CONAC Commentary on

WHOIS Policy Review Team Final Report

It is noted that WHOIS Policy Review has been scheduled to be one of the priority and strategic items in ATRT2, CONAC welcomes and supports the recommendations proposed by WHOIS Policy Review Team in its final report and will hold its interest to pay sustained attention to implementation of those recommendations.

CONAC is delighted to see that ICANN has published a detailed action plan in response to the recommendations and has performed actual moves such as designating Vice President of Online Community Services to create an "information portal" for WHOIS inquiries, appointing Vice President of Compliance to report directly to the CEO. And the draft blueprint for Next Generation gTLD Directory Services is being developed by relevant Expert Working Group (EWG). Besides, among those recommendations, CONAC appreciates that WHOIS Review Team has recommended WHOIS as a strategic priority for ICANN.

IDN is acknowledged to be an innovation and effort of the occurent New gTLD Program initiated by ICANN. It has grown to be a trend that IDN gTLDs will greatly impact WHOIS services and pose new requirements at the same time, and this trend is increasingly obvious. *SAC 037: Display and usage of Internationalized Registration Data: Support for Characters from Local Languages or Scripts* issued on 20 April 2009 by ICANN Security and Stability Advisory Committee, *Final Report* issued on 7 May 2012 *by the ICANN Internationalized Registration Data Working Group* and *Preliminary Issue Report on Translation and Transliteration of Contact Information* issued on 7 January 2013 by GNSO Council all discussed the issue of internationalization of WHOIS data. Based on the findings of the above-mentioned reports and the recommendations in the final report of the WHOIS Policy Review Team, CONAC would like to comment as follows:

1. It is anticipated that the fact that potential users of WHOIS service involve registries, registrars, individual domain name registrants, commercial and non-commercial entities, government, academic institutions and law enforcement agencies, etc may not rule out the possibility that the structure of potential users in future may evolve.

When it comes to thick WHOIS information, although in the Affirmation of Commitments signed by ICANN and the U.S. Department of Commerce on September 30, 2009, there are lines stating that "ICANN implements measures to maintain timely, unrestricted and public access to accurate and complete WHOIS information", CONAC recognizes that WHOIS information disclosure should meet the legitimate requirements of applicable laws of legal jurisdictions. Except for a guarantee of reliable, accurate and complete WHOIS data, in order to ensure security of domain name WHOIS information, CONAC proposes to explore the possibility of making classifications of domain names, domain name registrants and WHOIS data users, reasonable restrictions should be imposed on WHOIS data access according to the categories. For example, ".政务" and ".公益"TLDs, which CONAC is applying for in the current new gTLD round, are dedicated to services for government, government agencies and public institutions respectively, in order to ensure security of WHOIS data, for queries from individual WHOIS data users, WHOIS information of the above institutions should not be provided on an unrestricted basis. Likewise, regulatory sectors such as finance and banking may implement the practice. For law enforcement agencies, timely and unrestricted WHOIS

information access should be permissible.

2. For the input of domain name registration data, CONAC recognizes that domain name registrants could provide registration information in a local language and / or English to registries and registrars. For the output of WHOIS information queries, it should be displayed in languages consistent with what registrants use in registering domain names.

3. CONAC recommends that ICANN continuously conducts priority reviews in its annual Contractual Compliance Audit for reliable, accurate, complete, and secure WHOIS data and services.

Along with the ICANN community，CONAC expects to see more productive progress on a uniform WHOIS policy and is willing to make every effort to discuss with stakeholders of the community in promoting the development of a new WHOIS policy.