

To: Steve Crocker, Chair of the ICANN Board of Directors

Cc: Chris Disspain, Mike Silber, Göran Marby,
Chairs of SO/ACs

Participation of the ccNSO in the RDS-WHOIS2 review and nomination of potential RDS-WHOIS2 Team candidates

Dear Steve:

As, according to Section 4.6 (e) of the Bylaws, the Board caused the Registration Directory Service (RDS-WHOIS2) review, I convey to you the ccNSO Council decision with respect to participation of the ccNSO in this review.

In September 2016, assuming the May 2016 adopted Bylaws would become effective on 1 October 2016, the ccNSO Council supported participation of the ccNSO and broader ccTLD community in the anticipated RDS-WHOIS2 Review. Although this review focuses on the current gTLD registry directory service and does not directly affect ccTLD managers, the ccNSO Council was confident that the review would benefit from ccTLDs sharing their experience with registration directory services under relevant national legislations.

Since November 2016 the scope of the RDS-WHOIS2 review is under discussion and recently the ccNSO Council was asked to nominate up to 7 prospective members from a list of candidates who seek endorsement from the ccNSO.

After a discussion at its meeting on 13 April 2017, the ccNSO Council decided to defer participation of the ccNSO in the RDS-WHOIS2 review until the scope of the review is defined. Until the scope is clarified, **the ccNSO Council does not consider itself in the position to nominate candidates with the required skill-set and experience, nor to ask the nominated volunteers to commit time and other resources**, for the following reasons:

- **Unclear about the scope and the process to define the scope.** The scope of the RDS-WHOIS2 review has not been defined, nor is there a process in place on who, how and when will define the scope. We, as ccNSO, expect this process to be defined by the Operating Standards for specific reviews. Experience with previous reviews and other activities clearly demonstrated that the scope of an effort determines the skills and expertise needed, as well as the expected time and other commitments of the volunteers/members.
- **Two concurrent processes relating to RDS/Whois.** It is our understanding that under the ICANN umbrella at least two major efforts with respect to Registration Directory Services/Whois will be ongoing concurrently. One effort will be the RDS-WHOIS2 review and the other one is the ongoing effort initiated by the GNSO: PDP gTLD registration data services (<https://gns0.icann.org/en/group-activities/active/rds>). Each of these follows its own process, will address different, but interdependent and

potentially overlapping topics (with the unknown scope of the RDS review). In both areas ccTLDs will/have been called upon to share their practical experience.

- **EU General Data Protection Regulation and its implementation.** Although not directly relevant to all ccTLDs, gTLDs and registrars, some will have to implement the EU General Data Protection Regulation by May 2018. The ccNSO Council also expects that this regulation and its required implementation will have a major impact on the RDS related discussions and its scope.

The ccNSO Council is well aware that under the 1 October 2016 ICANN Bylaws the starting dates of specific reviews have been pre-determined and that is why some believe this is the reason to move forward despite of many uncertainties. However, the ccNSO Council firmly believes that, rather than trying to meet artificial deadlines, we should strive to make the reviews beneficial.

As always, the ccNSO Council is available to explain its position.

On behalf of the ccNSO Council

Katrina Sataki,
Chair