



**Comment on GNSO
Translation and
Transliteration of Contact
Information PDP
Recommendations for Board
Consideration**

Status: FINAL

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Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

This BC commenting on the GNSO PDP recommendations for translation and transliteration of contact information, since those recommendations are being considered by the ICANN board¹.

Comment

The BC wishes to express concerns with GNSO Translation and Transliteration of Contact Information PDP Recommendations for Board Consideration. Per the comments we filed on the PDP initial report in Feb-2015, the BC disagrees with the fundamental recommendation that transformation of WHOIS contact information should be optional². Instead, the PDP concludes that "the burden" of transforming such data lies with the requesting party. Recommendation 5 goes on to suggest that *if* transformation of contact information is voluntarily performed by the registry or registrar, and *if* the WHOIS replacement system is capable of displaying more than one data set per registered name holder entry, then the data should be presented as additional fields.

As noted in our prior comments, the idea of mandatory transformation to globally accessible and searchable languages is essential to the continued development of a secure and trusted Internet.

We disagree with the PDP's notion that requiring an accurate and comprehensible database that is meaningfully useful to most Internet users is somehow a burden that must be shifted to Internet users. A workable, useable and comprehensible WHOIS database should be a requirement and ICANN should actively assist registrars and registries to address the technical and cost issues.

Per our earlier comments, the danger in pursuing a purely voluntary model is that it may encourage bad actors to register domain names in the least translatable languages or use registries and registrars who do not partake of the voluntary data transformation practices. Without uniform adoption of best WHOIS contact data transformation practices, the WHOIS database may become less transparent, less user friendly, less trustworthy and more balkanized.

Moreover, all registries and registrars should be required to adopt a WHOIS system capable of displaying more than one data set per registered name holder entry in additional fields to encourage the practice actually be adopted.

¹ <https://www.icann.org/public-comments/transliteration-contact-recommendations-2015-06-29-en>

² <http://www.bizconst.org/wp-content/uploads/2015/02/BC-comment-on-translation-transliteration-of-contact-data-PDP-initial-report.pdf>

If the Board nevertheless decides to proceed with this recommendation, the BC encourages a thorough post-implementation review to assess how the recommendations are working in practice. Some ideas for post-implementation review include conducting in-depth studies on the following questions:

- How many registrars and registries are actually pursuing the voluntary practice of transforming WHOIS contact data?
- Given that ASCII/English is the most common script/language, are ASCII and English language users experiencing difficulty in comprehending and using the data?
- Are WHOIS users easily able to meaningfully and efficiently transform such data into local languages? What are the burdens, costs and practical problems facing large and small WHOIS users alike? Are the burdens outweighing the ability of Internet users to meaningfully access such information?
- What are the burdens, costs and practical problems law enforcement are experiencing as a result of the PDP?
- Are bad actors gaming the least translatable languages or choosing registries/registrars who do not translate contact information as safe havens for cybersquatting, criminal activity, fraud and abuse?
- What complaints has ICANN Compliance received related to the decision underlying this PDP?
- After conducting a deep dive into randomized WHOIS data across the new gTLDs, how much of the non-translatable contact data is accurate after it is transformed into ASCII/English?
- What would be the actual costs associated with ICANN working with registries and registrars to transform such data going forward as a uniform practice?

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This comment was drafted by Stephen Coates, and was approved in accordance with the BC charter.