Law Enforcement Recommendations for RAA amendment

*ICANN Nairobi 2010*
A Global Requirement

• Formally supported by:
  Interpol
  G8 Cyber Working Group

• Also provisionally supported by:
  Council of Europe
  ICANN RAA working group
  Message Anti-Abuse Working Group
Challenge of e-Crime

Low risk, high returns

• Anonymity
• Multiple jurisdictions
• Lack of common legal definitions
• Data preservation
• Lack of accurate registration / proxies
• Criminal influence
The Present

• Polarity of Practices

• No mandatory requirement for KYC or any due diligence

• 27% domain name owners not readily traceable
• ICANN to carry out on all Registrars and Registries upon accreditation and periodically afterwards

• Mandatory for Registrars to collect and validate accurate registrant data and retain
2 – Proxy Registration and Whois

- Only available to private individuals for non-commercial purposes

- ICANN to restrict Proxy Registrars to those accredited by ICANN under similar due diligence requirements

- WHOIS data to be supplied to LE for purposes of preventing / detecting crime
3 – Transparency and Accountability

- ICANN to require all resellers and third party beneficiaries to be held to same due diligence requirements

- ICANN to require all such to display ownership, affiliations and associations
Implications

• Commercial impact on Registries/Registrars

• Minimum standards for accurate registration and WHOIS data

• Raised risk to criminal enterprise

• Global domain takedown capability under T&Cs