

WHOIS Discussion

ICANN76 GAC LAC Capacity Development
Workshop



11 March 2023

Registration Directory Services / WHOIS

- Registration Directory Services (RDS) is a publicly available and distributed directory containing information about registered domains such as icann.org
- Each registrar and registry operator maintains its own database of registration data and provides access to this data via its own directory service.
- The stable operation of the Internet relies on the basic concept that you cannot run a hierarchical and decentralized system like the Internet (a network of networks) if you cannot find the people who operate it to warn of problems and coordinate responses to operational issues.

WHOIS and Data Protection

- 17 May 2018: ICANN Board approved [Temporary Specification for gTLD Registration Data](#)
 - Personally identifiable information were masked in public WHOIS
 - Tiered/layered access to non-public WHOIS data
- ICANN received input from the EDPB that any personal data included in the registration data for any registrant, including a legal person, is protected under GDPR. As such, the model did not differentiate between legal and natural person.
- 25 May 2018: [EDPB statement on ICANN/WHOIS](#)

“...expects ICANN to develop and implement a WHOIS model which will enable legitimate uses by relevant stakeholders, such as law enforcement, of personal data concerning registrants in compliance with the GDPR, without leading to an unlimited publication of those data.”
- EPDP Phase 1, EPDP Phase 2 (SSAD Recommendations)

Update on the WHOIS Disclosure System

Agenda

- ◉ WHOIS Disclosure System Background
- ◉ About the WHOIS Disclosure System
- ◉ Board Resolution on Implementation
- ◉ Next Steps

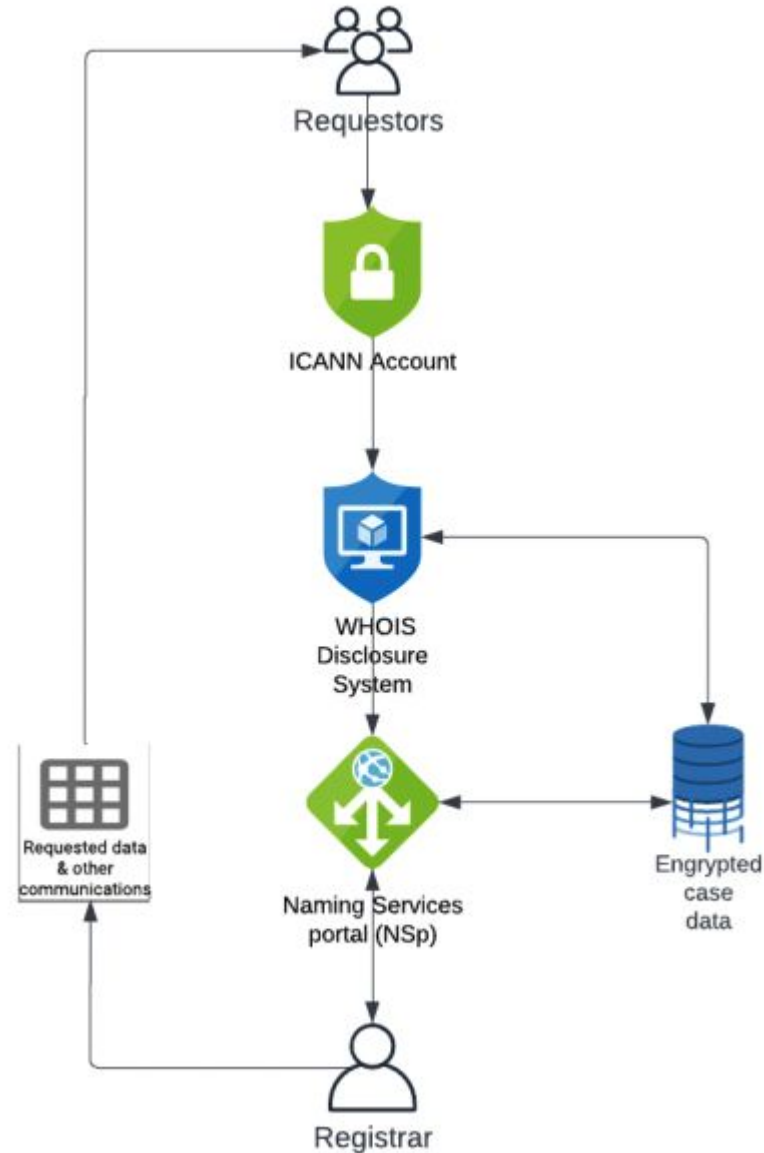
WHOIS Disclosure System Background

- Following ICANN org's [Operational Design Assessment](#) of the EPDP Phase 2 team's [18 SSAD policy recommendations](#), the Board raised [concerns](#) related to the significant time and resources required to build a system for which demand was unknown.
 - The GNSO Council asked the EPDP Phase 2 Small Team to review the ODA and provide input to the Council.
 - The Small Team [recommended](#) to the Council to proceed with a simpler design for requesting non-public gTLD registration data.
- The Board [paused](#) consideration of the SSAD policy recommendations, at the Council's [request](#), to allow for the org and Council to explore implementation of a simpler system.
 - ICANN org's [design](#) has evolved with input from the Small Team and wider community, and is now [supported](#) by the Council.
 - The [Annex](#) to the Temp Spec recognizes development of an access model as an important issue for further community action.
- The Board adopted a [resolution](#) directing the org to begin implementing the design on 27 Feb.

About the WHOIS Disclosure System

- The system provides one platform for both requestors and registrars to submit and receive requests for nonpublic gTLD registration data in a standardized format.
- The system is more cost effective than the one outlined in the SSAD Operational Design Assessment.
- The system will provide actionable data for the Board and Council to discuss the disposition of the EPDP Phase 2 Team's 18 SSAD-related policy recommendations.
- The system aligns with what the Small Team requested.
- The system is voluntary. There are no contractual or policy requirements that mandate registrars' use.

About the WHOIS Disclosure System



Board Resolution

- The [Resolution](#) on WHOIS Disclosure System implementation was adopted 27 February 2023.
- ICANN Board directed Interim President and CEO to:
 - Develop and launch the system within 11 months from the date of the resolution.
 - Operate the system for up to two years from the date of launch, and collect and report on usage data.
 - Continue to engage with the GNSO Council concerning the implementation of the system, including its name.
 - Work with the Small Team and Council to encourage comprehensive system usage by data requestors and by ICANN-accredited registrars throughout development and operation of the system.
- ICANN Board also urged GNSO Council to consider a Policy Development Process or other means to require registrars to use the system.

Next Steps

- System development and launch by ICANN org over the next 11 months, in consultation with the GNSO Council, Small Team, and wider ICANN community.
- The name of the system is expected to change.
- Periodic community updates.
- After launch, system operation (including collection and reporting on usage data) for up to two years.

Engage with ICANN



Thank You

For more information:

<https://www.icann.org/resources/pages/whois-disclosure-system-2022-12-22-en>



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