What is the ultimate model specification for RDS WHOIS?

ICANN 62 in Panama City ought to have been tagged General Data Protection Regulation (GDPR) policy meeting. My interest in the run-up to the 62nd ICANN meeting was to understand the direction afterwards of what the future of the Registry Directory Service (RDS) PDP Working Group, which was put on hold, will be. I had actively participated in this working group for more than 1 year, and joined a couple of drafting teams.

The GDPR, which had just passed barely on May 18th, has made a remarkable shift in the industry and ICANN.org is working hard to ensure it abides by the guidelines of the regulations of the European Union.

Hence, I found participating and discussing the Cross-Community Session: WHOIS/RDS Policy: Post GDPR Development and Next Steps fascinating.

The session had Brian Winterfeldt, the president of Commercial Stakeholders group as the moderator and representatives of the GAC, NCSG, Contracted Parties, and Technical on the panel.One of the burning questions was how do we preserve un- fragmented WHOIS with many data protection policies or laws including the GDPR without breaking these laws? Unlike what we had in the RDS WG and previous interactions these panellists were constructive and eager to work together for an improved RDS post GDPR.

The temporary specifications (an interim model for WHOIS that is compliant with GDPR) that ICANN board implemented tends to have done some good by aligning the community towards an agreeable roadmap. Unfortunately Temp. Spec can only be in operation for one year; hence the introduction of EPDP.

The success of EPDP is going to be the ultimate test of the ICANN multistakeholder model acid test. Can this community work successfully on a platform where they have diverging views on?

This raises the question: what does the ultimate model specification of GDPR compliance look like? And how do we get there?

The Government Advisory Committee, who is closest to government if not representing governments who introduce these laws and policies still wants a WHOIS that is open with all the present data elements without pseudonymity to aid cybersecurity efforts and research, while the technical group represented make the case against malwares and phishing on the Internet could increase if access to the data within the WHOIS is restricted. There was a call for adjustment to the present ICANN *Temp. Spec.* to accommodate some of the data element or give access to allow their security team curb some of the million malicious IP addresses online through the use of tools like reverse lookup. The GAC believed that individuals' data should be protected but thinks otherwise of legal entities.

The contracted parties believe the days of anonymous access to the WHOIS is over, tiered access is the way to go and cost recovery on investment must be considered for the new platform. They also require clear and workable guidance on the features of the new model.

The GAC and the Technical/Cybersecurity want compliance with GDPR but are weary over ICANN over compliance.

NCUC clearly made a case for the need for data privacy to be respected and agreed the need for tiered access as well. There were concerns raised about the enormous amount of work to be done and the limited amount of time available.

The NCUC believes there are great examples of data protections in Health data and epidemiology space to take a cue from.

There was an intervention questioning the role of the GAC in the EPDP process, especially as some of their views seems to be contradicting with the Data Protections Acts.

Personally, I do not like the amount of my data available to the public whenever I search for my website records on the existing WHOIS arrangement. My opinion is that privacy should be enforced through some tiered access for purpose for use of my data alone.

However all the panelists agreed on the need to work together to develop the new model and time available is limited.

This is an interesting conversation worth following and contributing – I encourage all to watch the session on the link below.

https://livestream.com/icannmeeting/events/8262409/videos/176905381