WHOIS1 recommendations in the following years.
- The WHOIS Improvements Annual Report contains elemental information about WHOIS policy development, fact-based progress about the Action Plan, but there are hardly figures and analysis on specific improvement, e.g. data accuracy, outreach.
- There has been a delay for ICANN to publish WHOIS Improvements Annual Report since 2016. And the annual report for 2016 was published till 1 September 2017, the annual report has not been ready for 2017 yet.



ICANN Action Plan For the WHOIS Policy Review Team Final Report: Recommendations Summary, and Approved Board Action and Rationale 8 November 2012

WHOIS Policy Review Team Report Recommendations	Board action	Board rationale
Strategic Priority WHOIS, in all its aspects, should be a strategic priority, form the basis of staff incentivization (including CEO's) and organizational objectives; Board should create a committee that includes the CEO to be responsible for priority and key actions; issue public updates on progress against targets for all aspects of WHOIS.	 Board agrees that gTLD WHOIS is a strategic priority for ICANN. Consistent with advice from SSAC (SAC055), 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 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 also will call upon the registrars, registries, and the staff to address the working group's output in contractual negotiations and registry contracts, as appropriate. The CEO will oversee improvements to the enforcement of the contractual conditions relating to gTLD WHOIS in the gTLD registry and gTLD registrar agreements. Appropriate reporting of these improvements will be developed, and the CEO will be responsible for appropriate staff incentives. The Board will incorporate performance of the WHOIS strategy into the incentive program for the CEO. 	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 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? Who needs the data and why? Who needs the data and why? How to protect personal data?
2. Single WHOIS Policy Board should oversee creation of a single WHOIS policy document, and reference it in agreements with Contracted Parties; clearly document the current gTLD WHOIS policy as set out in the gTLD Registry & Registrar contracts & Consensus Policies and Procedure.	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).	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.

Describe your methodology to answer questions and analyze the materials

- Review all the background materials to assess whether the WHOIS1 Recs #15-16 have been implemented, have the objectives been met.
- Plan to base analysis in part upon key findings for all other WHOIS1 Recs

Based on the analysis, what are the main findings?

- This subgroup couldn't find any separate work plan with milestones, deliverables and/or specific deadlines beyond the <u>Action Plan</u>.
- Except ICANN FY 2013 Operating Plan and Budget, this subgroup has difficulties in tracking the budget and resources allocated to the implementation of WHOIS1 recommendations in the following years.
- The WHOIS Improvements Annual Report contains elemental information about WHOIS policy development, fact-based progress about the Action Plan, but there are hardly figures and analysis on specific improvement, e.g. data accuracy, outreach.
- There has been a delay for ICANN to publish WHOIS Improvements Annual Report since 2016. And the annual report for 2016 was published till 1 September 2017, the annual report has not been ready for 2017 yet.



Based on findings, the subgroup identified the following problems/issues

 The Plan and Annual Reports partly met the objectives of WHOIS1 Recs #15-16.

To address the above problems/issues, the subgroup proposes the following recommendations (if any)

 Plan & Annual Reports are essential to guarantee the effective implementation of any recommendations, more specific methodologies on Plan & Annual Reports should be taken in future.



Break

Time: 10:15-10:30

What's Next?

10:30-11:00 - WHOIS1 Rec #1: Strategic Priority

11:00-11:30 – WHOIS1 Rec #2: Single WHOIS Policy

11:30-12:30 - WHOIS1 Recs #5-9: Data Accuracy



Agenda item #7

Time: 10:30-11:00

Presenter: Cathrin Bauer-Bulst

Subgroup Members: Cathrin, Carlton, Volker

Subgroup Wiki: https://community.icann.org/x/3pIEB



WHOIS1 Recommendation

- Rec 1.a It is recommended that WHOIS, in all its aspects, should be a strategic priority for ICANN the organization.
- Rec 1.b It is recommended that WHOIS form the basis of staff incentivization (including the CEO's) and organizational objectives
- Rec 1.c The Board should create a committee that includes the CEO to be responsible for priority and key actions
 - Implementation of this report's recommendations;
 - Fulfillment of data accuracy objectives over time;
 - Follow up on relevant reports (e.g. NORC data accuracy study);
 - Reporting on progress on all aspects of WHOIS (policy development, compliance, and advances in the protocol / liaison with SSAC and IETF);
 - Monitoring effectiveness of senior staff performance and the extent to which ICANN Compliance function is effective in delivering WHOIS outcomes, and taking appropriate action to remedy any gaps.
- Rec 1.d ICANN should issue public updates on progress against targets for all aspects of WHOIS



Questions the subgroup attempted to answer when assessing this objective:

- 1. Has ICANN.Org made WHOIS a strategic priority from a formal perspective, by putting into place the appropriate resources and procedures?
- 2. Has ICANN.Org made WHOIS a strategic priority from a substantive perspective?
- 3. Has ICANN Org issued public updates on progress against targets for all aspects of WHOIS?
- 4. Based on findings of other subgroups, how have the updated complaints and other compliance procedures impacted the accuracy and functionality of the WHOIS?



Research and background materials used to answer questions:

- WHOIS1 Final Report, Action Plan, & Implementation Reports
- Implementation Briefing Presentation, Answers to Questions & Written Briefing*
- ICANN 5-Year Strategic Plan and ICANN FY2017 Operating Plan and Budget
- 2013 RAA, including WHOIS Requirements for Registrants
- EWG Final Report
- WHOIS Information Portal and Consolidated WHOIS Lookup Tool
- Roadmap of WHOIS/RDS Activities (as of June 2017)

Describe your methodology to answer questions and analyze the materials

- Requested additional materials, including incentivisation measures, records of Board/CEO Committee on WHOIS and other indicators to show that the recommendation has been implemented
- Posed series of questions for ICANN SMEs to address in written briefing
- Plan to review the output from the other subgroups in assessing the degree to which WHOIS has been made a strategic priority within the organization

^{*} Assumes written briefing will be provided & reviewed by subgroup this week



Based on the analysis, what are the main findings?

- First findings:
- 1. ICANN has taken steps to add Whois to its priorities 🗹
 - Board has instructed ICANN organization to take actions
 - Whois reflected in five-year strategic plan
 - Whois reflected in each Annual Operating Plan & Budget
 - Key Success Factor identified: Globally accepted, reliable, secure, and trusted services to facilitate access to, and update of, identifier registration data.
 - WHOIS projects are identified in both WorkFront and the Halogen management system and included in CEO compensation
 - Public updates on progress have been provided (incl. roadmaps)

2. ICANN and the community have launched a number of processes since the first Whois RT report that evidence its being a strategic priority 🗹

- Whois Accuracy Reporting System Project
- Whois EWG
- RDS Policy Development Process
- Privacy and Proxy Services Accreditation Programme
- Further projects listed in the post-2012 Whois activities inventory provided to the RT



3. Current activities show that ICANN as an organization now assigns high importance to the Whois \square

- Board of Directors and leadership regularly engage in Whois-related activites
- CEO provides regular blog posts on Whois developments
- Efforts under way to adapt Whois to legal requirements

Based on findings, the subgroup identified the following problems/issues

- No concrete actions/activities associated with Whois quality control
- Control committee does not appear to have been created; instead, the launch of the EWG was seen as the deliverable
- No meaningful indicators (KPIs) provided to assess actual progress on Whois
- Lack of activities planned for ICANN as an organization in Operating Plans and Budgets after 2013 RAA update and implementation – Whois portfolio listed under wrong strategic objective with no concrete activities associated
- Current process shows that Whois emerged as a priority for ICANN as an organization rather belatedly when it comes to the necessary updates

To address the above problems/issues, the subgroup proposes the following recommendations (if any)



WHOIS1 Rec #2: Single WHOIS Policy

Agenda item #8

Time: 11:00-11:30

Presenter: Carlton Samuels

Subgroup Members: Carlton, Cathrin, Thomas

Subgroup Wiki: https://community.icann.org/x/4ZIEB



WHOIS1 Rec #2 – Single WHOIS Policy

WHOIS1 Recommendation

 Rec 2 – The ICANN Board should oversee the creation of a single WHOIS policy document, and reference it in subsequent versions of agreements with Contracted Parties. In doing so, ICANN should clearly document the current gTLD WHOIS policy as set out in the gTLD Registry and Registrar contracts and GNSO Consensus Policies and Procedure.

Questions the subgroup attempted to answer when assessing this objective:

1. LIST HERE

Research and background materials used to answer questions:

- WHOIS1 Final Report & Implementation Reports
- Responses to WHOIS1 Final Report by ICANN Constituencies, including ALAC, GNSO SG/Cs, and SSAC (SAC055)
- Board Action Plan that emerged from consideration of Single WHOIS policy rec
- Implementation Briefing Presentation, Answers to Questions, & Written Briefing
- ICANN web page on WHOIS Policies
- Next Generation RDS to replace WHOIS PDP



WHOIS1 Rec #2 – Single WHOIS Policy

Describe your methodology to answer questions and analyze the materials

- Followed timeline from WHOIS1 report releast to current time
 - Responses to the Final Report by ICANN Constituencies
 - Record of the Board's response
 - Action Plan developed by ICANN org Staff on the Board's direction
 - Subsequent published status reports and evidence of implementation
- Examined the list of WHOIS-related consensus policies and procedures

Based on the analysis, what are the main findings?

- [Text below copied from Page 5, Recommendations expand if desired]
- The web page is a good and sufficient substitute for the single authoritative WHOIS policy document but with navigational improvements and further organisation of content could be better.
- The Board-initiated GNSO PDP chartered to address the next generation Registration Data Directory Services is in progress. This Review Team cannot now pronounce on the success of a single fit-for-purpose next generation WHOIS policy framework.



WHOIS1 Rec #2 – Single WHOIS Policy

Based on findings, the subgroup identified the following problems/issues

• [Include summary of Problem/Issue here from Section 4, page 5 of draft report]

To address the above problems/issues, the subgroup proposes the following recommendations

- 1. [Text below copied from Page 5, Recommendations expand if desired]
- 2. Accept that WHOIS1 RT Recommendation 2 is fully implemented.
- Accept that the adoption of the EWG's Final Report and development of the framework for the Board-initiated GNSO RDS PDP[s] is intended to deliver a holistic next generation WHOIS policy framework that would address current set of fragmented and decentralized WHOIS policies.



WHOIS1 Recs #5-9: Data Accuracy

Agenda item #9

Time: 11:30-12:30

Presenter: Lili Sun

Subgroup Members: Lili, Cathrin, Dmitry, Erika

Subgroup Wiki: https://community.icann.org/x/6pIEB



WHOIS1 Recommendations

- Rec 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.
- Rec 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.
- Rec 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.
- Rec 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.
- Rec 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.



Questions the subgroup attempted to answer when assessing this objective:

- 1. Implementation progress of 2013 "WHOIS ACCURACY PROGRAM SPEC"?
- 2. Progress of WHOIS Accuracy Reporting System (ARS) project to what extent inaccuracy has been reduced?
- 3. Accuracy rate of WHOIS data which uses Privacy/Proxy service?
- 4. Are the measures which have been taken effective in achieving the objectives?
- 5. Can we measure data accuracy when data becomes mostly hidden?

Research and background materials used to answer questions:

- WHOIS1 Final Report, Action Plan, & Implementation Reports
- Implementation Briefing Presentation, Answers to Questions, & Written Briefing
- Other background materials listed on <u>subgroup's wiki page</u>
- SME responses from Global Domains Division and Contractual Compliance

Describe your methodology to answer questions and analyze the materials

- Review background materials on subgroup's wiki page
- Views exchanged in the mailing list, or during the Review Team's plenary calls and subgroup calls
- Open source research



Based on the analysis, what are the main findings?

- Measures now in effect or taken by ICANN to progress WHOIS accuracy:
 - (1) WHOIS Informational Website
 - (2) 2013 RAA introduced contractual obligations to validate and verify data
 - (3) ICANN is in the midst of developing a WHOIS Accuracy Reporting System
 - (4) The WHOIS Data Reminder Policy (WDRP)
- Registrant's rights and responsibilities has been proactively promoted by ICANN
- The requirements for Registrar to validate and verify WHOIS data are contractual obligations according to 2013 RAA.
- The effectiveness of WHOIS ARS
 - (1) WHOIS ARS is an effective way improve WHOIS accuracy.
 - (2) It is suspected that registrars haven't validated and verified WHOIS data upon registration.
 - (3) The confirmed WHOIS data inaccurate rate across the domain space is still high (30~40%), in line with the overall operability accuracy.
 - (4) Seldom Notices of Breach issued by ICANN to registrars.



Based on the analysis, what are the main findings?

- Measures now in effect or taken by ICANN to progress WHOIS accuracy:
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<u>Domain Name Registrants' Responsibilities:</u>

- 1. You must comply with the terms and conditions posted by your Registrar, including applicable policies from your Registrar, the Registry and ICANN.
- 2. You must review your Registrar's current Registration Agreement, along with any updates.
- 3. You will assume sole responsibility for the registration and use of your domain name.
- 4. You must provide accurate information for publication in directories such as WHOIS, and promptly update this to reflect any changes.
- 5. You must respond to inquiries from your Registrar within fifteen (15) days, and keep your Registrar account data current. If you choose to have your domain name registration renew automatically, you must also keep your payment information current.



3.7.7.2 A Registered Name Holder's willful provision of inaccurate or unreliable information, its willful failure to update information provided to Registrar within seven (7) days of any change, or its failure to respond for over fifteen (15) days to inquiries by Registrar concerning the accuracy of contact details associated with the Registered Name Holder's registration shall constitute a material breach of the Registered Name Holder-registrar contract and be a basis for suspension and/or cancellation of the Registered Name registration.



Based on the analysis, what are the main findings?

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 - (4) Seldom Notices of Breach issued by ICANN to registrars.



ICANN initiated the <u>Accuracy Reporting System</u> (ARS) project, with the aim to "proactively identify inaccurate gTLD registration data, explore the use of automated tools, forward potentially inaccurate records to registrars for action, and publicly report on the resulting actions to encourage improvement."

The ARS was designed to be implemented through three Phases based on the types of validations described in the <u>SAC058 Report</u> (syntax, operability, and identity).

- (1) Phase 1: Syntax Accuracy (completed in August 2015)
- (2) Phase 2: Syntax + Operability Accuracy (ongoing, 5 Cycles till December 2017)
- (3) Phase 3: Syntax + Operability + Identity Accuracy (not started yet)



syntax and operability accuracy by region

	D	2047	B	1 304 <i>C</i>	B
	December 2017	June 2017	December 2016	June 2016	December 2015
North America			_	_	
Syntax	89.4%	88.3%	85.7%	82.8%	83.9%
Operability	84.9%	81.2%	77.0%	80.2%	73.2%
Latin America					
Syntax	80.7%	78.1%	67.0%	64.7%	56.9%
Operability	70.2%	74.2%	68.0%	71.6%	72.7%
Africa					
Syntax	45.2%	46.1%	31.3%	29.3%	29.8%
Operability	35.2%	51.6%	49.5%	64.6%	57.0%
Asia/Australia/Pacific	: Islands				
Syntax	73.9%	68.8%	37.0%	45.0%	39.5%
Operability	37.5%	42.1%	51.9%	57.6%	49.4%
Europe					
Syntax	73.0%	74.5%	65.4%	60.6%	58.8%
Operability	41.9%	59.3%	55.6%	63.1%	59.8%
Overall					
Syntax	81.5%	79.3%	66.6%	67.2%	67.2%
Operability	63.4%	65.4%	65.1%	70.2%	64.7%



Phase 2 <u>WHOIS ARS Contractual Compliance</u> <u>Metrics</u> are summarized as below

	Cycle 1	Cycle 2	Cycle 3	Cycle 4
Sample records	10,000	12,000	12,000	12,000
Tickets created	2,688	4,001	4,552	4,681
Tickets went to 1st or further notice	1,362	1,524	1,897	1,668
Tickets related domains were suspended or	60.1%	60.6%	65%	72.6%
canceled				
Tickets led to changing or updating of WHOIS	28.2%	25.4%	21.5%	14.9%
data by registrar				
Registrars received a Notice of Breach	4	0	0	0
Registrar suspended or terminated	1	0	0	0



Based on the analysis, what are the main findings?

- ICANN has published Annual Report on WHOIS Improvements for <u>2013</u>, <u>2014</u>, <u>2015</u> and <u>2016</u>, which outlined the progress of all WHOIS policy related working streams. But <u>NO</u> measured reduction in WHOIS data that fall into the accuracy groups Substantial Failure and Full Failure was provided by ICANN.
- It was indicated in <u>2013 WHOIS Improvements Annual Report</u> that due to feasibility issues, the Board's Resolution addressing Rec#9 (to track the impact of the annual WHOIS Data Reminder Policy (WDRP)) offered an alternative approach to achieving the intended result of this recommendation, which referred back to the implementation of Rec#5-7. This subgroup doesn't think Board's Resolution on this is convincing.



Based on the analysis, what are the main findings?

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- It was indicated in <u>2013 WHOIS Improvements Annual Report</u> that due to feasibility issues, the Board's Resolution addressing Rec#9 (to track the impact of the annual WHOIS Data Reminder Policy (WDRP)) offered an alternative approach to achieving the intended result of this recommendation, which referred back to the implementation of Rec#5-7. This subgroup doesn't think Board's Resolution on this is convincing.



<u>Implementation of the Whois Data Reminder Policy (WDRP) – 30 November</u> 2004

- •254 registrars (70% of all ICANN-accredited registrars at that time) responded to the "Whois Data Reminder Policy Survey and Compliance Audit."
- •Only 44% (111 out of 254) of the respondant registrars did sent WDRP Notices, covered 50% or less of all registrations under sponsorship, and there were considerable WDRP Notices undeliverable.
- •Even with all the aspects above, there were still at least several thousands of WDRP Notices led to changes in registrant data.



Based on findings, the subgroup identified the following problems/issues

- Objective of reliable WHOIS data has not been achieved
- WHOIS inaccuracy is believed to be largely under-reported
- Incentives for registrants to provide accurate WHOIS data and for registrars to validate and verify WHOIS data are missing
- WHOIS accuracy of domain names using Privacy and Proxy Services is misty

To address the above problems/issues, the subgroup proposes the following recommendations (if any)

None proposed yet



Based on findings, the subgroup identified the following problems/issues

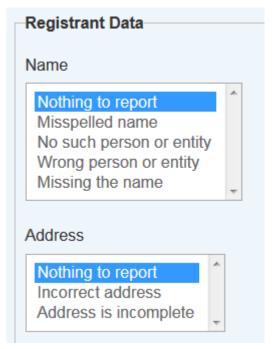
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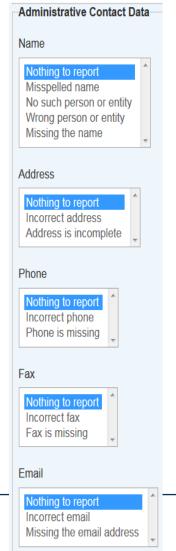
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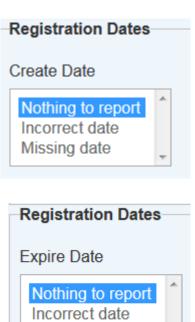
None proposed yet



Whois Inaccuracy Complaint Form allows Internet users to submit a complaint to ICANN regarding incomplete or incorrect Whois data, including privacy or proxy contact information.







Missing date



Based on findings, the subgroup identified the following problems/issues

- Objective of reliable WHOIS data has not been achieved
- WHOIS inaccuracy is believed to be largely under-reported
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- WHOIS accuracy of domain names using Privacy and Proxy Services is misty

To address the above problems/issues, the subgroup proposes the following recommendations (if any)

None proposed yet



Looking at the Contractual Compliance Annual Report in <u>2016</u>, <u>2017</u>, the most common issues addressed by ICANN with regards to registrar compliance on WHOIS Inaccuracy:

- Registrars failing to verify or validate WHOIS information as required by the WHOIS Accuracy Program Specification (WAPS) of the 2013 RAA.
- b. Registrars not distinguishing between the terms "verification" (which means to confirm or correct) and "validate" (which means to ensure data is consistent with standards) as used in WAPS.
- c. Registrars asking their resellers to confirm the accuracy of the WHOIS information of domain names of which ICANN received complaints, rather than providing confirmation from the registrant.
- Registrars failing to provide supporting documentation for updated or changed WHOIS information.
- Registrars failing to suspend domain names within 15 calendar days of receiving a WHOIS inaccuracy complaint and the Registered Name Holder failing to respond as required by WAPS.



As indicated in the Implementation of the Whois Data Reminder Policy (WDRP) -30 November 2004, One registrar noted that its most accurate contact information is contained in its internal accounting system. It wrote that "[w]e have been fairly successful in keeping this data up to date as registrants who are interested in keeping their domain keep their billing information accurate." Another registrar also suggested that "the billing contact information" to be showed on any given Whois record (see below).

In terms of improving the accuracy of Whois information generally, one registrar recommended that enabling a "[r]egistry itself to have a lock code for inaccurate WHOIS information would help greatly." Another registrar suggested that "the 'billing contact information' field on any given Whois record be administrated or controlled by the registrar." It reasoned that "[t]his portion of the whois record could easily be stuffed based on the credit card billing information (name, address, card issuer) used to pay for the registration or renewal of any given domain name. Since banks do not usually issue credit cards to people who do not exist, publishing this information would give interested parties one more reliable method to identify a registrant and make it one degree more difficult for a registrant to shirk responsibility for a domain name." Another registrar said that it



Some best practices on verification of Whois data:

- •In the years of fighting Avalanche (phishing group), Interdomain, a Spanish registrar, began requiring a confirmation code delivered by mobile phone in April 2009 which successfully forced Avalanche to stop registering fraudulent domains with them.
- •It's also worth mentioning the highly regulated domains where Registry rules require "provide appropriate jurisdictional authorities with the capability at their option and at no cost to make designations in the WHOIS record relevant to the registrant's organizational status in the registrant's jurisdiction."



Based on findings, the subgroup identified the following problems/issues

- Objective of reliable WHOIS data has not been achieved
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- WHOIS accuracy of domain names using Privacy and Proxy Services is misty

To address the above problems/issues, the subgroup proposes the following recommendations (if any)

None proposed yet



The Whois data relating to domain names that utilize P/P services has not been touched upon by WHOIS ARS. According to WHOIS ARS Contractual Compliance Metrics, all tickets were closed before 1st Notice for Known Privacy/Proxy service.

According to the <u>written briefing of ICANN</u>, although ICANN Contractual Compliance receives and processes WHOIS inaccuracy complaints regarding domain names that utilize Privacy and Proxy Services, it does not identify the proportion of complaints this represents. Absent an accreditation system for Privacy and Proxy service providers, it is difficult to automate the accurate identification of domain names subject to Privacy and Proxy services in WHOIS inaccuracy complaints.



Based on findings, the subgroup identified the following problems/issues

- Objective of reliable WHOIS data has not been achieved
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- Incentives for registrants to provide accurate WHOIS data and for registrars to validate and verify WHOIS data are missing
- WHOIS accuracy of domain names using Privacy and Proxy Services is misty

To address the above problems/issues, the subgroup proposes the following recommendations (if any)

- Strict compliance enforcement?
- Not ICANN but registrars to play a active role in improving data accuracy?



Lunch

Time: 12:30-13:30

What's Next?

13:30-15:30 - WHOIS1 Rec #4: Compliance



Agenda item #10

Time: 13:30-15:30

Presenter: Susan Kawaguchi

Subgroup Members: Susan, Erika, Carlton, Chris, Thomas

Subgroup Wiki: https://community.icann.org/x/55IEB



WHOIS1 Recommendation

 Rec 4 – ICANN should ensure that its compliance function is managed in accordance with best practice principles, including full transparency on resourcing and structure; provide annual reports; appoint a senior executive whose sole responsibility would be to oversee and manage ICANN's compliance function (reporting to Board Committee); provide all necessary resources to manage and scale compliance team's activities.

And the Objective initially assigned to Subgroup 6, now to be addressed by this subgroup:

• Consistent with ICANN's mission and Bylaws, Section 4.6(e)(iv), the Review Team will (a) evaluate the extent to which ICANN Org has implemented each prior Directory Service Review recommendation (noting differences if any between recommended and implemented steps), (b) assess to the degree practical the extent to which implementation of each recommendation was effective in addressing the issue identified by the prior RT or generated additional information useful to management and evolution of WHOIS (RDS), and (c) determine if any specific measurable steps should be recommended to enhance results achieved through the prior RT's recommendations. This includes developing a framework to measure and assess the effectiveness of recommendations, and applying that approach to all areas of WHOIS originally assessed by the prior RT (as applicable).



Questions the subgroup attempted to answer when assessing this objective:

- a) Do the current reports provide the details described above? Are they transparent and complete?
- b) Is the current appointment of a senior executive appropriate? Who does this person report to?
- c) Does the compliance team have all necessary resources?

Research and background materials used to answer questions:

- WHOIS1 Final Report, Action Plan, & Implementation Reports
- Implementation Briefing Presentation, Answers to Questions, & Written Briefing
- All documents cited in briefing on Recommendation 4 Compliance
- Additional documents relevant to Topic 7 Compliance
- Meeting with Compliance Management (1 February 2018) & Written Answers
- Meeting with ICANN Compliance (28 March 2018) & Written Answers

Describe your methodology to answer questions and analyze the materials

• The subgroup met twice with the Compliance Team (Jamie Hedlund, Maguy Serad, Roger Lim, Andrea), each time providing a list of questions drafted by the subgroup prior to the meeting. Written answers were also provided (see above).



Based on the analysis, what are the main findings?

RT1-Recommended Principle	Question	Findings and Analysis
a. There should be full transparency regarding the resourcing and structure of its compliance function. To help achieve this ICANN should, at a minimum, publish annual reports that detail the following relevant to ICANN's compliance activities: staffing levels; budgeted funds; actual expenditure; performance against published targets; and organizational structure (including the full lines of reporting and accountability).	Do the current reports provide the details	The Compliance team has made significant progress in reporting metrics and data in their annual report. They also allocate time during ICANN meetings to meet with
b. This senior executive should report directly and solely to a sub-committee of the ICANN Board. This sub-committee should include Board members with a range of relevant skills, and should include the CEO.	Is the current appointment of a senior executive appropriate? Who does this person report to?	The Compliance team provided an organizational chart for the reporting structure of the team. Although, the SVP Contractual Compliance & Consumer Safeguards reports directly to the CEO the recommendation explicitly states "report directly and solely to a Board sub-committee." There is no indication that the recommended reporting structure was implemented. The Board action on this recommendation indicates they thought the implemented reporting structure to be adequate. The subgroup will need to ask additional questions concerning the reporting structure. At this point in time we do not believe the recommendation was fully implemented. The intention of the first review team was to ensure this role had the independence needed to perform the compliance function without restriction from the rest of the organization.
c. ICANN should provide all necessary resources to ensure that the compliance team has the processes and technological tools it needs to efficiently and pro-actively manage and scale its compliance activities. The Review Team notes that this will be particularly important in light of the new gTLD program, and all relevant compliance processes and tools should be reviewed and improved, and new tools developed where necessary, in advance of any new gTLDs becoming operational.		It appears that the Compliance team has all the necessary resources to manage compliance activities. They have improved technology over the years and implemented new systems. ICANN organization has provided the budget for the compliance team to grow. They currently have 25? Employees compared to 6 during the first review. They have implemented a bulk WHOIS inaccuracy reporting tool and improved the single input WHOIS inaccuracy tool since the first review team report.



Based on findings, the subgroup identified the following problems/issues

RT1-Recommended Principle	Question	Problem/Issue
a. There should be full transparency	Do the current reports provide the details described above? Are they transparent and complete?	We appreciate that the Compliance team is working hard to receive input from the community but WHOIS inaccuracy report data provided by the compliance team is not clear on several points. We have heard that there is inconsistency in experience and results received from users submitting inaccuracy reports. From the data we have reviewed it is not easy to assess if there is truly a problem or a perception of a problem. More in depth review should be performed of the responses they provided in the second set of questions.
b. This senior executive should report directly and solely to a subcommittee of the ICANN Board	Is the current appointment of a senior executive appropriate? Who does this person report to?	 Additional review is needed to determine whether or not it is feasible to adhere to the intentions of the RT1 recommendation. Why did the Board make the decision to not implement the recommendation fully? What challenges would ICANN org face in requiring an employee of the org to report to the Board. Are there examples of this reporting structure we could review in other businesses?
c. ICANN should provide all necessary resources	Does the compliance team have all necessary resources?	We may want to take a closer look at how long it takes the compliance team to implement new technology.



To address the above problems/issues, the subgroup proposes the following recommendations (if any)

Recommendation #1:

All new policies implemented should be required to be measured, audited and tracked by the compliance team. Consistent Labelling and Display policy requires a registrar abuse contact email address and contact phone. This would be displayed in the WHOIS record. Possible to include this in the audit of a registrar?

Recommendation#2: (May belong in the Data Accuracy subgroup)

Require all domain name registrations adhere to the WHOIS requirements in the 2013 Registrar Accreditation Agreement.



Break

Time: 15:30-15:45

What's Next?

15:45-16:15 - WHOIS1 Rec #3: Outreach

16:15-17:15 - Parking lot for items to be further discussed

17:15:17:30 – Review day 2 agenda and provide closing remarks



Agenda item #11

Time: 15:45-16:15

Presenter: Alan Greenberg

Subgroup Members: Alan, Carlton, Erika

Subgroup Wiki: https://community.icann.org/x/5JIEB



WHOIS1 Recommendation

 Rec 3 – ICANN should ensure that WHOIS policy issues are accompanied by crosscommunity outreach, including outreach to the communities outside of ICANN with a specific interest in the issues, and an ongoing program for consumer awareness.

Questions the subgroup attempted to answer when assessing this objective:

- 1. Review the multiple "outreach" resources with a specific focus on identifying:
 - a) Areas where there we inconsistencies, errors and out of date info
 - b) Gaps in the documentation
- 2. Review the various outreach events and activities

Research and background materials used to answer questions:

- WHOIS1 Final Report, Action Plan, & Implementation Reports
- Implementation Briefing Presentation, Answers to Questions, & Written Briefing
- Documents cited in briefing on Recommendation 3, including
 - WHOIS Information Portal and Consolidated WHOIS Lookup Tool
 - Registrant's Benefits and Responsibilities
 - 2013 RAA see Section 9
 - Information for Registrars and Registrants
 - Registrant Educational Series
- SME Answer to subgroup's question on outreach activities



Describe your methodology to answer questions and analyze the materials

 To conduct its research, all members of this subgroup reviewed background materials followed by discussion within the sub-group

Based on the analysis, what are the main findings?

- In summary, the Recommendation was carried out, but it was not well integrated with other WHOIS-related information.
- Significant outreach to communities within ICANN has been carried out.
- [Add analysis of outreach to communities outside of ICANN here.]



Based on findings, the subgroup identified the following problems/issues

- There is a wide variety of information related to WHOIS, some is well
 integrated and some very disjoint. Of necessity this information is somewhat
 interwoven with other information related to 2nd level gTLD domain names.
- The information and documents cover several "generations" and do not integrate well.
- Moreover a typical user or registrant will not readily be able to identify where they need to look for information, and identifying one of the multiple locations will not lead them to the others.
- The problem is exacerbated by the introduction of the terms RDS (and at times RDDS) to replace WHOIS
- It is clear that although WHOIS is an issue of interest to those within ICANN, from a Registrant perspective, it needs to be well integrated with other information with relation to gTLD registration. At the same time, due to interest in privacy issues, it is a subject that stands on its own as well.



Examples:



Enter a domain

Lookup

About WHOIS

Learn about the history of WHOIS. Read up on technical documents

- History of WHOIS
- Technical Overview
- Using WHOIS
- Glossary of WHOIS Terms

Policies

Research the various policies and governing documents on WHOIS

- Registration Directory Services (formerly WHOIS) Policy Review
- Implementation
- Current Issues

Get Involved

Learn about how you can become more involved with WHOIS

- Public Comment
- Working Groups
- Follow a Mailing List
- Attend a Public Meeting
- WHOIS Accuracy Reporting System

WHOIS Complaints

See something wrong? ICANN handles WHOIS complaints on Inaccuracies and Unavailable Services

- WHOIS Inaccuracy Complaint
- WHOIS Service Complaint



About WHOIS

WHOIS Primer

History of WHOIS

What's on the Horizon?

Technical Overview

DNS and WHOIS - How it Works

Domain Name Registration Process

Using WHOIS

Basics of WHOIS

Glossary of WHOIS Terms

About This Site

WHOIS Primer

This WHOIS Primer summarizes the key components of the WHOIS service, policy, and protocols. It takes into account the many <u>contracts</u>, specifications, standards, protocols, <u>advisories</u>, and <u>policies</u> that collectively describe the ICANN WHOIS program applicable to the collection, display, and use of gTLD domain name registration data.

This Primer is based on the obligations described in the 2013 Registrar Accreditation Agreement (2013 RAA), and the base new gTLD Registry Agreement (New GTLD Registry Agreement (PDF, 649 KB)), and in a few instances other registry agreements, as noted below. As not all registrars and registries are operating under the 2013 RAA or the New gTLD Base Agreement, their actual obligations pertaining to WHOIS may vary. Please refer to the language of the original documents for the text of the obligations related to WHOIS.

On This Page

- 1. Introduction to WHOIS
- 2. Uses of WHOIS
- 3. WHOIS Requirements
- 4. WHOIS in Domain Name Management and Dispute Resolution Procedures
- 5. Updating or Modifying ICANN'S WHOIS Program
- 6. Disclaimer



Registrants' Benefits and Responsibilities

Domain Name Registrants' Rights:

- Your domain name registration and any privacy/proxy services you may use in conjunction with it must be subject to a Registration Agreement with an ICANN Accredited Registrar.
 - You are entitled to review this Registration Agreement at any time, and download a copy for your records.
- 2. You are entitled to accurate and accessible information about:
 - The identity of your ICANN Accredited Registrar;
 - The identity of any proxy or privacy service provider affiliated with your Registrar;
 - Your Registrar's terms and conditions, including pricing information, applicable to domain name registrations;
 - The terms and conditions, including pricing information, applicable to any privacy services offered by your Registrar;
 - The customer support services offered by your Registrar and the privacy services provider, and how to access them;
 - How to raise concerns and resolve disputes with your Registrar and any privacy services offered by them; and



Registrant Rights and Responsibilities Under the 2009 Registrar Accreditation Agreement

This page is available in:

English | الحربية | Deutsch | Español | Français | Italiano | 日本語 | 한국어 | Português | Русский | 中文

View current policy

27 June 2011

Registrant Rights and Responsibilities Under the 2009 Registrar Accreditation Agreement

Background: One of the new provisions added to the 2009 RAA requires ICANN to develop in consultation with registrars a webpage that identifies available registrant rights and responsibilities. This published document is the result of initial input from a joint working group of the GNSO Council and the At-Large Advisory Committee and subsequent consultations with the registrars; and provides a "plain language" summary of registrant rights and responsibilities that currently exist under the 2009 RAA.

Introduction

This document provides some "plain language" summarization of terms related to Registrant Rights and Responsibilities as set out in the Registrar Accreditation Agreement (RAA), for posting on Registrar websites.



Resources

- About ICANN
- Board
- Accountability
- Governance
- Groups

Business

Civil Society

- Complaints Office
- Contractual Compliance
- Registrars

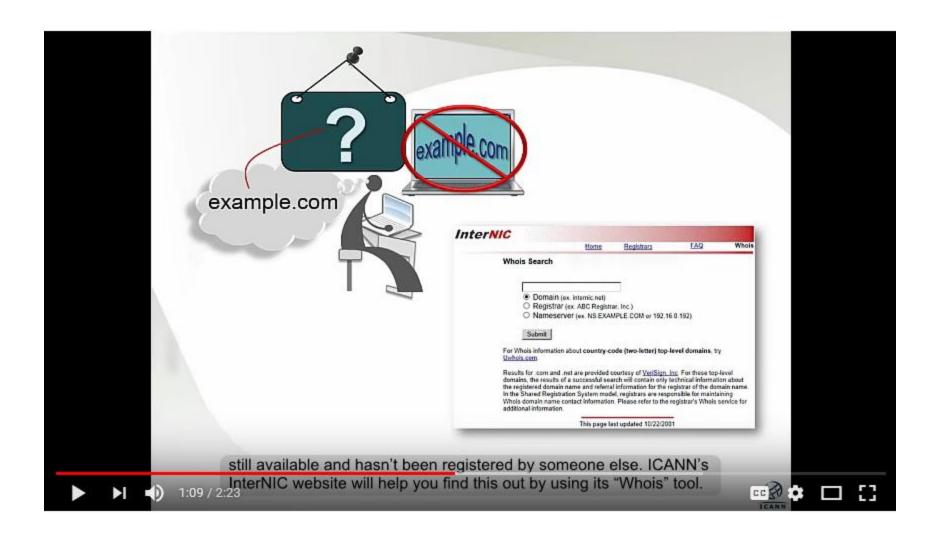
Registrar Library

 Changes to Existing Accreditation

Registrant Educational Materials

- 1. What is Domain Name?
- 2. What is a registrar?
- 3. How do I renew my domain name?
- 4. What if I forget to renew my domain name?







To address the above problems/issues, the subgroup proposes the following recommendations (if any)

- To be better formulated:
 - All public-facing information related to gTLD registrations needs to be reviewed and reformulated. This includes the RAA-related documents on registrant rights, benefits and responsibilities, the WHOIS portal, and the education tools (ICANN Learn, Video tutorials), ensuring up-to-date and consistent messaging.
 - Timing for this needs to factor in the timing of both interim and long-term GDPR and privacy considerations.



Parking Lot (TBD)

Agenda item #12

Time: 16:15-17:15

Presenters: All



Review Day 2 Agenda & Closing Remarks

Agenda item #13

Time: 17:15-17:30

Presenters: Review Team Leadership



Day 2 Agenda

- 08:30-09:00 Breakfast
- 09:00-09:15 Day 1 debrief & day 2 objectives
- 09:15-09:45 WHOIS1 Recs #12-14: Internationalized Domain Names
- 09:45-10:15 WHOIS1 Rec #11: Common Interface
- 10:15-10:30 Break
- 10:30-12:30 WHOIS1 Rec #10: Privacy/Proxy Services
- 12:30-13:30 Lunch
- 13:30-14:00 Update on ongoing community initiatives
- 14:00-15:15 WHOIS1 implementation assessment
- 15:15-15:30 Break
- 15:30-16:15 WHOIS1 implementation assessment
- 16:15-17:15 Subgroup 4 Consumer Trust
- 17:15-17:30 A.O.B and closing remarks

