Registries Stakeholder Group Statement

Issue: Registration Directory Service (RDS-WHOIS2) Review Team Final Report

Date statement submitted: **9 December 2019**

Reference url: https://www.icann.org/public-comments/rds-whois2-rt-final-report-2019-10-08-en

Background[1]

In its Final Report, the RDS Review Team assessed the extent to which prior DSR recommendations have been implemented and implementation has resulted in the intended effect. The review team also assessed the effectiveness of the then current gTLD registry directory service and whether its implementation meets the legitimate needs of law enforcement, promotes consumer trust and safeguards registrant data.

The RySG provided feedback on the Review Team's Draft report of recommendations that were published for public comment in September 2018
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Registries Stakeholder Group (RySG) comment:

The Registries Stakeholder Group (RySG) welcomes the opportunity to submit comments on the Registration Directory Service (RDS-WHOIS2) Review Team's Final Report. We note that the majority of the Review Team's recommendations are substantially similar to those contained in the Review Team's Draft Report from August 2018, and therefore we refer back to the comments the RySG submitted on that Draft Report in November 2018.

As the ICANN Board considers the Final Report and recommendations and contemplates the actions it will take in response, the RySG respectfully submits the following additional comments:

- Certain recommendations (namely, R10.1 and CC.2 and CC.4) have significant overlaps with community-developed policies that are in place or in the process of being implemented. By way of an example, recommendation CC.2 refers to a "full" set of registrant or admin contact details as required under the 2013 RAA. However, the EPDP on the Temporary Specification for gTLD Registration Data produced

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[1] *Background: intended to give a brief context for the comment and to highlight what is most relevant for RO's in the subject document – it is not a summary of the subject document.*

recommendations in its Phase 1 Final Report (which were subsequently adopted by the GNSO Council and approved by the ICANN Board) that will alter the requirements for what constitutes a "full" set of contact details. The RySG cautions the ICANN Board that the Review Team's recommendations cannot and should not create new policy or trump existing policies that have been developed through the bottom-up multistakeholder process.

- Other recommendations (R5.1 and R11.2) similarly overlap with work that is being conducted elsewhere within the ICANN community. The WHOIS Accuracy Reporting System (R5.1) was recently the subject of [correspondence](#) between ICANN Org and the GNSO Council leadership, while ICANN Org recently [updated](#) the common RDS lookup interface to utilize RDAP. This overlap may reflect the extensive time it took for the RT to conduct its review, with over a year passing between the publication of the Draft Report and the Final Report. When considering the actions it will take on these recommendations, the RySG encourages the ICANN Board to take stock of similar work that is already taking place and refrain from duplicating efforts unnecessarily.

- The RySG also has concerns with the following recommendations:

  - SG.1 recommends ICANN Org modify its contracts with registries and registrars to require registrant data protections and that ICANN be notified in the event of a data breach. While the RySG supports the principle of protecting registrant data, this recommendation appears to bleed into compliance with data protection laws. As such, this is a matter that should be handled between ICANN Org and the contracted parties directly.

  - We are unclear on if or how the SLAs mentioned in R11.1 for the common RDS lookup interface would overlap with the SLAs registries and registrars must meet in responding to RDAP queries. Consideration should be given to this question before ICANN Org determines which metrics to measure around the interface.

  - We are concerned about the feasibility of implementing Recommendation CC.1.

As we stated in our comments on the RDS-WHOIS2 Review Team's Draft Report, the RySG recognizes the important role that RDS/WHOIS data plays for many entities within and outside the ICANN community. We also acknowledge the vast amount of work already taking place within ICANN processes on various aspects of RDS/WHOIS. Understanding that time and resources are limited throughout the community, we hope these comments help the Board to prioritize its actions on the RT's recommendations.