RyC Whois Study Recommendations

29 October 2008

RyC Methodology
(See Appendix A, pp.12ff)

1. Categorize hypotheses into 3 categories:

    - Those that could be evaluated by gathering available facts with little need for analysis and without using a professional organization (i.e., direct surveys of registrars, review of existing studies or other documents, consulting with experts, data gathering exercise)

    - Those that could be tested by gathering available data and then analyzing the data; the analysis may or may not need to be done by professionals.

    - Those that would require significant empirical studies and likely would need to be performed by a professional organization.

RyC Methodology

2. Combine hypotheses that could be tested in the same or similar study and possibly reduce costs.

3. Apply criteria below to eliminate studies if possible:

    a. Studies should not be pursued further if there is reasonable consensus in the GNSO that evidence is sufficient to substantiate or refute a hypothesis.

    b. Studies should not be pursued further if there is reasonable consensus in the GNSO that a hypothesis has already been substantiated or refuted by previous studies.

RyC Methodology

4. Identify studies that have the potential to substantiate or refute hypotheses and thereby provide results that might contribute to the process of identifying where Whois policy may or may not be needed and, in cases where policy may be useful, provide possible direction for policy development work.

RyC Methodology

5. Rate proposed studies 0-5 according to possible value with 5 representing the highest perceived value to future Whois policy development work.

    - A study assigned a value of zero should not be pursued further.

6. Attempt to determine whether a study is doable?

RyC Recommendations

1. Combine several studies with related hypotheses to form three larger studies:

   a. Study A: Combine Area 1 Studies 1, 14, 21 & GAC data set 2 (1.1, p.2)

   b. Study B: Combine Studies 13, 17, GAC 1 & GAC 11 (1.2, p.3)

   c. Study C: Combine GAC studies 5 & 6 from Area 7 (1.3, p.4)

RyC Recommendations

2. Before actually estimating costs for any studies the RyC suggests that Staff attempt to determine the feasibility of each proposed study.

- Cost estimates should not be attempted for studies that appear to be unfeasible.

3. The RyC identified 11 sets of hypotheses that would appear to require a formal empirical study performed by a professional organization.

- Based on the potential for adding value to future Whois policy development work:
  - 5 of these were assigned a top priority
  - 3 a medium priority
  - 3 a low priority.

RyC Recommendations

4. The RyC identified four (4) hypotheses for which it is believed that that full blown formal studies are not needed to test the hypotheses because they could be evaluated by 1) gathering available facts and 2) analyzing the facts.

   - Analysis may or may not need to be done by professionals.
   - In cases where professionals are needed to perform analysis, Staff might need to prepare cost estimates.
   - One of these was assigned a top priority, two medium and one low.

RyC Recommendations

5. The RyC identified seven (7) sets of hypotheses for which it believes that formal studies are not needed to test the hypotheses because they could be evaluated by gathering available facts with little need for analysis and without using a professional organization (i.e., direct surveys of registrars, review of existing studies or other documents, consulting with experts, data gathering exercise).

   - Two of these were assigned a medium priority and the others were all assigned low priorities.

RyC Recommendations

6. The RyC identified three (3) hypotheses that it believes should be handled by ICANN Compliance Staff rather than by a study.

7. If it is decided to request cost estimates for any studies, the set of studies requested should provide a reasonable balance between those that focus on privacy concerns and those that focus on legitimate needs for access to Whois data.

Cost Estimate Recommendations for Formal Studies

1. Area 1, Study A – Studies 1, 14 & 21 and GAC Data Set 2 (top priority)

2. Area 1, Study 15 (medium priority)

3. Area 3, Study 2 (low priority)

4. Areas 4 & 5, Study B - Studies 17 & 13 and GAC Studies 1 & 11 (top priority)

5. Area 4, Studies 18 & 19 and GAC Studies 9 & 10 (top priority)

Cost Estimate Recommendations for Formal Studies

6. Area 5, Study 6 (top priority)

7. Area 5, GAC Study 2 (low priority)

8. Area 6, Study 20 (medium priority)

9. Area 6, Study 12 (low priority)

10. Area 7, GAC Study 4 (medium priority)

11. Area 7, Study C - GAC Studies 5 & 6 (top priority)

Fact Gathering & Analysis Recommendations

1. Area 3, Study 5 (low priority)– 4.1, p.8

2. Area 3, GAC Study 7 (medium priority) 4.2, p.8

3. Area 6, Metalitz Comment b (medium priority)– 4.3, p.8

4. Area 7, Study 11 (top priority) – 4.4, p.8

Fact Gathering Recommendations

1. Area 1, GAC Study 3 (low priority)– 5.1, p.9
2. Area 2, Study 16 (low priority)– 5.2, p.9
3. Area 2, Study 22 (low priority)– 5.3, p.9
4. Area 2, Study 23 (medium priority)– 5.4, p.9
5. Area 2, GAC Studies 12, 13, 14 & 15 (low priority)– 5.5, p.9
6. Area 2, Study 24 (low priority)– 5.6, p.9
7. Area 2, Study 24 (low priority)– 5.7, p.10