4 November 2020

Accuracy Scoping Team

Theresa Swinehart
SVP, Multistakeholder Strategy & Strategic Initiatives - ICANN

Dear Theresa,

I am writing to you on behalf of the GNSO Council with the following request.

As you may be aware, the GNSO Council intends to form an accuracy scoping team to facilitate community understanding of the issue and assist in scoping and defining the issue, including proposed next steps for any issues identified which could include requesting an Issue Report on the topic (the first step in a policy development process). In order to help inform the deliberations of the scoping team, the GNSO Council would like to request ICANN org to prepare a briefing document outlining both the existing accuracy requirements and programs as well as the impact that GDPR has had on implementing and enforcing the identified requirements and programs. For your information, you will find below the instructions that will be provided to the scoping team once formed.

To facilitate our planning, we would appreciate if you could let us know the expected delivery date of this briefing document. Of course, should you have any further questions, please do not hesitate to reach out to me.

Sincerely,

Philippe Fouquart
Chair, GNSO

Instructions to the Scoping Team

A scoping team would be tasked to "facilitate community understanding of the issue; assist in scoping and defining the issue; gather support for the request of an Issue Report, and/or; serve as a means to gather additional data and/or information before a request [for an Issue Report] is submitted". This also aligns with the guidance provided in the recently published "Consensus Playbook" to assess the situation and right-size the problem as important steps to get to a common understanding and increase chances of a successful outcome. As part of this scoping phase, the scoping team is expected to consider:

1. What has been the impact, if any, of GDPR and other applicable privacy legislation on existing accuracy requirements (see, e.g., RAA sections 3.7.7.2, 3.7.8, WHOIS Accuracy Program Specification, and the WHOIS accuracy reporting system. Note, this may require further data gathering or study. Also consider whether a review of the impact on the Whois Data Reminder Policy (WDRP) and the Restored Names Accuracy Policy (RNAP) could/should be part of this scoping effort (see also Wave 1 Rec #27 report and assessment).
2. Based on the impact identified, determine what further work, if any, is required. This could include requesting an Issue Report (PDP) or another path (if Consensus Policy, or modifications to existing Consensus Policies, is not an expected outcome).

In order to help inform the scoping team's deliberations, the scoping team is expected to review the recent correspondence on this topic:

- https://gnso.icann.org/en/correspondence/marby-to-drazek-05dec19-en.pdf (5 Dec 2019)
- https://gnso.icann.org/en/correspondence/drazek-to-marby-15oct19-en.pdf (15 Oct 2019)
- https://gnso.icann.org/en/correspondence/marby-to-drazek-21jun19-en.pdf (21 June 2019)
- Bird & Bird legal advice, see here and here
- Substantive input provided on this topic during the public comment forum on the addendum