# RDS-WHOIS2-RT Scope

## Agreed

### Prior WHOIS-RT Recommendation

Evaluate the extent to which ICANN Org has implemented the recommendation (noting any modifications during implementation), and assess to the extent practical, the extent to which the recommendation has either addressed the issue or provided additional information useful to WHOIS management and evolution. Determine if any follow-on recommendations are required.

### OECD Guidelines

Note that current WHOIS Implementation takes no action at all in relation to privacy or transborder data flow. These issues are partially under review in relation the EC GDPR, and are also within the scope of the RDS PDP. The RT will therefore not do any detailed analysis or issue recommendations related to adherence of guidelines. Given that these are just guidelines applicable to governments, and are being superseded by other forms of guidelines and regulations, the RT will assess whether this clause in the Bylaws is appropriate and recommend changes if needed.

### Compliance

To the extent that this is not already covered in prior RT recommendations, Assess whether Contractual Compliance actions, structure and processes are effective and assess availability of data related to transparent enforcement of contractual obligations related to WHOIS.

### Current Protocol

Assess whether the current protocol is suitable for current processes.

* Current Status: We had agreed that we would to this and issue a simple statement that if only in its inability to handle non-7-bit ASCII address script in its fields, it is inadequate.
* Question: Given that translation/transliteration were already addressed by first RT Recommendations, word was done, and results now on hold and dependant on the RDS PDP, Do we really want to treat this as a separate item?

### IDN

* Current status: We agreed it was within scope, and we would address it similar to the above item.
* Question: Is IDN really the right title? WHOIS handles Internationalized Domain Named just fine through the use of Punycode, just as does the DNS itself. WHOIS does not handle other fields in non 7-bit ASCII encodings, but that is the subject of the above item (and addressed through Translation/transliteration and a new protocol.

## To Be Determined

### Assess the “effectiveness” of the current WHOIS Implementation

* Issue: Define Effectiveness
* Issue: How does one determine the effectiveness of something when there are ongoing disputes about its purpose
* Issue: What do we compare it to do determine if it could be more “effective”?
* Pending: Stephanie to suggest language on effectiveness

### Assess whether the current WHOIS Implementation meets the legitimate needs of law enforcement.

* Issue: What are the “legitimate needs”
* Issue: How do we assess whether they are met?
* Issue: If we determine needs are not being met, do we really recommend making changes or simply refer requirements to the RDS PDP?
* Pending: Cathrin to produce draft text reflecting RT's discussion on law enforcement objectives, including possible methodology to obtain targeted community input on objectives, for RT to formulate recommendations w/r/t WHOIS meeting them.

### Assess whether the current WHOIS Implementation promotes consumer trust

* Issue: What does this mean? Is it only that WHOIS can be used to find information about a particular registrant, or should we be looking for some deeper meaning?

### Assess whether the current WHOIS Implementation safeguards user registrant data

* Issue: Is this as simple as saying because all registrant data is exposed, there is no attempt to protect, but since this is an issue under consideration of an ongoing PDP, it is out of scope?

Alan Greenberg

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