

This Mind Map serves as a concise illustration of the fundamental questions and sub-questions detailed in the RDS PDP Charter and Issue Report. This map is a starting point. It can be adjusted as the WG agrees upon refinements to questions (including but not limited to sequencing) and adds new subquestions, inter-dependencies, further inputs, and detailed policies that should be "parked" for consideration during phases 2/3. This map is intended as a tool to help the WG better understand and reach agreement on fundamental questions to be addressed in phase 1 by providing an overall picture as well as an opportunity to start thinking about additional sub-questions and whether there are certain questions that need to be considered before being able to address other questions, etc.

Charter Questions

Sub-Questions

Sub-sub questions

Examples of topics to be considered in phase 2/3

Key inputs to be considered  
(all available at WG's wiki)



Charter questions are numbered as they are ordered in the charter and process framework. The order is subject to change by the WG.

1

What are the guiding principles that should be applied to all data elements to determine whether they are mandatory/optional to collect, public/non-public to access, etc?

Do existing gTLD registration data elements sufficiently meet the needs of purposes identified as permissible?

Should any gTLD registration data elements be removed, revised, and/or added to meet those needs?

Should gTLD registration data collection and access be based on permissible purposes, jurisdiction, applicable laws, registrant type, and/or other criteria?

Defer to phase 2/3: Policies such as application of principles to each specific data element; guidance on how gTLD data elements map to EPP and RDAP.

Key inputs: Whois Task Force Final Report; SAC054,; EWG Recommendations, including FAQs and tutorials; RA Spec 4; RFC 7485. See <https://community.icann.org/x/p4xlAw> for summaries and check-list of documents.

4 Data Elements: What data should be collected, stored, and disclosed?

Key inputs: SAC054; EWG recommendations, including statements; the EU Data Protection Directive 1995, Professor Greenleaf's two articles; Opinion 2/2003 on the Application of the Data Protection Principles to the Whois directories is the Article 29 Working Party's opinion; Thick Whois PDP report, and the legal review; Article 29 WP opinions, especially those directed at ICANN. See <https://community.icann.org/x/p4xlAw> for summaries and check-list of documents.

5 Privacy: What steps are needed to protect data and privacy?

What are the guiding principles that should be applied?

Do existing gTLD registration directory services policies sufficiently address compliance with applicable data protection, privacy, and free speech laws within each jurisdiction?

Do existing gTLD registration directory services policies sufficiently address the overall privacy needs of registrants and other stakeholders?

What new or enhanced privacy approaches or levels should be used to overcome identified barriers to protection of gTLD registration data and registrant privacy and why?

Defer to phase 2/3: Policies such as specific over-arching privacy policy for gTLD registration directory services or enhanced privacy options that may be build upon policies specified by the PPSAI PDP; guidance on application of data protection laws in each jurisdiction and how they apply to each registration data element.

What are the fundamental requirements for gTLD Registration Data?

1 Users/Purposes: Who should have access to gTLD registration data and why

Key inputs: EWG recommendations; 2012 WHOIS Policy Review Team Report; SAC055; 2007 GAC Communiqué; 2013 RAA; Article 29 WP opinion (02/2003); Article 29 WP correspondence on ICANN Procedure for Handling WHOIS Conflicts with Privacy Law (2007); Article 29 WP 217 Opinion 4/2014; Article 29 WP 203 Opinion 3/2013; SAC054, European Commission's webpages on "Obligations of Data Controllers" and "Definition of Data Controllers"; the EU Data Protection Directive; the Council of Europe Treaty 108; U.S. NTIA Green Paper: Improvement of Technical Management of Internet Names and Addresses (1998); White Paper: Management of Internet Names and Addresses, Statement of Policy (2012). See <https://community.icann.org/x/p4xlAw> for summaries and check-list of documents.

What are the guiding principles that should be used to determine permissible users and purposes, today and in the future?

Should gTLD registration data be accessible for any purpose or only for specific purposes?

For what specific purposes should gTLD registration data be collected, maintained, and made accessible?

Who should be permitted to use gTLD registration data for those purposes?

What should the over-arching purpose be of collecting, maintaining, and providing access to gTLD registration data?

Defer to phase 2/3: Policies such as data elements accessible to each user/purpose; guidance on Terms of Service for each purpose

Key inputs: WHOIS TF, WHOIS Misuse Study, WHOIS Lookup Tool, Article 29 WP, EWG S4/AE, statements

2 Gated Access: What steps should be taken to control data access for each user/purpose?

What are the guiding principles that should be used to determine level(s) of access (including law enforcement access)?

Should gTLD registration data be entirely public or should access be controlled?

How many levels of access to gTLD registration data should be provided? (e.g. public, non-public, multi-tiered)

Should access to gTLD registration data be based on authenticated requestor identity?

Should access to gTLD registration data be based on requestor's purpose? Other criteria?

Defer to phase 2/3: Policies such as authorised levels of access granted to each specific user/purpose and associated credentialing and anti-abuse policies; guidance on suitable access protocols and authentication methods.

Key inputs: WHOIS RT & TF, WHOIS ARS, WHOIS Accuracy Studies, EWG S5, statements, Contact Validation RFI, ccTLD Validation Survey

3 Data Accuracy: What steps should be taken to improve data accuracy?

1. What are the guiding principles that should be used to determine measures to ensure accuracy and mitigate inaccuracies?

Is existing gTLD registration data sufficiently complete and accurate or should further policies be instituted to improve accuracy?

What enhanced validation approaches or levels should be used to overcome barriers to gTLD registration contact accuracy and why?

Defer to phase 2/3: Policies such as the extent to which each specific data element should be validated; guidance on validation systems or metrics for measuring accuracy.