



Council of European National
Top-Level Domain Registries



WHOIS status and the impact of GDPR

ccNSO meeting

Barcelona - 23 October, 2018



Survey Details

- Period: June - July 2018
- Initiator: CENTR
- Respondents: .at, .au, .be, .ch, .cz, .de, .dk, .ee, .es, .eu, .fi, .fr, .ie, .lu, .me, .nl, .no, .nz, .pl, .pt, .rs, .se, .si, .ua, .uk

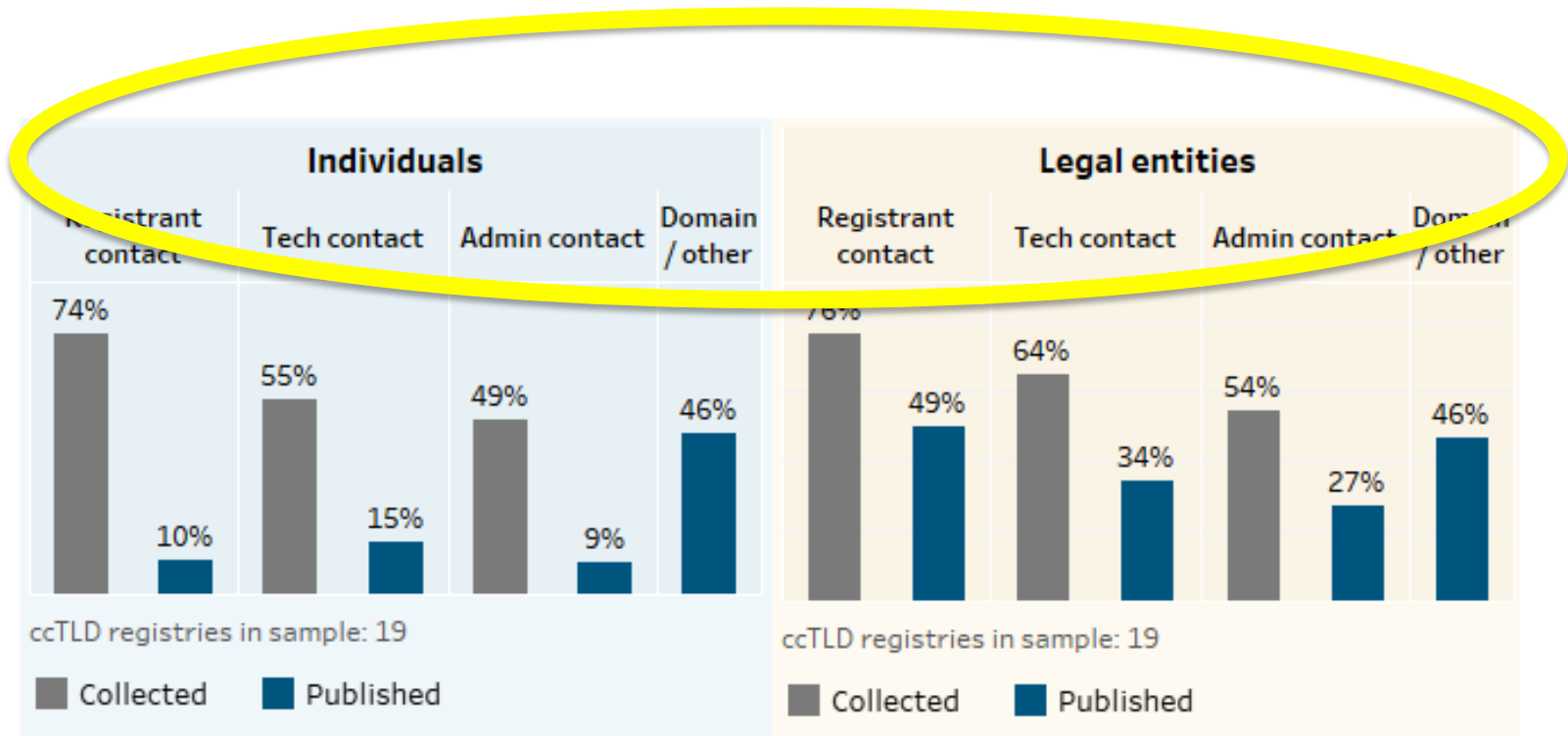


Covered in this session

- What data is publicly available in the WHOIS of European ccTLDs?
- What mechanisms are used to help LEA gain access to non-public data?
- How is data accuracy verified?
- Is there a problem with RARs refusing to transfer data?
- How are the rights of the data subject safeguarded?
- What is the average response time for data disclosure requests?
- How do registries differentiate between private individuals and companies?

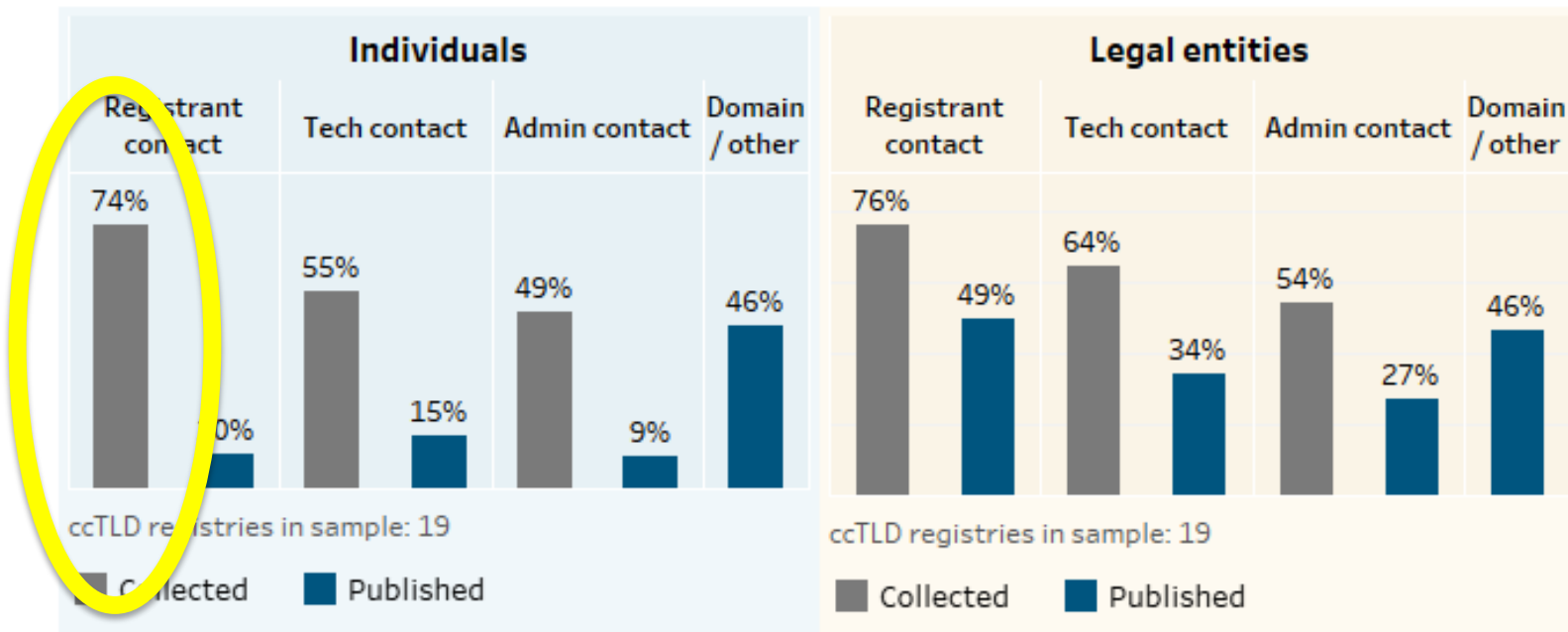
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Shows average % of EU based ccTLDs that collect/publish WHOIS fields within the group



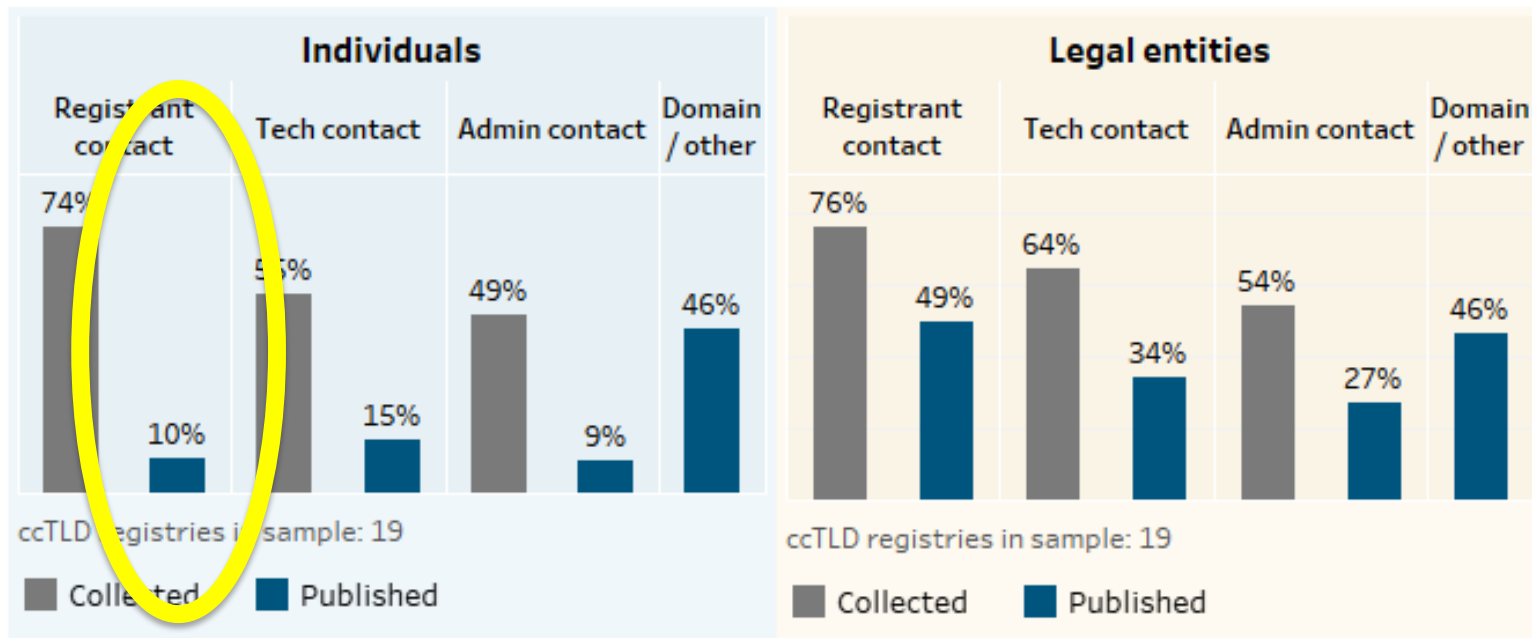
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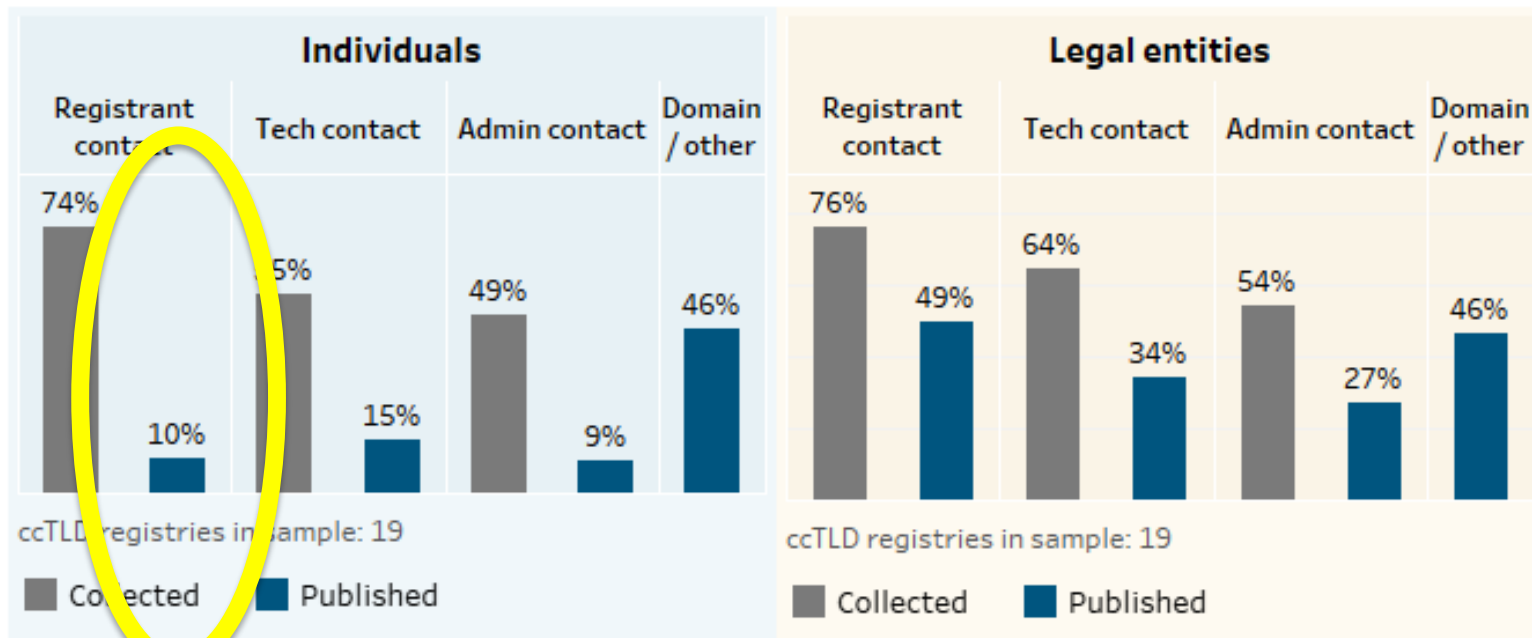
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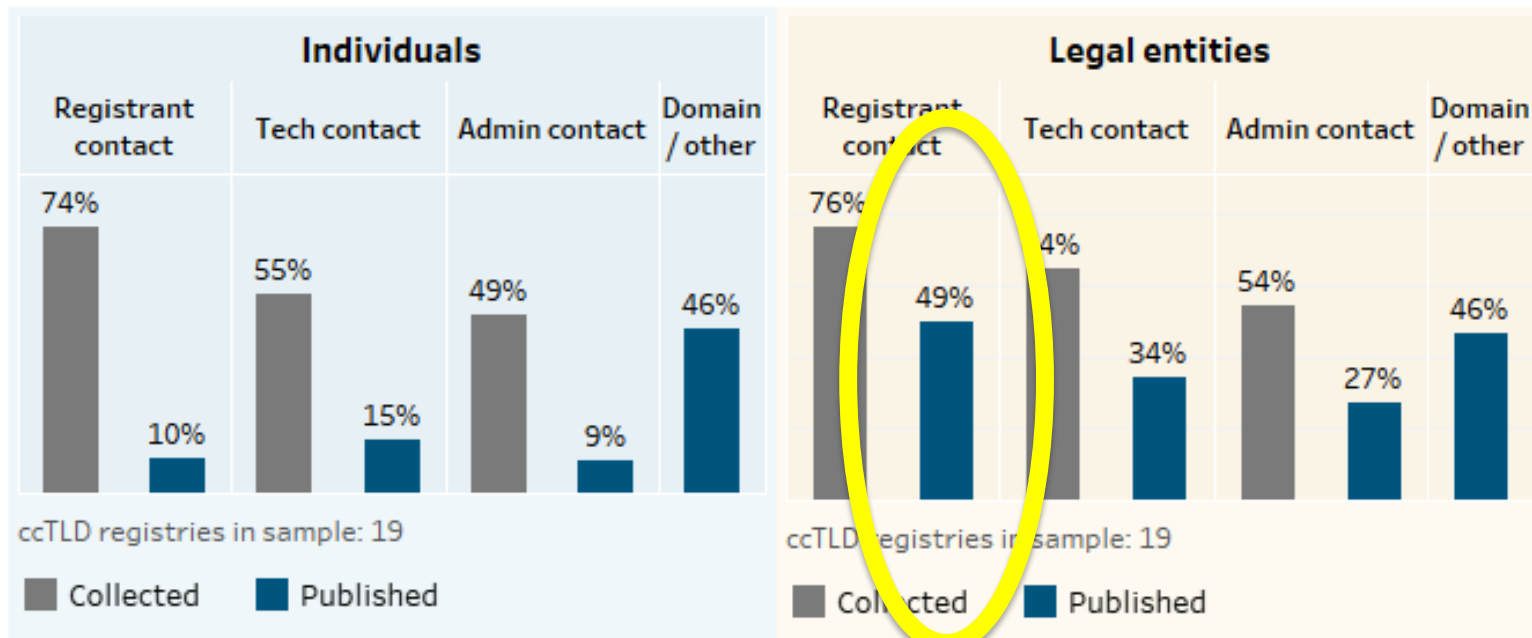
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		Individuals		Legal entities	
		Collected	Published	Collected	Published
Registrant contact	Registrant City	89%	11%	89%	68%
	Registrant Country	95%	16%	95%	68%
	Registrant Email	95%	11%	95%	47%
	Registrant Fax	53%	0%	53%	26%
	Registrant Free Fax	26%	0%	26%	16%
	Registrant Free Email	26%	0%	26%	47%
	Registrant Phone	89%	5%	84%	74%
	Registrant Phone Ext	47%	0%	47%	68%
	Registrant Postal Code	89%	11%	89%	42%
	Registrant State/Province	63%	11%	63%	21%
	Registrant Street	84%	11%	84%	58%
Admin contact	Admin City	58%	11%	63%	32%
	Admin Country	58%	11%	63%	32%
	Admin Email	63%	5%	68%	33%

Available at:
https://stats.centri.org/pub_whois



Holder identify verification

- Verification mostly (52%) **after** registration (32% do not verify at all, 16% verify during the registration process)
- Sources for verification:
 - business registers
 - supporting documents
 - others: ID cards, bank accounts, google maps..
- (Partial) verification of accuracy **automated** for 40% of registries



RAR to registry data transfers

- 25% of respondents receive only (partly) obfuscated data from RARs
- In those cases it is typically the email address that is obfuscated (50%)

Publishing data in the WHOIS

- Although several registries explicitly stated they do not publish personal data in the WHOIS, others list some of the legal grounds they rely on to publish registrant data. The common grounds were;
 - Legitimate interest or to allow contact from third parties
 - Contract or terms and conditions
 - Consent by registrant (for example, opt-in)
 - National law
- Opt-in service - 11 offer. 11 do not offer. 3 are planning to offer



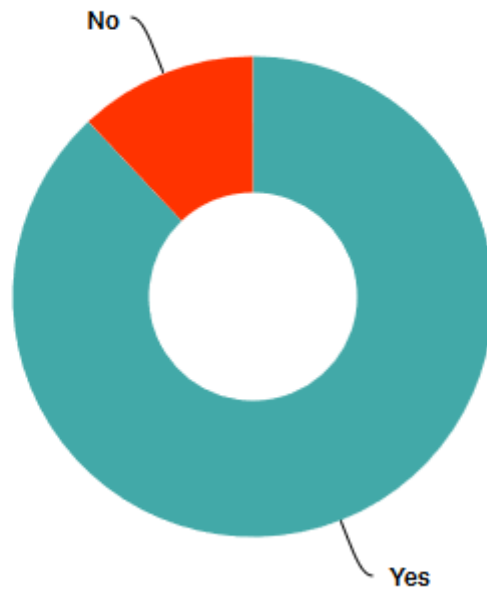
Data retention and requests

- For 60% of registries, data on the domain holder is kept for more than 5 years following deletion of the domain, and for 32% (or 8 registries) it is kept forever.
- The 'right to be forgotten' for many registries is not implemented for registration data.
- Generally, requests for access, rectification and deletion are either handled by the customer service, the legal department and/or a dedicated DPO or privacy team. There is no one department or team that is more use more commonly than another.

Access requests

Do you allow access to non-public WHOIS data?

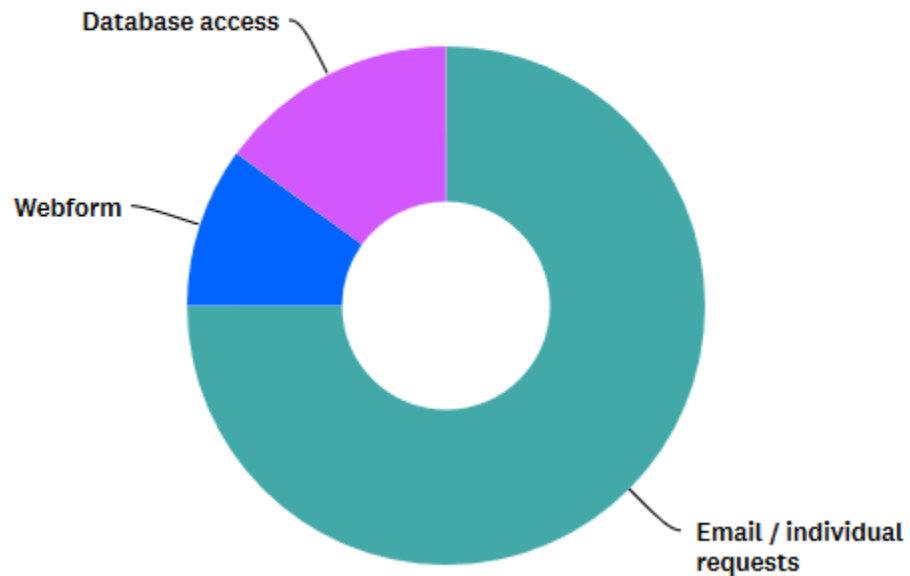
Answered: 25 Skipped: 0



Access requests

If yes, how is access provided?

Answered: 20 Skipped: 5

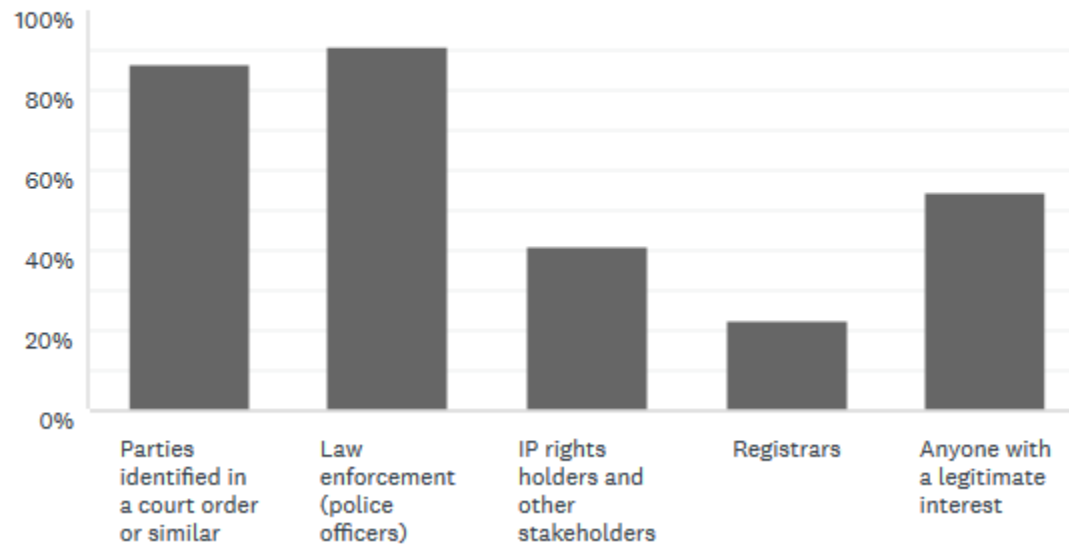




Access requests

If yes, to whom you provide access?

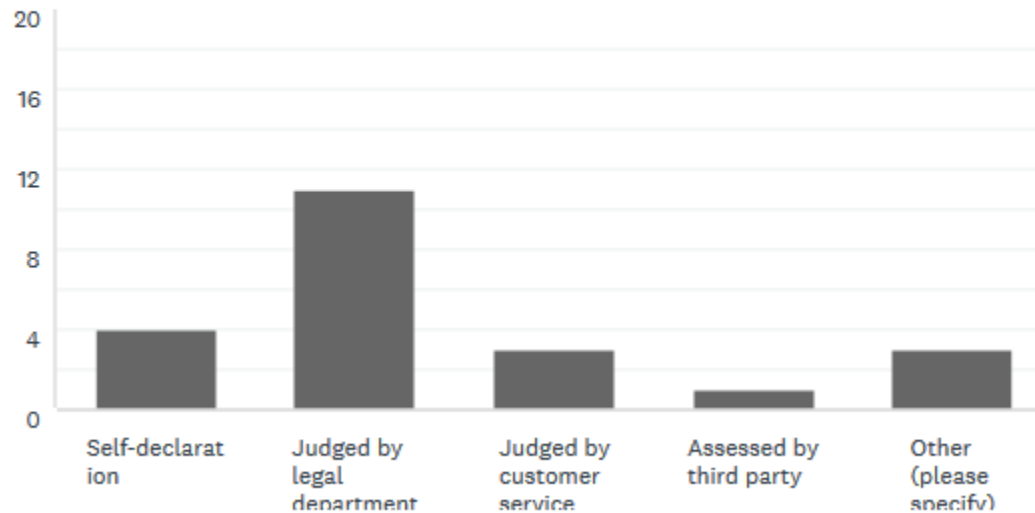
Answered: 22 Skipped: 3



Access requests

How do you verify 'legitimate interest'?

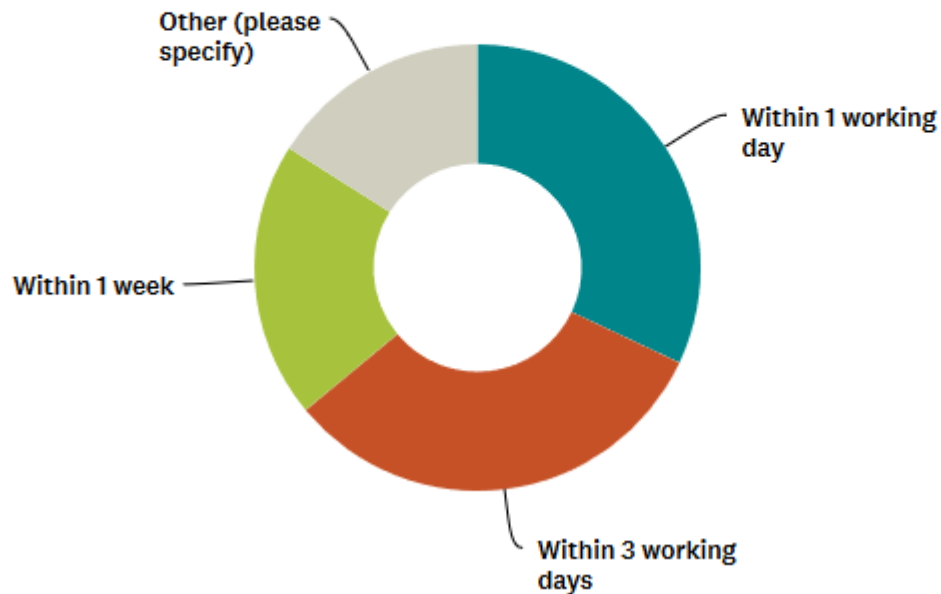
Answered: 19 Skipped: 6



Access requests

If responses to individual requests, within what timeline on average

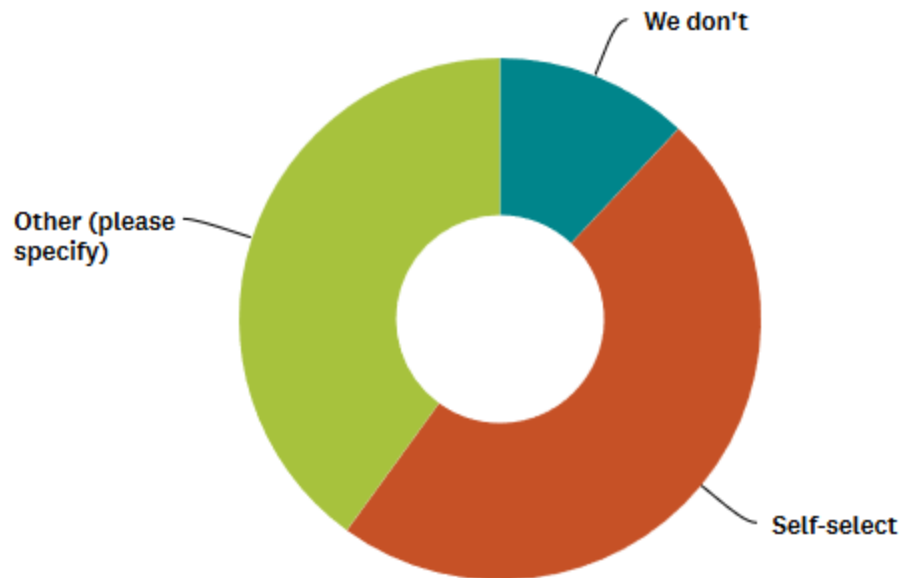
Answered: 25 Skipped: 0



Individuals vs organisations

How does your registry differentiate between private individuals and organisations as registrants?

Answered: 25 Skipped: 0





Thank you

peter@centr.org - polina@centr.org