**Comments on Initial Report from the Expert Working Group (EWG)**

**on gTLD Directory Services**

The Internet Services Provider and Connectivity Provider Constituency (ISPCP) respectfully submits the following comments on the Initial Report of the Expert Working Group on gTLD Directory Services (EWG).

The constituency over the years has continuously expressed its views regarding a reliable access to accurate and comprehensive registration data. Members are prepared to actively engage in the discussion about the development and implementation of such services.

We comment on the questions raised by the EWG as follows:

*Regarding the EWG's suggested Aggregated RDS model, are there additional advantages and disadvantages that should be considered? In such a model, which data repository (ARDS or Registry) should be considered authoritative?*

The ISPCP constituency supports the ARDS model. The preferential authoritative data repository should be the Registry.

*Could the EWG's recommendations for purpose-driven authenticated Gated Access to validated registration data satisfy identified RDS users and their needs? In such a model, how would requestors be identified, authorized and issued RDS access credentials? In particular, who would accredit law enforcement agents, based on what criteria?*

The ISPCP constituency believes that the needs of Internet Service Providers could be satisfied. However categorization and clear definition of permissible purposes is essential as well as access authorization.

In addition the establishment of a single highly aggregated database is questionable with respect to the security and vulnerability of such a system. Consideration should be given to a more decentralized system - e.g. at regional or Registry operators or other levels. Further discussion is needed on the structural design of such a system.

Access accreditation to law enforcement actors should only be granted in line with data protection laws applying in the registrant's national country.

*Could the EWG's recommendations for addressing maximum protected registration satisfy both accountability needs and the privacy needs of at-risk individuals? How might a suitable solution be identified and funded?*

see comment above

*Are the users and purposes identified by the EWG thus far sufficiently representative? Are there any significant gaps in users and purposes that must be addressed?*

Deep consideration should be given in defining the purposes.

From an ISP perspective the related users are covered.

*Given the desire for an extensible next-generation RDS that might accommodate the needs of a rapidly-evolving global Internet, how could future new users and purposes be accommodated? Who would decide on permitted purposes, using what criteria?*

This is a typical ICANN based decision taking process involving all stakeholders.

*Are the registration data elements identified by the EWG thus far sufficiently representative of the data required for each identified purpose? Are there any significant gaps in data elements that must be addressed?*

The ISPCP supports the EWG work done so far. Clear definition of the data required and the purpose for which the data are collected is essential.

*How should public and gated data elements be classified? What criteria should the EWG apply to make initial recommendations in this area?*

What community needs should be considered during the EWG's discussion of registration data storage duration, escrow and access log requirements?

The implications of National data protection laws have not been sufficiently taken into account. The ISPCP cannot fully support this approach until this issue has been rigorously analyzed by data privacy experts and a data privacy policy has been developed and vetted by the community.

*The EWG acknowledges that deploying and operating the suggested RDS will incur costs. In such a system, how could or should those costs be borne?*

Everybody who benefits from the provision and use of the RDS could be charged. There are different models to be investigated:

- direct fee charging

- indirect cost coverage (similar to Google)

On behalf of the ISPCP constituency: Wolf-Ulrich Knoben, 2013-09-11