

## EXECUTIVE SUMMARY – INITIAL REPORT OF THE GNSO POLICY DEVELOPMENT PROCESS WORKING GROUP ON PRIVACY & PROXY SERVICES ACCREDITATION ISSUES

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### 1.1 Background

On 27 June 2013, the ICANN Board [approved](#) the [new 2013 Registrar Accreditation Agreement](#) (“2013 RAA”). The 2013 RAA addressed most of the recommended high priority amendments previously proposed by the GNSO-ALAC Drafting Team in its Final Report (“RAA Final Report”)<sup>1</sup> and law enforcement agencies (“LEA”), except for the clarification of registrar responsibilities in connection with proceedings under the Uniform Dispute Resolution Policy (“UDRP”), and issues related to privacy and proxy services, including their accreditation and reveal and relay procedures. The GNSO has since addressed the issues pertaining to a registrar’s responsibilities in connection with the locking of a domain name subject to proceedings under the UDRP<sup>2</sup>, while the UDRP itself, along with all other existing rights protection mechanisms, will be the subject of an Issue Report to the GNSO in October 2015<sup>3</sup>. As such, the issues related to privacy and proxy services were identified<sup>4</sup> as the only remaining issues following the conclusion of the 2013 RAA negotiations that were suited for a PDP, pursuant to the October 2011 request by the ICANN Board for an Issue Report when initiating negotiations for the 2013 RAA with the gTLD Registrars Stakeholder Group<sup>5</sup>.

On 31 October 2013, the GNSO Council [initiated](#) a Policy Development Process and [chartered](#) the Privacy & Proxy Services Accreditation Issues (“PPSAI”) Working Group. A Call for

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<sup>1</sup> See <http://gns0.icann.org/issues/raa/raa-improvements-proposal-final-report-18oct10-en.pdf>.

<sup>2</sup> See <http://gns0.icann.org/en/group-activities/active/locking-domain-name>.

<sup>3</sup> See <http://gns0.icann.org/en/council/resolutions#201112>. Note that where the original Council resolution had called for the Issue Report to be published 18 months after the delegation of the first gTLD in the New gTLD Program, an extension of the deadline to October 2015 was approved by the Council in January 2015: <http://gns0.icann.org/en/meetings/minutes-council-29jan15-en.htm>.

<sup>4</sup> See the Report on the Conclusion of the 2013 RAA Negotiations, prepared by ICANN staff in September 2013: <http://gns0.icann.org/en/issues/raa/negotiations-conclusion-16sep13-en.pdf>.

<sup>5</sup> See <https://www.icann.org/resources/board-material/resolutions-2011-10-28-en#7>.

Volunteers to the Working Group (“WG”) was issued on 6 November 2013, and the WG held its first meeting on 3 December 2013<sup>6</sup>.

## **1.2 Deliberations of the Working Group**

The PPSAI Working Group started its work on 3 December 2013. The WG decided to conduct its deliberations primarily through weekly conference calls, in addition to discussions on its mailing list and scheduled meetings during ICANN Public Meetings. Section 5 provides an overview of the deliberations of the WG conducted by conference call as well as through e-mail threads and at ICANN Public Meetings.

The WG agreed early on to group the twenty-one questions outlined in its Charter into seven categories of related questions. For each Charter question, the WG used a uniform template that contained relevant background information to that question, community input received, WG member survey responses and other relevant material to inform its discussions and development of the preliminary conclusions presented for public comment in this Initial Report.

The WG’s findings and initial recommendations for each of these Charter questions can be found in full in Section 7 of this Initial Report. They are also summarized in Section 1.3 below.

## **1.3 WG Preliminary Recommendations**

The WG was chartered to provide the GNSO Council with “policy recommendations regarding the issues identified during the 2013 RAA negotiations, including recommendations made by law enforcement and GNSO working groups, that were not addressed during the 2013 RAA negotiations and otherwise suited for a PDP; specifically, issues relating to the accreditation of Privacy & Proxy Services”. Following its analysis of each of the questions outlined in its Charter related to this task, the WG has arrived at a set of preliminary conclusions, although in several instances the WG has not yet finalized an agreed position on particular issues. These instances are clearly marked as such in this Initial Report. For at least one group of Charter questions, the WG is currently divided with two divergent views; this is also specifically indicated in the text of

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<sup>6</sup> For background information on the formation and deliberations of the WG, see the WG wiki workspace at <https://community.icann.org/x/9iCfAg>.

this Initial Report. A formal consensus call on all the Charter questions will take place once the WG finalizes all its recommendations following its review of public comments received.

The WG believes that its final recommendations, if approved by the GNSO Council and the ICANN Board, will substantially improve the current environment, where there is presently no accreditation scheme for privacy and proxy services and no community-developed or accepted set of baseline or best practices for such services. It hopes that its recommendations will provide a sound basis for the development and implementation of an accreditation framework by ICANN, as part of ICANN's on-going efforts to improve the WHOIS system, including implementing recommendations made by the WHOIS Policy Review Team<sup>7</sup>.

The following sub-sections provide a summary of the WG's preliminary conclusions as follows:

- Section 1.3.1 contains all the WG's preliminarily-agreed recommendations;
- Section 1.3.2 contains certain questions relating to specific aspects of "relay" and "reveal" that have yet to be finalized by the WG; and
- Section 1.3.3 contains the WG's majority and minority view on certain aspects in relation to commercial/non-commercial uses of domain names in relation to privacy and/or proxy services.

The full text of all of the WG's preliminary conclusions, including any supplemental notes, are set out in detail in Section 7. Square brackets in this document generally indicate alternative formulations on the same topic that are under consideration by the WG. Commenters are encouraged to specify which formulation they prefer, and why. Any additional statements filed by WG members in respect of particular topics have also been included in this report, in Annex F. Statements in Annex F have not been endorsed by the WG as a whole.

While community input is being sought on all aspects of this report, including the WG's preliminarily agreed recommendations, the WG would particularly welcome specific public comments on those of its deliberations, proposals and options for which there is currently no WG consensus.

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<sup>7</sup> See ICANN's Action Plan for the WHOIS Policy Review Team Final Report (November 2012): <https://www.icann.org/en/system/files/files/implementation-action-08nov12-en.pdf>.

### 1.3.1 Summary of the WG's agreed preliminary conclusions

The WG has reached preliminary agreement on the following recommendations:

#### I. DEFINITIONS:

1. The WG recommends the adoption of the following definitions, to avoid ambiguities surrounding the common use of certain words in the WHOIS context. The WG recommends that these recommendations be used uniformly by ICANN, including generally in relation to WHOIS beyond privacy and proxy service issues:
  - **“Publication”** means the reveal<sup>8</sup> of a person's (i.e. the licensee or beneficial owner of a registered domain name) identity/contact details in the WHOIS system.
  - **“Disclosure”** means the reveal of a person's (i.e. the licensee or beneficial owner of a registered domain name) identity/contact details to a third party Requester without Publication in the WHOIS system.
  - The term **“person”** as used in these definitions is understood to include natural and legal persons, as well as organizations and entities.
  - **“Law enforcement authority”** means law enforcement, consumer protection, quasi-governmental or other similar authorities designated from time to time by the national or territorial government of the jurisdiction in which the privacy or proxy service provider is established or maintains a physical office<sup>9</sup>.
  - **“Relay”**, when used in the context of a request to a privacy or proxy service provider from a Requester, means to forward the request to, or otherwise notify, the privacy or proxy service customer that a Requester is attempting to contact the customer.
  - **“Requester”**, when used in the context of Relay, Disclosure or Publication, means an

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<sup>8</sup> As the single word “reveal” has been used in the WHOIS context to describe the two distinct actions that the WG has defined as “Disclosure” and “Publication”, the WG is using “reveal” within its definitions as part of a more exact description, to clarify which of the two meanings would apply in any specific instance. The rest of this Initial Report generally uses the terms “Disclosure” and “Publication” to refer to the relevant specific aspect of a “reveal”.

<sup>9</sup> This definition is derived from Section 3.18.2 of the 2013 Registrar Accreditation Agreement, which provision spells out a registrar's obligation to maintain a point of contact for, and review reports received from, law enforcement authorities: see <https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en>.

individual, organization or entity (or its authorized representatives) that requests from a privacy or proxy service provider either a Relay, or Disclosure or Publication of the identity or contact details of a customer, as the case may be.

## II. NO DISTINCTION IN TREATMENT; WHOIS LABELING REQUIREMENTS; VALIDATION & VERIFICATION OF CUSTOMER DATA:

2. Privacy and proxy services (“P/P services”) are to be treated the same way for the purpose of the accreditation process.
3. The status of a registrant as a commercial organization, non-commercial organization, or individual should not be the driving factor in whether P/P services are available to the registrant. Fundamentally, P/P services should remain available to registrants irrespective of their status as commercial or non-commercial organizations or as individuals. Further, P/P registrations should not be limited to private individuals who use their domains for non-commercial purposes<sup>10</sup>.
4. Domain name registrations involving P/P service providers should be clearly labelled as such in WHOIS<sup>11</sup>.
5. P/P customer data is to be validated and verified in a manner consistent with the requirements outlined in the [WHOIS Accuracy Program Specification](#) of the 2013 RAA. In the cases where a P/P service provider is Affiliated with a registrar (as the term is defined in Sections 1.3 and 1.4 of the [2013 RAA](#)) and that Affiliated registrar has carried out validation and verification of the P/P customer data, re-verification by the P/P service provider of the same, identical, information should not be required.

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<sup>10</sup> Note that while the WG agreed that there is no reason to distinguish between commercial and non-commercial registrants simply because of their organizational/entity status, it has not reached consensus as to whether the use of P/P services for certain types of commercial activity associated with a domain name should be barred (see Section 1.3.3 and more generally Section 7, below).

<sup>11</sup> While this may be possible with existing fields, the WG has also explored the idea that the label might also be implemented by adding another field to WHOIS, and is aware that this may raise certain questions that should be appropriately considered as part of implementation.

MANDATORY PROVISIONS TO BE INCLUDED IN PROVIDER TERMS OF SERVICE & MINIMUM REQUIREMENTS TO BE COMMUNICATED TO CUSTOMERS:

6. All rights, responsibilities and obligations of registrants and P/P service customers as well as those of accredited P/P service providers need to be clearly communicated in the P/P service registration agreement, including a provider's obligations in managing those rights and responsibilities and any specific requirements applying to transfers and renewals of a domain name. In addition, all accredited P/P service providers must disclose to their customers the conditions under which the service may be terminated in the event of a transfer of the domain name, and how requests for transfers of a domain name are handled.
  
7. All accredited P/P service providers must include on their websites, and in all Publication and Disclosure-related policies and documents, a link to either a standardized request form or an equivalent list of specific criteria that the provider requires in order to determine whether or not to comply with third party requests, such as for the Disclosure or Publication of customer identity or contact details.
  
8. All accredited P/P service providers must publish their terms of service (e.g. on their websites), which, in addition to other mandatory provisions recommended by the WG, should at a minimum include the following elements in relation to Disclosure and Publication:
  - Clarification of when those terms refer to Publication requests (and their consequences) and when to Disclosure requests (and their consequences). The WG further recommends that accredited providers expressly include a provision in their terms of service explaining the meaning and consequences of Publication.
  - The specific grounds upon which a customer's details may be Disclosed or Published or service suspended or terminated.
  - Clarification as to whether or not a customer: (1) will be notified when a provider receives a Publication or Disclosure request from a third party; and (2) may opt to cancel its domain registration prior to and in lieu of Publication or Disclosure.

- Clarification that a Requester will be notified in a timely manner of the provider’s decision: (1) to notify its customer of the request; and (2) whether or not the provider agrees to comply with the request to Disclose or Publish. This should also be clearly indicated in all Disclosure or Publication related materials.
9. In addition, the WG recommends the following as best practices for accredited P/P service providers<sup>12</sup>:
- P/P service providers should facilitate and not obstruct the transfer, renewal or restoration of a domain name by their customers, including without limitation a renewal during a Redemption Grace Period under the [Expired Registration Recovery Policy](#) and transfers to another registrar.
  - P/P service providers should use commercially reasonable efforts to avoid the need to disclose underlying customer data in the process of renewing, transferring or restoring a domain name.
  - P/P service providers should include in their terms of service a link or other direction to the ICANN website (or other ICANN-approved online location) where a person may look up the authoritative definitions and meanings of specific terms such as Disclosure or Publication.

#### CONTACTABILITY & RESPONSIVENESS OF PRIVACY & PROXY SERVICE PROVIDERS:

10. ICANN should publish and maintain a publicly accessible list of all accredited P/P service providers, with all appropriate contact information. Registrars should provide a web link to P/P services run by them or their Affiliates, and P/P service providers should declare their Affiliation with a registrar (if any) as a requirement of the accreditation program<sup>13</sup>.
11. A “designated” rather than a “dedicated” point of contact will be sufficient for abuse reporting purposes, since the primary concern is to have one contact point that third parties can go to and expect a response from.

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<sup>12</sup> The WG recognizes that implementation of these recommendations may involve the development of new procedures.

<sup>13</sup> The WG discussed, but did not reach consensus on, the possibility of requiring a registrar to also declare its Affiliation (if any) with a P/P service provider.

12. P/P service providers should be fully contactable, through the publication of contact details on their websites in a manner modelled after Section 2.3 of the 2013 RAA [Specification on Privacy and Proxy Registrations](#).
13. Requirements relating to the forms of alleged malicious conduct to be covered by the designated published point of contact at an ICANN-accredited P/P service provider should include a list of the forms of malicious conduct to be covered. These requirements should allow for enough flexibility to accommodate new types of malicious conduct. By way of example, Section 3 of the Public Interest Commitments (PIC) Specification<sup>14</sup> in the New gTLD Registry Agreement or Safeguard 2, Annex 1 of the GAC's Beijing Communique<sup>15</sup> could serve as starting points for developing such a list.
14. The designated point of contact for a P/P service provider should be capable and authorized to investigate and handle abuse reports and information requests received (a standard similar to that currently required for a Transfer Emergency Action Contact under the [Inter Registrar Transfer Policy](#) ("IRTP")).

#### STANDARD FORM & REQUIREMENTS FOR ABUSE REPORTING & INFORMATION REQUESTS:

15. A standardized form for information requests and reports should be developed for the purpose of reporting abuse and submitting requests (including requests for Disclosure of customer information), to also include space for free form text<sup>16</sup>. P/P service providers

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<sup>14</sup> See <http://newgtlds.icann.org/en/applicants/agb/agreement-approved-20nov13-en.pdf>; Section 3 provides that "Registry Operator will include a provision in its Registry-Registrar Agreement that requires Registrars to include in their Registration Agreements a provision prohibiting Registered Name Holders from distributing malware, abusively operating botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law, and providing (consistent with applicable law and any related procedures) consequences for such activities including suspension of the domain name."

<sup>15</sup> See <https://www.icann.org/en/system/files/correspondence/gac-to-board-11apr13-en.pdf>; Safeguard 2, Annex 1 provides that "'Registry operators will ensure that terms of use for registrants include prohibitions against the distribution of malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.'"

<sup>16</sup> With the specific exception of Disclosure requests from intellectual property rights holders (see Recommendation #19 below), the WG discussed but did not finalize the minimum elements that should



should also have the ability to “categorize” reports received, in order to facilitate responsiveness.

#### RELAYING (FORWARDING) OF THIRD PARTY REQUESTS:

##### 16. Regarding Relaying (Forwarding) of Electronic Communications<sup>17</sup>:

- All communications required by the RAA and ICANN Consensus Policies must be forwarded
- For all other electronic communications, P/P service providers may elect one of the following two options:
  - i. Option #1: Forward all electronic requests received (including those received via emails and via web forms), but the provider may implement commercially reasonable safeguards (including CAPTCHA) to filter out spam and other forms of abusive communications, or
  - ii. Option #2: Forward all electronic requests received (including those received via emails and web forms) from law enforcement authorities and third parties containing allegations of domain name abuse (i.e. illegal activity)
- In all cases, P/P service providers must publish and maintain a mechanism (e.g. designated email point of contact) for Requesters to contact to follow up on or escalate their original requests.

##### 17. Regarding Further Provider Actions When There Is A Persistent Delivery Failure of Electronic Communications<sup>18</sup>

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be included in such a form in relation to other requests and reports. The WG notes that this recommendation is not intended to prescribe the method by which a provider should make this form available (e.g. through a web-based form) as providers should have the ability to determine the most appropriate method for doing so.

<sup>17</sup> The WG agrees that emails and web forms would be considered “electronic communications” whereas human-operated faxes would not. The WG recommends that implementation of the concept of “electronic communications” be sufficiently flexible to accommodate future technological developments.

<sup>18</sup> Please see also additional discussion of Escalation of Relay Requests under Section 1.3.2 of this Summary.

- All third party electronic requests alleging abuse by a P/P service customer will be promptly forwarded to the customer. A Requester will be promptly notified of a persistent failure of delivery<sup>19</sup> that a P/P service provider becomes aware of.
- The WG considers that a “persistent delivery failure” will have occurred when an electronic communications system abandons or otherwise stops attempting to deliver an electronic communication to a customer after [a certain number of] repeated or duplicate delivery attempts within [a reasonable period of time]<sup>20</sup>. The WG emphasizes that such persistent delivery failure, in and of itself, is not sufficient to trigger further provider obligation or action in relation to a relay request unless the provider also becomes aware of the persistent delivery failure.
- When a service provider becomes aware of a persistent delivery failure to a customer as described herein, that will trigger the P/P service provider’s obligation to perform a verification/re-verification (as applicable) of the customer’s email address(es), in accordance with the WG’s recommendation that customer data be validated and verified in a manner consistent with the WHOIS Accuracy Specification of the 2013 RAA (see the WG’s recommendation under Category B, Question 2 in Section 7, below).
- However, these recommendations shall not preclude a P/P service provider from taking any additional action in the event of a persistent delivery failure of electronic communications to a customer, in accordance with its published terms of service.

DISCLOSURE OR PUBLICATION OF A CUSTOMER’S IDENTITY OR CONTACT DETAILS:

18. Regarding Disclosure and Publication, the WG agreed that none of its recommendations should be read as being intended to alter (or mandate the alteration of) the prevailing practice among P/P service providers to review requests manually or to facilitate direct resolution of an issue between a Requester and a P/P service customer. It also notes that disclosure of at least some contact details of the customer may in some cases be required in order to facilitate such direct resolution.

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<sup>19</sup> The WG notes that failure of “delivery” of a communication is not to be equated with the failure of a customer to “respond” to a request, notification or other type of communication.

<sup>20</sup> Although the WG has agreed on this concept in principle, it welcomes community input on the specific timeframes and number of attempts that would qualify as a persistent delivery failure.

19. The WG has developed an illustrative draft Disclosure Framework that would apply to Disclosure requests made to P/P service providers by intellectual property (i.e. trademark and copyright) owners. The proposal as drafted includes requirements concerning the nature and type of information to be provided by a Requester, non-exhaustive grounds for refusal of a request, and the possibility of neutral dispute resolution/appeal in the event of a dispute. See Annex E for the full draft Disclosure Framework, including certain alternative formulations for which the WG has yet to reach consensus and welcomes community input on.

#### DEACCREDITATION & ITS CONSEQUENCES:

20. Regarding de-accreditation of a P/P service provider:

- P/P service customers should be notified prior to de-accreditation of a P/P service provider, to enable them to make alternative arrangements. One possible time in which to do so might be when Compliance sends breach notices to the provider, as customers would then be put on notice (as is done for registrar de-accreditation).
- Other P/P service providers should also be notified, to enable interested providers to indicate if they wish to become the gaining P/P provider (as is done for registrar de-accreditation)
- All notification(s) are to be published on the ICANN website (as is done for registrar de-accreditation)
- A de-accredited P/P service provider should have the opportunity to find a gaining provider to work with (as sometimes occurs with registrar de-accreditation<sup>21</sup>)
- A “graduated response” approach to de-accreditation should be explored, i.e. a set series of breach notices (e.g. up to three) with escalating sanctions, with the final recourse being de-accreditation
- Where feasible, a customer should be able to choose its new P/P service provider in the event of de-accreditation of its existing provider

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<sup>21</sup> The WG notes that, as with registrar de-accreditation, the gaining provider will need to first be approved by ICANN.

- The next review of the IRTP should include an analysis of the impact on P/P service customers, to ensure that adequate safeguards are in place as regards P/P service protection when domain names are transferred pursuant to an IRTP process

In addition to feedback on the specific recommendations outlined above, commenters are also invited to provide suggestions on the need for and scope of a possible compliance framework that can facilitate the effectiveness of the de-accreditation process<sup>22</sup>.

### **1.3.2 Specific topics on which the WG has yet to finalize its preliminary conclusions**

The WG has yet to reach agreement on the following topics, regarding certain aspects of “relay” and “reveal”. It therefore specifically invites community input on these questions.

#### On Escalation of Relay Requests:

While the WG reached preliminary agreement on a P/P service provider’s obligation to act in the event it becomes aware of a persistent delivery failure, the WG has yet to agree on obligatory next steps regarding escalation by a Requester. The following is the current language under consideration by the WG, with the options included in square brackets:

*“As part of an escalation process, and when the above-mentioned requirements concerning a persistent delivery failure of an electronic communication have been met, the provider [should] [must] upon request forward a further form of notice to its customer. A provider should have the discretion to select the most appropriate means of forwarding such a request [and to charge a reasonable fee on a cost-recovery basis]. [Any such reasonable fee is to be borne by the customer and not the Requester]. A provider shall have the right to impose reasonable limits on the number of such requests made by the same Requester.”*

- What should be the minimum mandatory requirements for escalation of relay requests in the event of a persistent delivery failure of an electronic communication?

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<sup>22</sup> The WG recognizes that the details of such a framework will need to be further worked out as part of the implementation of its policy recommendations, if adopted.

On Disclosure and Publication in relation to Requests by LEA and other Third Parties other than Trademark and Copyright Owners:

Although the WG reached preliminary agreement in respect of a proposed Disclosure Framework for handling requests from intellectual property (i.e. trademark and copyright) rights-holders, it has not developed a similar framework or template that would apply to other Requesters, such as LEA or anti-abuse and consumer protection groups. The WG is aware that certain concerns, such as the need for confidentiality in relation to an ongoing LEA investigation, may mean that different considerations would apply to any minimum requirements that might be developed for such a framework. It therefore seeks community input on this general topic, as well as on the following specific questions:

- Should it be mandatory for accredited P/P service providers to comply with express requests from LEA in the provider's jurisdiction not to notify a customer?
- Should there be mandatory Publication for certain types of activity e.g. malware/viruses or violation of terms of service relating to illegal activity?
- What (if any) should the remedies be for unwarranted Publication?
- Should a similar framework and/or considerations apply to requests made by third parties other than LEA and intellectual property rights-holders?

**1.3.3 Specific topics on which there is currently no consensus within the WG**

Although the WG agreed that the mere fact that a domain name is registered by a commercial entity or by anyone conducting commercial activity should not preclude the use of P/P services<sup>23</sup>, there was disagreement over whether domain names that are actively used for commercial transactions (e.g. the sale or exchange of goods or services) should be prohibited from using P/P services. While most WG members did not believe such a prohibition is necessary or practical, some members believed that registrants of such domain names should not be able to use or continue using P/P services.

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<sup>23</sup> The WG notes that the WHOIS RT had specifically acknowledged that P/P services can be and are used to address legitimate interests, both commercial and non-commercial.

For those that argued that it is necessary and practical to limit access to P/P services so as to exclude commercial entities, the following text was proposed to clarify and define their position: *“domains used for online financial transactions for commercial purpose should be ineligible for privacy and proxy registrations.”*

Public comment is therefore specifically invited on the following questions<sup>24</sup>:

- Should registrants of domain names associated with commercial activities and which are used for online financial transactions be prohibited from using, or continuing to use, P/P services? If so, why, and if not, why not?
- If you agree with this position, do you think it would be useful to adopt a definition of “commercial” or “transactional” to define those domains for which P/P service registrations should be disallowed? If so, what should the definition(s) be?
- Would it be necessary to make a distinction in the WHOIS data fields to be displayed as a result of distinguishing between domain names used for online financial transactions and domain names that are not?

#### **1.3.4 General**

The WG welcomes community input as to whether its recommendations that certain mandatory provisions be included in an accredited P/P service provider’s terms of service are sufficient to ensure adequate protection of P/P service customers, particularly in the event of Publication of a customer’s details in WHOIS as a result of termination of P/P service due to the customer’s breach of the terms. Further, the WG has preliminarily concluded that the registrar accreditation model with its multiple steps, governed by the RAA, may not be entirely appropriate for P/P services; however, it is a useful starting point from which relevant portions may be adapted to apply to P/P service providers. It therefore invites community feedback as to the implications of adopting a particular accreditation model, recognizing, however, that this is a feature that will need to be worked out as part of the implementation of its policy recommendations, if adopted.

#### **1.4 Community Input**

The WG reached out to all ICANN Supporting Organizations and Advisory Committees as well as GNSO Stakeholder Groups and Constituencies with a request for input (see Annexes B and C) at

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<sup>24</sup> Documents considered by the WG and email threads from the WG’s mailing list on this topic have been compiled on this page on the WG’s wiki space: <https://community.icann.org/x/g4M0Aw>.

the start of its deliberations. All responses received were reviewed by the WG and incorporated into its templates for each of its Charter questions.

The WG also reviewed the responses to a February 2014 privacy and proxy provider questionnaire<sup>25</sup> developed by the Expert Working Group on gTLD Data Directory Services (“EWG”) as well as other relevant background material, including the recommendations from the EWG and the WHOIS Policy Review Team<sup>26</sup>.

## **1.5 Conclusions and Next Steps**

The Working Group aims to complete this section of the report following its review of public comments received on this Initial Report.

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<sup>25</sup> See

<https://community.icann.org/download/attachments/45744698/EWG%20PP%20PROVIDER%20QUESTIONNAIRE%20SUMMARY%2014%20March%202014.pdf?version=1&modificationDate=1395362247000&api=v2>.

<sup>26</sup> These can be accessed on the WG wiki at <https://community.icann.org/x/XSWfAg>.