

TALKING POINTS FOR SINGLE WHOIS POLICY

To the extent there is a WHOIS policy framework, it is established in the mission of ICANN and codified in by-law: Section 1.1 Mission ...” with respect to gTLD registrars and registries, policies in the areas described in Annex G-1 and Annex G-2;

- Annex G-2: *“maintenance of and access to accurate and up-to-date information concerning domain name registrations; “*

The policy development for WHOIS is instantiated by PDPs initiated in the GNSO (covering gTLDs) and ccNSO (covering ccTLDs). Baseline Consensus WHOIS policy emerge as contractual obligations in Base Registry and Base Registrar contracts, themselves consensus policy documents. A series of carve-outs, exceptions, exemptions and augmentations to these baseline contracts are codified in procedures, advisories as well as in a band of consensus policies [See List]:

WHOIS Data Reminder Policy

WHOIS Marketing Restrictions Policy

Restored Names Accuracy Policy

Additional WHOIS Information Policy

Thick WHOIS Policy

Registry Registration Data Directory Service Consistent Labeling and Display Policy (CL&D Policy)

Translation and Transliteration of Contact Information Policy

Procedure for Handling WHOIS Conflicts with Privacy Laws

In response to what they deemed a *“poorly defined and decentralised”* policy, the WHOIS1 RT recommended the following:

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

The Action Plan developed to address the recommendations, the Board directs ICANN org *“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 responsive Implementation Plan acknowledged that at the most fundamental policy level, *“the purpose of collecting and maintaining gTLD registration data have not been addressed through a successful policy PDP.”* However, ICANN org determined that a website ‘with all things WHOIS’ would address the collection and collation advisory of the RT.

[See website].

Questions for the Group:

Should the group accept the Board’s acknowledgement of the lack of a fundamental WHOIS policy prescription for WHOIS?

If the answer is yes, where does the Group go hereafter?

Does a website for ‘all things WHOIS’ address the recommendation for a ‘single public document’? And if so, is the current configuration of the site sufficient to objective?