Prioritization

22 Recommendations

High Priority: 11
Medium Priority: 6
Low Priority: 5

R1.1	R1.2	R1.3	R3.1	R3.2	R4.1	R4.2	R5.1	R10.1	R10.2	R11.1	R11.2
H	M	M	H	H	H	H	L	L	L	L	H

R12.1	R15.1	LE.1	LE.2	SG.1	CC.1	CC.2	CC.3	CC.4	BY.1
L	M	H	M	H	M	H	L	M

Draft Description of Priorities

- **High priority** – These recommendations will create the most impact and the review team found the actions recommended were critical to the WHOIS ecosystem. The actions required may be complex and could involve in depth analysis and action. Most involve community input which can be time consuming so the Board may wish to focus on these first.

- **Medium priority** – These recommendations are not quite complex as the high priority but could involve time consuming research and implementation. Most require actions only by ICANN org so they should be implementable without much community input.

- **Low priority** – some of these recommendations are dependent on other recommendations, call for limited actions or are deferred until other actions have been completed.

Prioritization

Recommendation R1.1 : To ensure that RDS (WHOIS) is treated as a strategic priority, the ICANN Board should put into place a forward-looking mechanism to monitor possible impacts on the RDS (WHOIS) from legislative and policy developments around the world.

Recommendation R1.2: To support this mechanism, the ICANN Board should instruct the ICANN organization to assign responsibility for monitoring legislative and policy development around the world and to provide regular updates to the Board.

Priority: High

Recommendation R1.3: The ICANN Board, in drafting the Charter of a Board working group on RDS, should ensure the necessary transparency of the group's work, such as by providing for records of meetings and meeting minutes, to enable future review of its activities.

Priority: Medium

Prioritization

Recommendation R3.1: The ICANN Board should direct the ICANN organization to update all of the information related to RDS (WHOIS) and by implication other information related to the registration of second-level gTLDs domains. The content should be revised with the intent of making the information readily accessible and understandable, and it should provide details of when and how to interact with ICANN or contracted parties. Although not the sole focus of this recommendation, interactions with ICANN Contractual Compliance, such as when filing WHOIS Inaccuracy Reports, should be a particular focus. The revision of this web documentation and instructional material should not be undertaken as a purely internal operation but should include users and potentially focus groups to ensure that the final result fully meets the requirements. The resultant outward facing documentation of registrant and RDS (WHOIS) issues should be kept up to date as changes are made to associated policy or processes.

Priority: Medium

Prioritization

Recommendation R3.2 : With community input, the ICANN Board should instruct the ICANN organization to identify groups outside of those that routinely engage with ICANN, and these should be targeted through RDS (WHOIS) outreach. An RDS (WHOIS) outreach plan should then be developed, executed, and documented. There should be an ongoing commitment to ensure that as RDS (WHOIS) policy and processes change, the wider community is made aware of such changes. WHOIS inaccuracy reporting was identified as an issue requiring additional education and outreach and may require a particular focus. The need for and details of the outreach may vary depending on the ultimate General Data Protection Regulation (GDPR) implementation and cannot be detailed at this point.

Priority: High

Prioritization

Recommendation R4.1: The ICANN Board should initiate action to ensure ICANN Contractual Compliance is directed to proactively monitor and enforce registrar obligations with regard to RDS (WHOIS) data accuracy using data from incoming inaccuracy complaints and RDS accuracy studies or reviews to look for and address systemic issues. A risk-based approach should be executed to assess and understand inaccuracy issues and then take the appropriate actions to mitigate them.

Priority: High

Prioritization

Recommendation R4.2: The ICANN Board should initiate action to ensure that ICANN Contractual Compliance is directed to cross-reference existing data from incoming complaints and studies such as the ARS to detect patterns of failure to validate and verify RDS (WHOIS) data as required by the RAA. When such a pattern is detected, compliance action or an audit   should be initiated to review compliance of the Registrar with RDS (WHOIS) contractual obligations and consensus policies.

Priority: High

Prioritization

Recommendation R5.1: The Accuracy Reporting System, which was instituted to address concerns regarding RDS (WHOIS) contact data accuracy has demonstrated that there is still an accuracy concern and therefore such monitoring must continue. ICANN Org should continue to monitor accuracy and/or contactability through either the ARS or a comparable tool/methodology.

Priority: High (as per plenary call #48)

Prioritization

Recommendation R10:1 The Board should monitor the implementation of the PPSAI. If the PPSAI policy does not become operational by 31 December 2019, the ICANN Board should an amendment to the 2013 RAA (or successor documents) is proposed that ensures that the underlying registration data of domain name registrations using Privacy/Proxy providers affiliated with registrars shall be verified and validated in application of the verification and validation requirements under the RAA unless such verification or validation has already occurred at the registrar level for such domain name registrations. an amendment to the RAA

Priority: Low.

Prioritization

Recommendation R10.2: Reviewing the effectiveness of the implementation of WHOIS1 Recommendation #10 should be deferred. The ICANN Board should recommend that review be carried out by the next RDS (WHOIS) review team after PPSAI Policy is implemented.

Priority: Low.

Prioritization

Recommendation R11.1: The ICANN Board should direct the ICANN Organization to define metrics or SLAs to be tracked and evaluated to determine consistency of results of queries and use of any common interface (existing or future) used to provide one-stop access to registration data across all gTLDs and registrars/resellers. Specific metrics that should be tracked for any such common interface include:

- How often are RDS (WHOIS) fields returned blank?
- How often is data displayed inconsistently (for the same domain name), overall and per gTLD?
- How often does the tool not return any results, overall and per gTLD?
- What are the causes for the above results?

Priority: Low.

Prioritization

Recommendation R11.2: The ICANN Board should direct the ICANN Organization to ensure that the common interface displays all applicable output for each gTLD domain name registration as available from contracted parties, including multiple versions when the outputs from registry and registrar differs. The common interface should be updated to address any policy or contractual changes to maintain full functionality.

Priority: High.

Prioritization

Recommendation R12.1: Reviewing the effectiveness of the implementation of Recs #12-14 should be deferred. The ICANN Board should recommend that review to be carried out by the next RDS Review Team after RDAP is implemented, and the translation and transliteration of the registration data launches.

Priority: Low.

Prioritization

Recommendation R15.1: The ICANN Board should ensure that implementation of RDS-WHOIS2 Review Team recommendations is based on best practice project management methodology, ensuring that plans and implementation reports clearly address progress, and applicable metrics and tracking tools are used for effectiveness and impact evaluation.

Priority: Medium.

Prioritization

Recommendation LE.1: The ICANN Board should resolve that ICANN conducts regular data gathering through surveys and studies to inform a future assessment of the effectiveness of RDS (WHOIS) in meeting the needs of law enforcement. This will also aid future policy development (including the current Temporary Specification for gTLD Registration Data Expedited Policy Development Process and related efforts).

Recommendation LE.2: The ICANN Board should consider conducting comparable surveys and/or studies (as described in LE.1) with other RDS (WHOIS) users working with law enforcement on a regular basis.

Priority: High. These recommendations create an essential factual basis for further discussion and analysis.

Prioritization

Recommendation SG.1: The ICANN Board should require that the ICANN Organization, in consultation with data security and privacy expert(s), ensure that all contracts with contracted parties (to include Privacy/Proxy services when such contracts exist) include uniform and strong requirements for the protection of registrant data and for ICANN to be notified in the event of any data breach. The data security expert(s) should also consider and advise on what level or magnitude of breach warrants such notification. In carrying out this review, the data security and privacy expert(s) should consider to what extent GDPR regulations, which many but not all ICANN contracted parties are subject to, could or should be used as a basis for ICANN requirements. The ICANN Board should initiate action intended to effect such changes. The ICANN Board should consider whether and to what extent notifications of breaches that it receives should be publicly disclosed.

Priority: Medium.

Prioritization

Recommendation CC.1: The ICANN Board should initiate action intended to ensure that gTLD domain names suspended due to RDS (WHOIS) contact data which the registrar knows to be incorrect, and that remains incorrect until the registration is due for deletion, should be treated as follows. (1) The RDS (WHOIS) record should include a notation that the domain name is suspended due to incorrect data; and (2) Domain names with this notation should not be unsuspended without correcting the data.

Priority: High.

Recommendation CC.2: The ICANN Board should initiate action intended to ensure that all gTLD domain name registration directory entries contain at least one full set of either registrant or admin contact details comparable to those required for new registrations under 2013 RAA (or any subsequent version thereof) or applicable policies.

Priority: Medium.

Prioritization

Recommendation CC.3: The ICANN Board should take steps to ensure that ICANN Contractual Compliance is adequately resourced factoring in any increase in workload due to additional work required due to compliance with GDPR or other legislation/regulation.

Priority: High.

Recommendation CC.4: The ICANN Board should recommend the GNSO adopt a risk-based approach to incorporating requirements for measurement, auditing, tracking, reporting and enforcement in all new RDS policies.

Priority: Low.

Prioritization

Recommendation BY.1: The ICANN Board should take action to extend the reference to "safeguarding registrant data" in ICANN Bylaws section 4.6(e)(ii) and replace section 4.6(e)(iii) of the ICANN Bylaws (which refers to the OECD Guidelines) with a more generic requirement for RDS (WHOIS) Review Teams to assess how well RDS (WHOIS) policy and practice addresses applicable data protection and cross border data transfer regulations, laws and best practices.

Priority: Medium.