

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

DAY 2 – 17 April 2018



Day 1 Debrief & Day 2 Objectives

Agenda Item #1

Time: 09:00-09:15

Presenters: Review Team Leadership

Day 2 Morning Program

08:30-09:00 – Breakfast

09:00-09:15 – Day 1 debrief & day 2 objectives

09:15-09:45 – WHOIS1 Rec #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

Day 2 Afternoon Program

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 – Review day 3 agenda and closing remarks

Day 2 Objectives

- ⦿ Present and discuss remaining Subgroup outputs for Objective #1
- ⦿ Refer to Day 1 – Specific Objectives, including points to consider:
 - Do you have any questions or feedback on each subgroup’s output?
 - Are there any overlaps between subgroups that need to be resolved?
 - Did the subgroup fully-address at least Objective #1 items a) and b)?
- ⦿ Assess the overall implementation of WHOIS1 Recommendations to:
 - a) Evaluate overall the extent to which ICANN Org has implemented WHOIS1 recommendations
 - b) Assess to the degree practical the extent to which implementation was effective in
 - Addressing the totality of the issues identified by WHOIS1, and
 - Generating information useful to management and evolution of WHOIS
 - c) Determine if any further specific measurable steps should be recommended to enhance results achieved through WHOIS1 recommendations
- ⦿ Begin presenting and discussing Subgroup outputs for Objectives #2-5
 - Starting with Subgroup 4, Consumer Trust

WHOIS1 Recs #12-14: Internationalized Domain Names

Agenda Item #2

Time: 09:15-09:45

Presenter: Dmitry Belyavsky

Subgroup Members: Dmitry, Alan, Lili

Subgroup Wiki: <https://community.icann.org/x/85IEB>

WHOIS1 Recs #12-14 – IDNs

WHOIS1 Recommendations

- *Rec 12 - The final data model, including (any) requirements for the translation or transliteration of the registration data, should be incorporated in the relevant Registrar and Registry agreements within 6 months of adoption of the working group's recommendations by the ICANN Board. If these recommendations are not finalized in time for the next revision of such agreements, explicit placeholders for this purpose should be put in place in the agreements for the new gTLD program at this time, and in the existing agreements when they come up for renewal.*
- *Rec 13 - The final data model, including (any) requirements for the translation or transliteration of the registration data, should be incorporated in the relevant Registrar and Registry agreements within 6 months of adoption of the working group's recommendations by the ICANN Board. If these recommendations are not finalized in time for the next revision of such agreements, explicit placeholders for this purpose should be put in place in the agreements for the new gTLD program at this time, and in the existing agreements when they come up for renewal.*
- *Rec 14 - Metrics should be developed to maintain and measure the accuracy of the internationalized registration data and corresponding data in ASCII, with clearly defined compliance methods and targets.*

WHOIS1 Recs #12-14 – IDNs

Questions the subgroup attempted to answer when assessing this objective:

1. Verify that reports address all the aspects raised by the WHOIS1 RT and check their status of implementation.
2. As the translation/transliteration questions are not fully-addressed, they need special attention. We cannot implement the metrics necessary for addressing #14 until the implementation is completed.

Research and background materials used to answer questions:

- WHOIS1 Final Report, Action Plan, & Implementation Reports
- Implementation Briefing Presentation, Answers to Questions, & Written Briefing
- Translation and Transliteration PDP's Final Issue Report, March 2013
- Translation and Transliteration PDP web page
- Translation and Transliteration PDP Working Group Final Report, Jun 2015
- IRD Expert Working Group Final Report, September 2015
- Translation and Transliteration IRT wiki
- Translation and Transliteration Implementation Project Status
- ICANN's RDAP Webpage

WHOIS1 Recs #12-14 – IDNs

Describe your methodology to answer questions and analyze the materials

- The subgroup studied the provided materials and the decisions reached by ICANN after the WHOIS1 Report was published.
- The subgroup checked whether the measures taken by ICANN covers the recommendations made by the RT and whether it is necessary to provide any additional measures to fully cover the recommendations.

Based on the analysis, what are the main findings?

- The subgroup treats Recommendations #12, 13, & 14 as fulfilled.
- The implementation of Recommendation 13 depends on RDAP progress.
- The metrics and measures developed by ARS are suitable when the internationalized registration data become available for studying. The measurements will require participants understand corresponding languages.

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

- *None Identified yet*

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

- *None proposed yet*

WHOIS1 Rec #11: Common Interface

Agenda Item #3

Time: 09:45-10:15

Presenter: Susan Kawaguchi

Subgroup Members: Susan, Volker, Alan

Subgroup Wiki: <https://community.icann.org/x/8JIEB>

WHOIS1 Rec #11 – Common Interface

WHOIS1 Recommendation

- *Rec 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.*

Questions the subgroup attempted to answer when assessing this objective:

1. Has the creation and deployment of the WHOIS microsite at the direction of the board met this recommendation, considering the old Internic service still exists unchanged?
2. Does the WHOIS query service provided through the microsite (the common interface) provide clear and reliable access to full registrant data for all gTLD domain names?
3. What promotional efforts has ICANN undertaken to increase user awareness of the common interface?
4. Does the common interface provide clear instructions on how to notify ICANN, the sponsoring registrar and/or the registrant regarding data accuracy issues?

WHOIS1 Rec #11 – Common Interface

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 11, including
 - WHOIS Informational Microsite
 - WHOIS Consolidated WHOIS Lookup Tool
 - <https://www.internic.net/>
- Written Briefing on query failures
- Written Answers to subgroup's questions (see below)

Describe your methodology to answer questions and analyze the materials

- The subgroup reviewed background materials and requested additional materials:
 - Available statistics on: use of the common interface, uptime, requests for help using the tool and what usage data is tracked by ICANN;
 - The Team/Department that implemented and maintains the common interface;
 - Any challenges with implementation and maintenance of the interface.

WHOIS1 Rec #11 – Common Interface

Based on the analysis, what are the main findings?

The common interface recommendation was intended to ensure that anyone looking up a WHOIS record could do that easily and from one source. Lack of tracked metrics to ensure the tool provides the data it should or is consistent in providing the data is not acceptable.

Service level agreements could be put in place to ensure the interface works reliably.

Specific metrics should be tracked:

- How often are fields returned blank?

- Is data displayed consistently?

- Do all gTlds return results consistently?

- How often does the tool not return results for specific gTlds?

- How big or small is this problem?

WHOIS1 Rec #11 – Common Interface

Recommendations

Recommendation:

Define metrics and or SLA's to be tracked and evaluated to determine consistency of results of queries and use of tool.

Break

Time: 10:15-10:30

What's Next?

10:30-12:30 – WHOIS1 Rec #10: Privacy/Proxy Services

WHOIS1 Rec #10: Privacy/Proxy Services

Agenda item #4

Time: 10:30-12:30

Presenter: Susan Kawaguchi

Subgroup Members: Susan, Volker, Cathrin, Stephanie

Subgroup Wiki: <https://community.icann.org/x/7ZIEB>

WHOIS1 Rec #10 – Privacy/Proxy Services

WHOIS1 Recommendation

- *Rec 10 – The Review Team recommends that 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 Review Team considers that one possible approach to achieving this would be to establish, through the appropriate means, an accreditation system for all proxy/privacy service providers. As part of this process, ICANN should consider the merits (if any) of establishing or maintaining a distinction between privacy and proxy services.*
- *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.*
- *ICANN could, for example, use a mix of incentives and graduated sanctions to encourage proxy/privacy service providers to become accredited, and to ensure that registrars do not knowingly accept registrations from unaccredited providers.*
- *ICANN could develop a graduated and enforceable series of penalties for proxy/privacy service providers who violate the requirements, with a clear path to de-accreditation for repeat, serial or otherwise serious breaches.*

WHOIS1 Rec #10 – Privacy/Proxy Services

Questions the subgroup attempted to answer when assessing this objective:

1. Noting that:
 - a) The 2013 RAA introduced a specification on privacy and proxy registrations requiring registrars to comply with certain requirements regarding such registrations through affiliated Privacy/Proxy Service Providers as a first step towards implementing this recommendation; and
 - b) The Privacy/Proxy Services Accreditation Issues (PPSAI) Implementation Review Team (IRT) is currently working on an implementation of this recommendation that will also include unaffiliated providers of such services.
2. The subgroup agreed that this review should
 - a) Encompass the work completed both through the RAA specification and the PPSAI PDP, and
 - b) Whether the agreed upon details adhere to WHOIS1 Recommendation #10.

WHOIS1 Rec #10 – Privacy/Proxy Services

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 10, including
 - 2013 RAA, including RAA WHOIS requirements for Registrants
 - Privacy & Proxy Services Accreditation Issues (PPSAI) PDP & Final Report
 - GNSO approval of PDP Final Report, GAC Advice-Helsinki Communique, & Board approval of Final Report Recommendations
 - Implementation Plan developed & Current PPAA draft (20 March)
- Additional materials and briefings from the ICANN Org, including
 - Written answers from Registrar Services staff leading PP IRT (20 March)
 - Metrics for P/P Spec in the 2013 RAA
 - Responses from ICANN Compliance and Global Domains Division to Data Accuracy Subgroup Questions (as they relate to P/P Services)

Describe your methodology to answer questions and analyze the materials

- WHOIS1 Recommendation 10 advises that consideration be given to several specific objectives. The subgroup developed initial findings for each objective.

WHOIS1 Rec #10 – Privacy/Proxy Services

Based on the analysis, what are the main findings?

Recommendation 10 Objective	Subgroup's Initial Findings
1. Clearly labeling WHOIS entries to indicate that registrations have been made by a privacy or proxy service	<ul style="list-style-type: none"> ⊙ Included in PPSAI working group report
1. Providing full WHOIS contact details for the privacy/proxy service provider, which are contactable and responsive	<ul style="list-style-type: none"> ⊙ Included in the PPSAI working group report. While details of the standard report process are still being debated, but there is consensus that providers must provide full data and be contactable and responsive.
1. Adopting agreed standardized relay and reveal processes and timeframes; (these should be clearly published, and proactively advised to potential users of these services so they can make informed choices based on their individual circumstances)	<ul style="list-style-type: none"> ⊙ Law enforcement relay and reveal processes are still being debated and how this would be implemented in a way that would not be burdensome for each side. ⊙ Final details of such rocesses are currently being debated, however the recommendation objective has already been met with the basis consensus model. ⊙ Partially defined under 2.4.5 of the RAA spec.
1. Registrars should disclose their relationship with any proxy/privacy service provider;	<ul style="list-style-type: none"> ⊙ Included in PPSAI working group report ⊙ Partially defined under 2.3 of the RAA spec
1. Maintaining dedicated abuse points of contact for each provider	<ul style="list-style-type: none"> ⊙ Partially defined under 2.4.1 and 2.4.2 of the RAA spec ⊙ Already agreed by Implementation Review Team.
1. Conducting periodic due diligence checks on customer contact information	<ul style="list-style-type: none"> ⊙ Review has shown no such checks are currently envisioned. Implementing such reviews may violatethe reliance of the underlying registrants on the privacy of their data.
1. Maintaining the privacy and integrity of registrations in the event that major problems arise with a privacy/proxy provider	<ul style="list-style-type: none"> ⊙ Included in PPSAI working group report by mandating data escrow. ⊙ Partially defined under 2.5 of the RAA spec.
1. Providing clear and unambiguous guidance on the rights and responsibilities of registered name holders, and how those should be managed in the privacy/proxy environment.	<ul style="list-style-type: none"> ⊙ Partially defined under 2.4.4, 2.4.5 and 2.4.6 of the RAA spec. ⊙ How effective are these rights and responsibility regarding the effectiveness of proxy registrations and the protection of rights of others.

WHOIS1 Rec #10 – Privacy/Proxy Services

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

- Issue #1: Current funding proposals for accreditation program create concerns of ICANN failing the goal of onboarding all providers of such services due to inflation of costs. ICANN Org staff seems to be unable to justify proposed accreditation fees, which may endanger the entire program.
- Issue #2: Impact of GDPR data redaction requirements on privacy services are yet unknown, but significant impact is expected as personal data becomes hidden by default without use of privacy services.
- Issue #3: The implementation should not be delayed due to the GDPR this process is needed more than ever immediately.
- Issue#4 The recommendation suggests using a mix of incentives and sanctions to encourage and enforce this policy once implemented. The IRT should be encouraged to discuss incentives, compliance actions have been discussed.

Lunch

Time: 12:30-13:30

What's Next?

13:30-14:00 – Update on ongoing community initiatives

14:00-15:15 – WHOIS1 implementation assessment

Update on Ongoing Community Initiatives

Agenda Item #5

Time: 13:30-14:00

Presenters: Review Team Members & ICANN Org

Update on Ongoing Community Initiatives

Other Activities Identified in the ToR	Covered in Subgroup Briefing	For On-Going Status Updates , see...
GNSO PDP on Next-Generation Registration Directory Services	Subgroup 1 Rec 1 (Strategic Priority) & Subgroup 2 (Anything New) Inventory	http://tinyurl.com/ng-rds , in particular https://mm.icann.org/pipermail/gnso-rds-pdp-wg/2018-April/005799.html
Registration Data Access Protocol (RDAP) Implementation	Subgroup 1 Rec 12-14 (IDN)	https://www.icann.org/rdap , in particular https://community.icann.org/display/RP/RDAP+Pilot
Cross-Field Address Validation	Subgroup 1 Rec 5-9 (Accuracy)	https://www.icann.org/news/announcement-3-2017-10-26-en
Translation and Transliteration of Contact Information Implementation	Subgroup 1 Rec 12-14 (IDN)	https://community.icann.org/display/afav
Privacy/Proxy Services Accreditation Implementation	Subgroup 1 Rec 10 (PP)	https://www.icann.org/resources/pages/ppsai-2016-08-18-en
ICANN Procedures for Handling WHOIS Conflicts with Privacy Laws	Subgroup 2 (Anything New) Inventory	https://community.icann.org/display/gnsocouncilmeetings/Motions+30+January+2018 , see motion for Adoption of Charter for WHOIS Procedure IAG
Implementation of THICK WHOIS	Subgroup 2 (Anything New) Inventory	https://community.icann.org/display/TWCPI/Thick+Whois+Policy+Implementation
ICANN organization's work with the community on GDPR Compliance with existing agreements with registries and registrars		https://www.icann.org/dataprotectionprivacy , in particular https://www.icann.org/resources/pages/data-protection-announcements-2017-12-08-en

WHOIS1 Implementation Assessment

Agenda item #6

Time: 14:00-15:15

Presenters: All

WHOIS1 Implementation Assessment

Assess the overall implementation of WHOIS1 Recommendations to:

- a) Evaluate overall the extent to which ICANN Org has implemented WHOIS1 recommendations
- b) Assess to the degree practical the extent to which implementation was effective in
 - Addressing the totality of the issues identified by WHOIS1, and
 - Generating information useful to management and evolution of WHOIS
- c) Determine if any further specific measurable steps should be recommended to enhance results achieved through WHOIS1 recommendations

WHOIS1 Implementation Assessment

- **WHOIS1 Rec #2: WHOIS Policy**

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 Implementation Assessment

- **WHOIS1 Rec #3: Outreach**

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.

WHOIS1 Implementation Assessment

- **WHOIS1 Rec #4: Compliance**

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.

WHOIS1 Implementation Assessment

- **WHOIS1 Recs #5-9 – Data Accuracy**

Strict compliance enforcement?

Not ICANN but registrars to play a active role in improving data accuracy?

WHOIS1 Implementation Assessment

- **WHOIS1 Rec #11 – Common Interface**

Define metrics and or SLA's to be tracked and evaluated to determine consistency of results of queries and use of tool.

WHOIS1 Implementation Assessment

- **WHOIS1 Recs #15-16: Plan & Annual Reports**

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: 15:15-15:30

What's Next?

15:30-16:15 – WHOIS1 implementation assessment

16:15-17:15 – Subgroup 4 – Consumer Trust

17:15-17:30 – Review day 3 agenda and closing remarks

WHOIS1 Implementation Assessment

Agenda item #7

Time: 15:30-16:15

Presenters: All

WHOIS1 Implementation Assessment

Assess the overall implementation of WHOIS1 Recommendations to:

- a) Evaluate overall the extent to which ICANN Org has implemented WHOIS1 recommendations
- b) Assess to the degree practical the extent to which implementation was effective in
Addressing the totality of the issues identified by WHOIS1, and
Generating information useful to management and evolution of WHOIS
- c) Determine if any further specific measurable steps should be recommended to enhance results achieved through WHOIS1 recommendations

Subgroup 4 – Consumer Trust

Agenda item #8

Time: 16:15-17:15

Presenter: Erika Mann

Subgroup Members: Erika, Carlton, Dmitry, Stephanie, Susan

Subgroup Wiki: <https://community.icann.org/x/AZpEB>

Subgroup 4 – Consumer Trust

Objective

Consistent with ICANN’s mission and Bylaws, Section 4.6(e)(ii), the review team will assess the extent to which the implementation of today’s WHOIS (the current gTLD RDS) promotes consumer trust in gTLD domain names by (a) agreeing upon a working definition of “consumer” and “consumer trust” used in this review, (b) identifying the approach used to determine the extent to which consumer trust needs are met, (c) identifying high-priority gaps (if any) in meeting those needs, and (d) recommending specific measurable steps (if any) the team believes are important to fill gaps.

Questions the subgroup attempted to answer when assessing this objective:

1. Is the term ‘trustworthiness’ the best and only option in determining consumer trust in the gTLD environment as mentioned in the relevant WHOIS report(s)?
2. Is the increase in alternative identities (for example FB) an indication that the current use of gTLDs is not sufficiently advocating consumer trust?
3. A key high priority gap in understanding the consumer trust environment is apparently the lack of sufficient data, as mentioned in the various WHOIS report(s). Are there new developments that need to be considered?
4. Is the decline in awareness for some of the legacy gTLDs (.info, .org) an indication for changing pattern in consumer trust?
5. Security and transparency play a major role in defining a trustful Internet environment. Did the current gTLD and WHOIS system achieve this?
6. Are regulations like the European GDPR increasing consumer trust if major information is missing in the publicly available WHOIS?

Subgroup 4 – Consumer Trust

Research and background materials used to answer questions:

- WHOIS Review Team (WHOIS1) Final Report (2012), Appendix F: Consumer Study
- Competition, Consumer Trust & Consumer Choice Review Team Draft Report
- Phase Two Global Registrant Survey, and announcement
- ICANN Bylaws

- The subgroup also plans to ask ICANN's Global Domain Division to provide insight into how “consumer trust” is reflected in their approach to WHOIS policy implementation and enforcement

Describe your methodology to answer questions and analyze the materials

- Agreed to a working definition of “consumer” to include any Internet user, of which registrants are a small subset.
- Agreed to examine “trustworthiness” by determining the extent to which consumer trust needs are met.
- Plan to do a gap analysis by examining the findings and analysis of other subgroups assessing implementation of the WHOIS1 recommendations

Subgroup 4 – Consumer Trust

Based on the analysis, what are the main findings?

- After reviewing available documents, the subgroup finds that the only document which specifically explores the relationship between WHOIS and “Consumer Trust” is the WHOIS1 Final Report
- The topic of Consumer Trust is mentioned in various key context environments. Excerpts have been provided for subgroup analysis.
- Other documents identified as significant in judging the relevance of consumer trust in the broader context of ICANN’s consumer and public interest value system: Phase 2 Global Consumer Research Survey & ICANN Bylaws

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

- Gap analysis to identify areas of WHOIS which may need to be further enhanced to promote consumer trust
- Gap analysis to be repeated after WHOIS evolves to comply with GDPR

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

- *None proposed yet*

Review Day 3 Agenda & Closing Remarks

Agenda item #9

Time: 17:15-17:30

Presenters: All

Day 3 Agenda

08:30-09:00 - Breakfast

09:00-09:15 – Day 2 debrief & day 3 objectives

09:15-10:15 – Subgroup 3 – Law Enforcement Needs

10:15-10:30 – Break

10:30-11:30 – Subgroup 2 – Anything New

11:30-12:00 – Subgroup 5 – Safeguarding Registrant Data

12:00-12:30 – Parking lot for further items to be discussed

12:30-13:30 – Lunch

13:30-15:15 – Subgroups 2-5

15:15-15:30 – Break

15:30-16:10 – Parking lot for further items to be discussed

16:10-16:20 – Work plan review

16:20-17:20 – Wrap-up

17:20-17:30 – A.O.B. & closing remarks
