

## 1. Executive Summary

### 1.1. Background

- Created in the 1980s, the collection and publication of domain name registration data began as a service by Internet operators to identify and contact individuals or entities responsible for the operation of a network resource on the Internet – then (and still today) referred to as Whois.
- ICANN's requirements for domain name registration data collection, access and accuracy for gTLD registries have undergone some important changes; yet after more than 12 years of GNSO task forces, working groups, workshops, surveys and studies the policy and underlying protocol is still in need of comprehensive reforms to address the significant number of issues related to gTLD registration data services.
- Comprehensive Whois policy reform remains the source of long-running discussion and debate related to issues such as purpose, accuracy, privacy, anonymity, cost, policing, intellectual property protection, security, etc.
- Following the submission of the Whois Policy Review Team Final Report (2012), the ICANN Board passed a resolution on [date] that led to the creation of an Expert Working Group (EWG) and, in parallel, also launched a Board-initiated Generic Names Supporting Organization (GNSO) Policy Development Process (PDP) that is to take into account any proposals made by the EWG.
- In accordance with the PDP Rules, this Preliminary Issue Report is hereby published for public comment. Following review of the public comments received, the Staff Manager will update the Issue Report as appropriate and submit a summary of the comments received together with the Final Issue Report.

### 1.2. Discussion of the Issue

- The Board requested explicitly that the PDP Working Group deal with both the issues the purpose of published gTLD registration data as well its accuracy.
- The most basic purpose, which is commonly accepted, is that gTLD registration data allows domain name registrants to be contacted. However, who would be granted

the right to access the data and contact the registrant by which means? Section 4.1. provides a list of concrete questions with regard to ‘purpose’.

- Recent studies have shown that less than 50 per cent of gTLD registration data entries produce no or only limited failures (see Annex C to this Report). The question is what steps can be taken to improve accuracy of the data and how such improvements can be measured. There is strong belief that that improved accuracy of gTLD registration data may impacted positively on reducing malicious conduct.
- There are also additional issues, such as technical aspects, potential issues for relevant Stakeholder Groups, Constituencies and other relevant parties, as well as the work of the preceding EWG, that are discussed in Section 4 below.

### **1.3. Staff Recommendation**

- ICANN staff has confirmed that the proposed issues are within the scope of the GNSO’s Policy Development Process. If the EWG provides specific recommendations to the various questions that are the focus of this PDP, and provides a proposal for a new model for gTLD Data Directory Services, the PDP should focus on analyzing the recommendations from the EWG, as directed by the ICANN Board.
- In ICANN’s view a successful outcome of this PDP is of utmost importance as it may provide a solution to the multitudes of issues surrounding gTLD registration data. This PDP constitutes a crucial if not defining moment in ICANN’s multi-stakeholder policy development process. ICANN staff, therefore, recommends that the PDP proceed by considering carefully the recommendations of the Expert Working Group and work constructively towards a universal solution, as this would allow for an informed decision by the GNSO Council on the matter of purpose and maintenance of gTLD registration data. Additional suggestions in relation to a proposed approach for the PDP WG are expected to be included as part of the Final Issue Report following community input as well as the conclusions of the Expert Working Group.