



Governmental Advisory Committee

23 September 2014

Dr. Crocker
Chair, ICANN Board Of Directors

Reference: The Review of the Procedure for Handling WHOIS Conflicts with National Privacy Laws

Dear Steve,

I am writing on behalf of the GAC concerning the range of WHOIS activities currently in train across ICANN.

I understand that there is likely to be a community session on WHOIS during the Los Angeles meeting, and of course the GAC welcomes the opportunity for such a discussion and clarification of a complex series of related issues. ICANN staff have been advised of the willingness of the GAC to participate actively and we await a response.

The GAC has a particular interest in the following WHOIS-related activities, which should be covered in any public session:

- WHOIS Accuracy - Thank you for the Board's letter of 2 September, which has been circulated to the GAC for consideration.
- Privacy and Proxy Services.
- Internationalized Contact Data.
- Review of the Procedure for Handling WHOIS Conflicts with National Privacy Laws.

On the last of these, it would be appreciated if the Board could ask ICANN staff to provide greater clarity as to the next steps. ICANN staff opened a public comment period on May 4, 2014 to collect input on options for moving forward, consistent with the requirement that the policy be reviewed to consider questions regarding the scope and impact of the WHOIS Procedure. The reply comment period closed on August 1, 2014.

The GAC is mindful that only eight comments were filed in the period between May 4 and August 1, 2014, which we believe is due primarily to the volume of work, as well as the conduct of a GAC High Level and regular meeting in June in London, pending before the ICANN community. The membership of the GAC believes the issues raised in the staff paper warrant further time and attention, as they clearly touch on significant public policy matters associated with national laws and the legitimate uses of WHOIS data.

As such, the GAC advises the ICANN Board that ICANN staff should provide further clarity regarding the scope and timeframe for further work on the WHOIS Procedure, to ensure that governments have sufficient opportunities to fully consider and contribute to this important initiative. This is also consistent with the GAC's request in the London Communique that ICANN conduct a session for the community on pending WHOIS-related work during the upcoming October ICANN meeting in Los Angeles.

Best regards,
Heather Dryden
Chair, Governmental Advisory Committee
Senior Advisor to the Government of Canada

