**Response by the Canadian Internet Registration Authority
to the WHOIS Review Team Discussion Paper**

July 25, 2011
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The Canadian Internet Registration Authority (CIRA) is the not-for-profit corporation responsible for operating the .CA country code top level domain. CIRA is a member of the ICANN's country code Name Supporting Organisation (ccNSO) and a member of CENTR, the Council of European National Top Level Domain Name Registries. CIRA is pleased to have the opportunity to provide feedback to the WHOIS Review Team on their Discussion Paper.

CIRA maintains its own WHOIS service and can offer some insight into practices that encourage accuracy and completeness of WHOIS data. Following a brief description of CIRA's model, we answer specific questions from the Discussion Paper below.

CIRA's WHOIS model

CIRA maintains a WHOIS look-up directory which permits queries to the .CA Registry database to determine the availability of .CA domain names or to view the administrative contact and technical information provided by registrants who have registered .CA domain names.

As set out in CIRA's Privacy Policy, information for individual registrants (not organizations) is not publicly displayed in the WHOIS. Information of non-individual registrants, such as corporations, is displayed by default.

In order to contact a registrant whose information is not displayed in the WHOIS, an online Message Delivery form is used. The message is then forwarded to the registrant's Administrative Contact email address as provided by the registrant.

With respect to certain, specific disputes that a user has not been able to resolve through the Message Delivery form, if such user wishes to contact the registrant directly to resolve the dispute, CIRA may, under specific and limited circumstances, disclose certain specific contact information of registrants that is not publicly available through the WHOIS search tool, via the Request for Disclosure of Registrant Information – Rules and Procedures.

CIRA may provide personal information in response to a search warrant or other legally valid inquiry or order, or as otherwise required by applicable law. With respect to Canadian law enforcement agencies and the conduct of certain types of investigations, CIRA may also, under specific and limited circumstances, disclose certain specific contact

information of registrants that is not publicly available through the WHOIS search tool via the Request for [Disclosure of Registrant Information for Law Enforcement – Rules and Procedures](#).

Question 3. What insight can country code TLDs (ccTLDs) offer on their response to domestic laws and how they have or have not modified their ccTLD WHOIS policies?

Any WHOIS policy must reflect that a registry will have a responsibility to comply with local law. While ccTLDs are clearly subject to local laws, gTLDs must also comply with applicable domestic law, which may include privacy laws.

CIRA policies are subject to local law, and take into consideration privacy and other best practices.

Question 4. How can ICANN balance the privacy concerns of some registrants with its commitment to having accurate and complete WHOIS data publicly accessible without restriction?

CIRA does not believe that accuracy, completeness and privacy are mutually exclusive. It is possible to have WHOIS data that is publicly accessible without restriction, that is not accurate or complete. Conversely, it is also possible to have a fully accurate and complete database that also respects privacy. As well, we believe that a system which makes it mandatory to disclose WHOIS information may undermine the goal of accuracy and completeness as it may encourage the use of proxy and privacy services. For this reason, we believe it is worthwhile considering some level of privacy, under appropriate circumstances, in conjunction with appropriate disclosure mechanisms.

Question 10. How can ICANN improve the accuracy of WHOIS data?

In order to improve the accuracy of WHOIS, ICANN can adopt measures to enforce compliance with accuracy requirements.   In designing any measures to improve accuracy and completeness of WHOIS, ICANN should take into consideration the factors that lead to the creation of inaccurate and incomplete WHOIS data. Solutions can include registration validation; keeping in mind this solution must be practical. Any validation program requires significant verification, maintenance, and a compliance system, duties which must be taken into consideration when designing such a program.

In addition, registrants who provide false data should not benefit from proxy or privacy services.

Question 11. What lessons can be learned from approaches taken by ccTLDs to the accuracy of WHOIS data?

Addressing the accuracy and completeness of WHOIS will require a large amount of work; however, the longer it is left and not addressed, the worse the problem will become and the harder it will be to implement solutions as during that time, the volume of inaccurate WHOIS information will become larger.

Ensuring WHOIS accuracy and completeness is important to CIRA, in particular because we have eligibility requirements (Canadian presence) for registrants. Revoking registration due to incorrect registrant information is one method of ensuring accuracy and completeness of the database.

We would be pleased to discuss any of these items further. For further information please contact:

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