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AT-LARGE ADVISORY COMMITTEE

ALAC Statement on the Study on Whois Misuse

Introduction

The following individuals composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists:

- Holly Raiche, ALAC member from the Asian, Australasian and Pacific Islands Regional At-Large Organization (APRALO) and member of the At-Large Leadership Team (ALT); and
- Carlton Samuels, At-Large member from the Latin American and Caribbean Islands Regional At-Large Organization (LACRALO).

On 21 December 2013, this Statement was posted on the [At-Large Study on Whois Misuse Workspace](#).

On 23 December 2013, Olivier Crépin-Leblond, Chair of the ALAC, requested ICANN Policy Staff in support of the ALAC to send a Call for Comments on the draft Statement to all At-Large members via the [ALAC-Announce Mailing list](#).

On 6 January 2014, a version incorporating the comments received was posted on the aforementioned workspace and the Chair requested that Staff open an ALAC ratification vote on the proposed Statement.

On 11 January 2014, Staff confirmed that the online vote resulted in the ALAC endorsing the Statement with 12 votes in favor, 0 votes against, and 0 abstentions. You may review the result independently under: <http://www.bigpulse.com/pollresults?code=3626lrSmNUNrCKpjKMYyjRYn>

Summary

1. The ALAC has studied the WHOIS Misuse Study commissioned by ICANN and executed by researchers from Carnegie Mellon University over the period. We note the study has returned findings that align with individual experience of At-Large constituents plus the evidence of widespread occurrence has validated similar research undertaken by At-Large connected researchers.
2. The ALAC is aware that sectors in the ICANN community have weighed in on the results of this study, with one or other concerned questions on the methodology, size of dataset, geographic scope of study and/or the analysis of the data, all intended to undermine the findings. Nothing we have seen to date would have shaken our confidence in this baseline fact; WHOIS misuse is factual and widespread, as the evidence from 44% of sampled registrants across the several domains attest.
3. The ALAC will support any useful measure to abate misuse, including but not limited to WHOIS data anti-harvesting techniques.

The original version of this document is the English text available at <http://www.atlarge.icann.org/correspondence>. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on the Study on Whois Misuse

The ALAC has studied the WHOIS Misuse Study commissioned by ICANN and executed by researchers from Carnegie Mellon University over the period. We note the study has returned findings that align with individual experience of At-Large constituents plus the evidence of widespread occurrence has validated similar research undertaken by At-Large connected researchers. The question for the ALAC has never been whether misuse was factual. Rather, it was whether the level of misuse warranted measures to reduce or eliminate and, what would be appropriate responses from policy or operational perspectives, in context.

The ALAC is aware that sectors in the ICANN community have weighed in on the results of this study, with one or other concerned questions on the methodology, size of dataset, geographic scope of study and/or the analysis of the data, all intended to undermine the findings. Nothing we have seen to date would have shaken our confidence in this baseline fact; WHOIS misuse is factual and widespread, as the evidence from 44% of sampled registrants across the several domains attest. Given the continued threat this poses to the security and confidence in the use of the Internet, the public interest demands measures to address and abate its impact.

The ALAC will support any useful measure to abate misuse, including but not limited to WHOIS data anti-harvesting techniques. And even as the study identifies some gTLDs as more susceptible than others, we believe that adopting the best practices from every domain that have proven and useful anti-harvesting implementations of WHOIS data would be a useful beginning for a coordinated response from registries and registrars.