
Policy Development Process: Next-Generation Registration Directory Service to Replace WHOIS

WHAT CAN I EXPECT AT ICANN58 IN RELATION TO THIS TOPIC?

In addition to a face-to-face Policy Development Process (PDP) Working Group (WG) meeting on Saturday, 11 March (Day 1) of ICANN58, the WG will also provide a status update to the Generic Names Supporting Organization (GNSO) community on Sunday, 12 March (Day 2). Furthermore, the WG has tentatively scheduled a session on Wednesday, 15 March (Day 5) during which members may meet with data protection commissioners, depending on their availability, and/or continue its deliberations from Day 1.

WHAT IS THIS ABOUT?

In April 2015, the ICANN Board reaffirmed ‘its request for a Board-initiated GNSO policy development process to define the purpose of collecting, maintaining and providing access to generic top-level domain (gTLD) registration data, and consider safeguards for protecting data, using the recommendations in the Expert Working Group (EWG) Final Report as an input to, and, if appropriate, as the foundation for a new gTLD policy’.

Following the publication of the PDP Final Issue Report, the GNSO Council adopted the charter for the PDP WG, which commenced its deliberations at the end of January 2016. During the first phase its work, the WG has been tasked with providing the GNSO Council with recommendations on the following two questions: 1) What are the fundamental requirements for gTLD registration data? And 2) Is a new policy framework and next-generation registration directory services (RDS) needed to address these requirements?

WHY IS THIS IMPORTANT?

Comprehensive ‘WHOIS’ policy reform remains the source of long-running discussions within ICANN. Any discussion of the ‘WHOIS’ system for gTLD domain name registration data – hereafter called gTLD RDS – typically includes topics such as purpose, accuracy, availability, privacy, data protection, cost, policing, intellectual property protection, security, and malicious use and abuse. ICANN’s requirements for gTLD domain name registration data collection, maintenance, and provision have undergone some important changes. Nevertheless, after almost 15 years of GNSO task forces, working groups, workshops, surveys, and studies, the policy is still in need of comprehensive reforms that address the significant number of contentious issues attached to it.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The WG compiled an [initial list of possible requirements](#) for gTLD registration directory services, providing a foundation upon which to recommend answers to these two questions: 1) What are the fundamental requirements for gTLD registration data and directory services? And 2) Is a new policy framework and next-generation RDS needed to address these requirements?

Following initial deliberations on a few of the possible requirements at ICANN57, the WG concluded that deliberations on detailed requirements may be more productive and time effective if the WG first deliberates on key concepts to provide a common foundation. Accordingly, the WG has adjusted its approach to start deliberating on sub-questions relating to charter questions for Users/Purposes, Data Elements, and Privacy. The WG will use these sub-questions – refined as necessary during deliberation – to discuss and attempt to reach rough consensus on possible RDS policy requirements and associated key concepts.

When developing its work plan, the WG agreed to look at all three charter questions – Users/Purposes, Data Elements, and Privacy – as applicable, with the understanding that WG deliberation will likely bounce around some and be iterative in nature. To rotate among the questions, the WG randomly selected the charter question on Users/Purposes and started by deliberating on the first sub-question (‘Should gTLD registration thin data be accessible for any purpose or only for specific purposes?’). Deliberation will continue on that sub-question until sufficient agreement has been reached to serve as an assumption for any dependencies in the next charter question’s first sub-question. Deliberation will continue, iterating through all three charter questions and sub-questions in a flexible manner, using draft agreements as working assumptions to address interdependencies, but allowing for further refinement as those agreements evolve.

WG agreements reached to date can be found here: community.icann.org/x/p4xlAw (See 2.1 and 2.2 of the Key Concepts draft document). To facilitate deliberation on key concepts, the WG has been using brief polls in between meetings to confirm tentative rough consensus reached by those who participated in the meetings and to provide an opportunity for those who were absent to express their viewpoints. The WG Leadership Team has found this approach to be quite successful so far.

WHAT ARE THE EXPECTED NEXT STEPS?

After reaching rough consensus on a collection of key concepts in the iterative manner described above, it is hoped that the WG will have established a foundation for completing deliberations on its long list of individual possible requirements, as necessary. The WG would systematically consider possible requirements with the goal of trying to reach as strong a consensus as possible as to whether the WG supports each possible requirement, including how it is worded as outlined in the [document about possible approach to consensus](#). Due to interdependencies, WG deliberation will likely continue to be iterative. As part of this process, the WG is expected to review the input received from GNSO Stakeholder Groups (SGs)/Constituencies (Cs), as well as ICANN Supporting Organizations (SOs)/Advisory Committees (ACs). SOs/ACs responded to a second outreach message that was sent in July 2016 seeking additions to the list of possible requirements.

HOW CAN I GET INVOLVED?

Anyone interested can join this effort at any time. Complete the registration form at goo.gl/forms/bb65ilznLv or contact the GNSO Secretariat gnso-secs@icann.org.

MORE INFORMATION

- PDP Webpage: gnso.icann.org/en/group-activities/active/rds
- WG Workspace: community.icann.org/x/rjJ-Ag
- WG Charter: gnso.icann.org/en/drafts/whois-ng-gtld-rds-charter-07oct15
- Final Issue Report: goo.gl/0ZrpVK
- Board-GNSO Process Framework for this PDP: goo.gl/zq3edl

BACKGROUND

Pursuant to its Resolution on 8 November 2012, the ICANN Board directed the ICANN CEO to launch a new effort to redefine the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data. This effort would serve as a foundation for new gTLD policy and contractual negotiations. Moreover, the Board directed the preparation of an Issue Report on the purpose of collecting and maintaining gTLD registration data, and on solutions to improve accuracy and access to gTLD registration data, as part of a Board-initiated GNSO PDP. The Board then went on to pass a resolution that led to the creation of the [EWG](#). The Board referred to this as a ‘two-pronged approach’ that is based on ‘broad and responsive action’ in relation to the reform of gTLD Registration Data.

To enable effective consideration of the many significant and interdependent policy areas that the GNSO must address, the Board approved a Process Framework, collaboratively developed by GNSO Councilors and Board members, to structure this complex and challenging PDP for success. This phased process includes:

- Phase 1: Establishing requirements to determine if and why a next-generation RDS is needed to replace today's WHOIS system;
- Phase 2: If so, designing a new policy framework that details functions that must be provided by a next-generation RDS to support those requirements; and
- Phase 3: Providing guidance for how a next-generation RDS should implement those policies, coexisting with and eventually replacing the legacy WHOIS system.

Throughout this three-phase process, the many inter-related questions that must (at minimum) be addressed by the PDP include:

- Users/Purposes: Who should have access to gTLD registration data and why (i.e., for what purposes)?
- Gated Access: What steps should be taken to control data access for each user/purpose?
- Data Accuracy: What steps should be taken to improve data accuracy?
- Data Elements: What data should be collected, stored, and disclosed?
- Privacy: What steps are needed to protect data and privacy?
- Coexistence: What steps should be taken to enable next-generation RDS coexistence with and replacement of the legacy WHOIS system?
- Compliance: What steps are needed to enforce these policies?
- System Model: What system requirements must be satisfied by any next-generation RDS implementation?
- Cost: What costs will be incurred and how must they be covered?
- Benefits: What benefits will be achieved and how will they be measured?
- Risks: What risks do stakeholders face and how will they be reconciled?

The framework developed to guide this PDP also includes many opportunities for gathering input to inform this PDP and key decision points at which the GNSO Council will review progress made to determine next steps.

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