

Privacy & Proxy Services Accreditation Issues Policy Development Process

What is this about?

This PDP was initiated to examine the policy issues related to the provision and accreditation of privacy and proxy services, with a view toward assisting ICANN with its development of such a program. The topic arose within the context of the last round of negotiations between ICANN and the Registrars Stakeholder Group concerning the Registrar Accreditation Agreement (RAA).

The RAA is the contract that governs ICANN's relationship with its accredited registrars. Revised periodically, the newest form of RAA was approved by the ICANN Board in June 2013. Registrars wishing to sell domain names in the new gTLD program will have to sign up for the new 2013 RAA, as will registrars operating under the older 2009 RAA who wish to renew their contracts with ICANN.

The 2013 RAA negotiations had dealt with a number of high priority topics previously identified by the ICANN community. One of these was the accreditation of providers of privacy and proxy services for domain name registrations. A *privacy service* is one in which a domain name is registered in the registrant's name, but other contact details displayed in the publicly-accessible Whois system are those given by the privacy service provider and not those of the registrant. A *proxy service* is one in which the registered name holder licenses use of the domain to the customer who actually uses the domain, and the contact information displayed in the Whois system is that of the registered name holder. The *Whois system* is a form of Internet data directory service, utilizing a protocol that permits public lookup of a domain name, including certain contact and technical information about the registrant and the domain.

The topic of privacy and proxy services accreditation was not addressed in the 2013 RAA negotiations. The 2013 RAA does, however, contain a temporary specification on the use of privacy and proxy services that will expire either on January 1, 2017 or the implementation by ICANN of a Privacy & Proxy Services Accreditation Program (whichever first occurs).

What is the current status of this project?

- The PDP Working Group was chartered by the GNSO Council in October 2013 and conducted over 60 weekly meetings.
- The WG has published its Initial Report for public comment. The public comment period closes on 7 July 2015.
- The WG will hold a public meeting at ICANN53 to discuss input received to date and to answer community questions about its initial recommendations.

Why is this important?

The 2013 RAA temporary specification that governs registrars' obligations in respect of privacy and proxy services will expire either on 1 January 2017 or ICANN's implementation of a privacy and proxy accreditation program, whichever first occurs. The GNSO had previously commissioned several studies on the Whois system, including one on privacy and proxy abuse,

the results of which were finalized and published in March 2014. Finally, the issue of accrediting privacy and proxy services is being discussed in the broader context of ICANN's ongoing review of the Whois system, including within an Expert Working Group formed in December 2012 that was tasked to look at the fundamental purpose and possible redesign of gTLD registration data services.

This PDP provided an opportunity for the GNSO and other interested community members to assist ICANN with developing its Privacy and Proxy Accreditation Program and informing its broader work on Whois more generally.

Expected next steps

The WG plans to begin reviewing public comments received on its Initial Report around the time of ICANN53. Its initial recommendations span several categories, ranging from registration and termination to Relay and Reveal procedures. The WG intends to produce a Final Report for submission to the GNSO Council in September/October, prior to ICANN54.

Background

In October 2011, the ICANN Board initiated negotiations with the Registrars Stakeholder Group for a new form of RAA, and simultaneously requested an Issue Report from the GNSO on issues not covered by the negotiations and otherwise suited for a PDP. The Final Issue Report was published in March 2012, and recommended that the GNSO commence its PDP as soon as possible after receiving a report that the negotiations were concluded.

In June 2013, the ICANN Board formally approved the new 2013 RAA. In September 2013, ICANN staff published a paper for the GNSO reporting on the conclusion of the RAA negotiations and highlighting issues relating to privacy and proxy services, including their accreditation and Relay/Reveal procedures. Following a number of discussions on the topic, the GNSO Council formally approved the charter for the PDP WG on 31 October 2013. The WG began its work in December 2013.

How can I get involved?

The WG has made preliminary recommendations on several key topics, but several open questions remain, on which the WG seeks community input via the public comment forum. You can also attend the WG's meeting in Buenos Aires on Wednesday afternoon, scheduled from 1500-1700 local time (please see the final Meeting Schedule for confirmation).

Where can I find more information?

- Public comment forum on the WG's Initial Report: <https://www.icann.org/public-comments/ppsai-initial-2015-05-05-en> (includes links to a template for responses, the full Initial Report and Executive Summaries in all 6 official UN languages)
- WG webpage with links to background information: <http://gns0.icann.org/en/group-activities/active/ppsai>
- WG collaborative wiki workspace: <https://community.icann.org/x/9iCfAg>

- 2013 RAA including Privacy & Proxy Specification:
[http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.htm - privacy-proxy](http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.htm-privacy-proxy)
- WG open meeting during ICANN53 in Buenos Aires on Wednesday 24 June from 15.00 – 17.00: <http://buenosaires53.icann.org/en/schedule/wed-ppsai>

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