# WHOIS status and the impact of GDPR
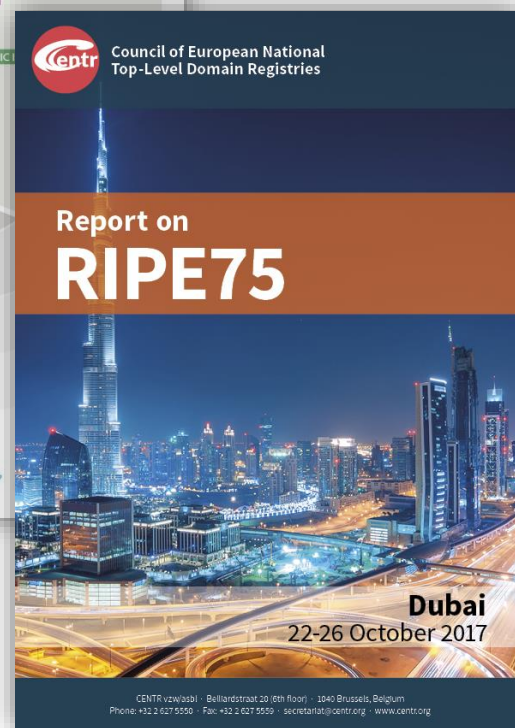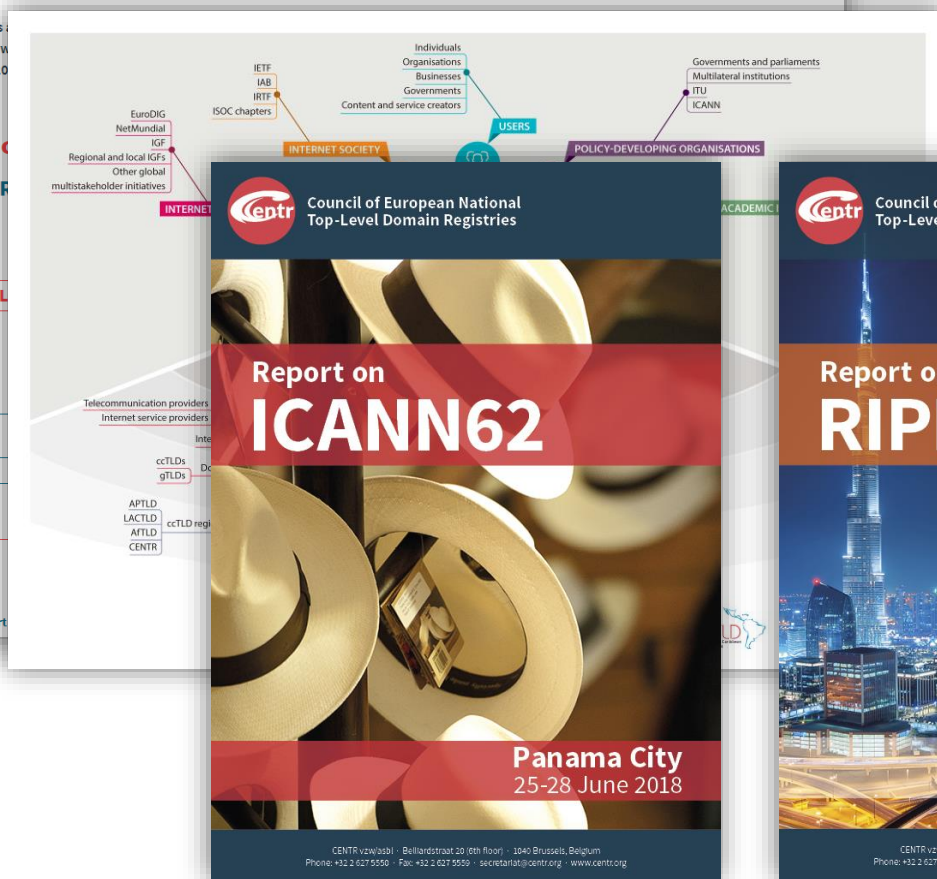
**HLIG meeting**
Brussels - 9 October, 2018

# The association for exchange, dialogue and innovation of country code domain registries in Europe

## CENTR community

- 54 full members (ccTLDs), 9 associate members and 13 observers
- 50% of country code domain name registrations worldwide
- More than 73 million registrations

## Member services

- Dialogue platform via working groups, general assemblies, mailing lists
- Best practice and knowledge sharing
- Policy, news, statistics and industry analysis
- A voice for ccTLDs in the region and the wider internet community

Council of European National
Top-Level Domain Registries

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**Report on**
# ICANN62

**Panama City**
25-28 June 2018

CENTR vzw/asbl · Belliardstraat 20 (6th floor) · 1040 Brussels, Belgium
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**Dubai**
22-26 October 2017

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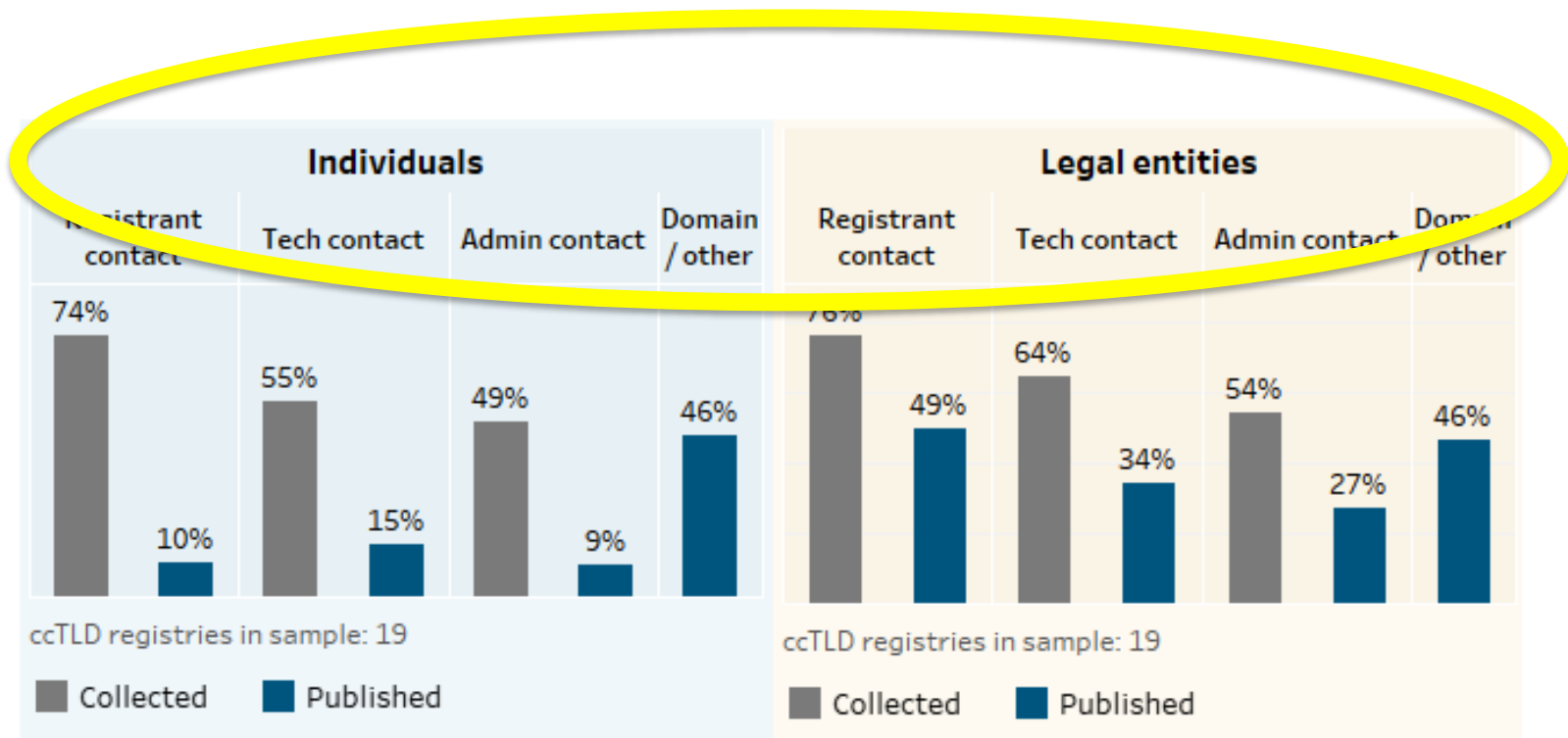
# Survey Details

- **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?

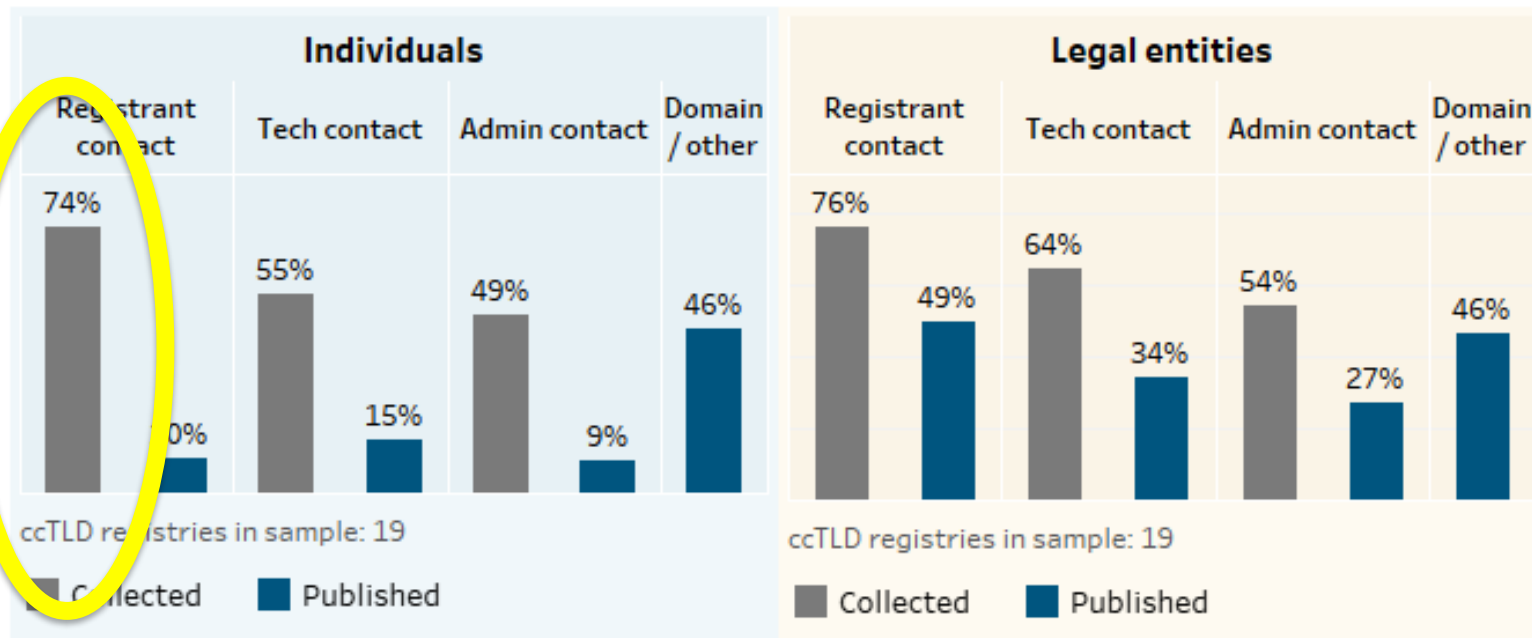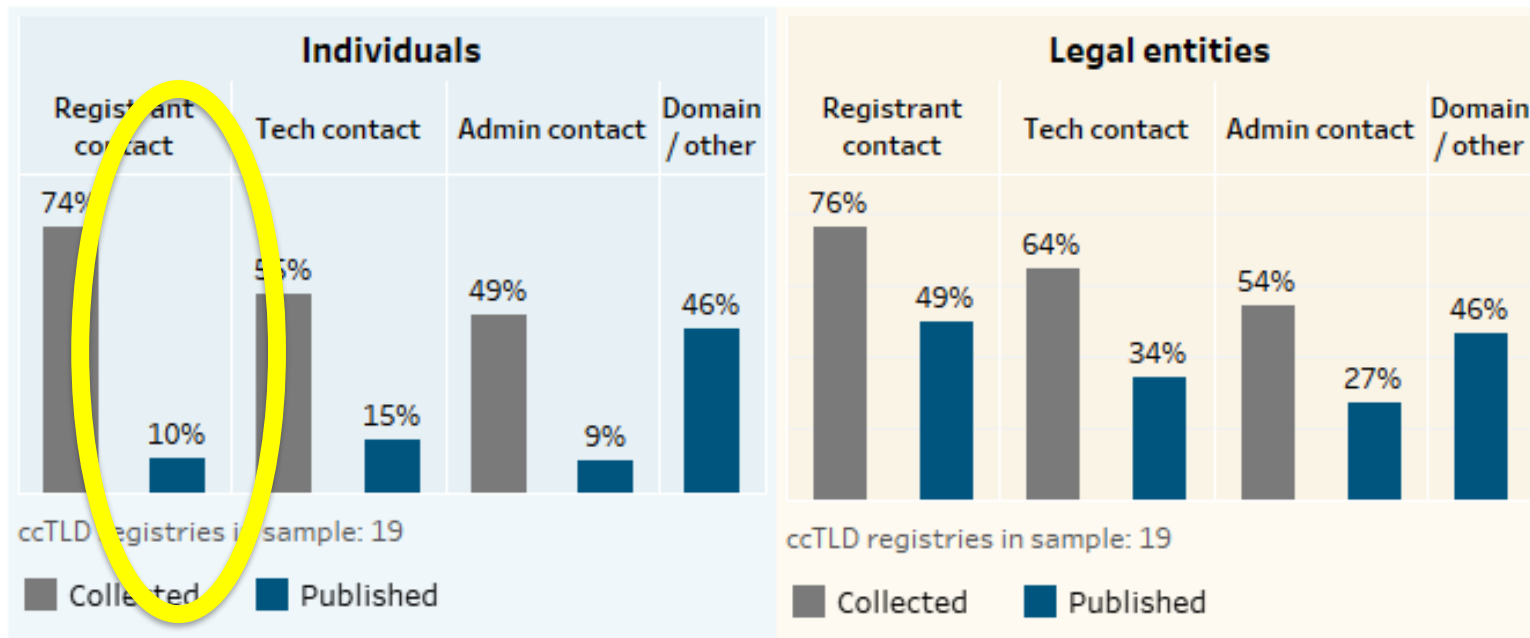- How do registries differentiate between private individuals and companies?
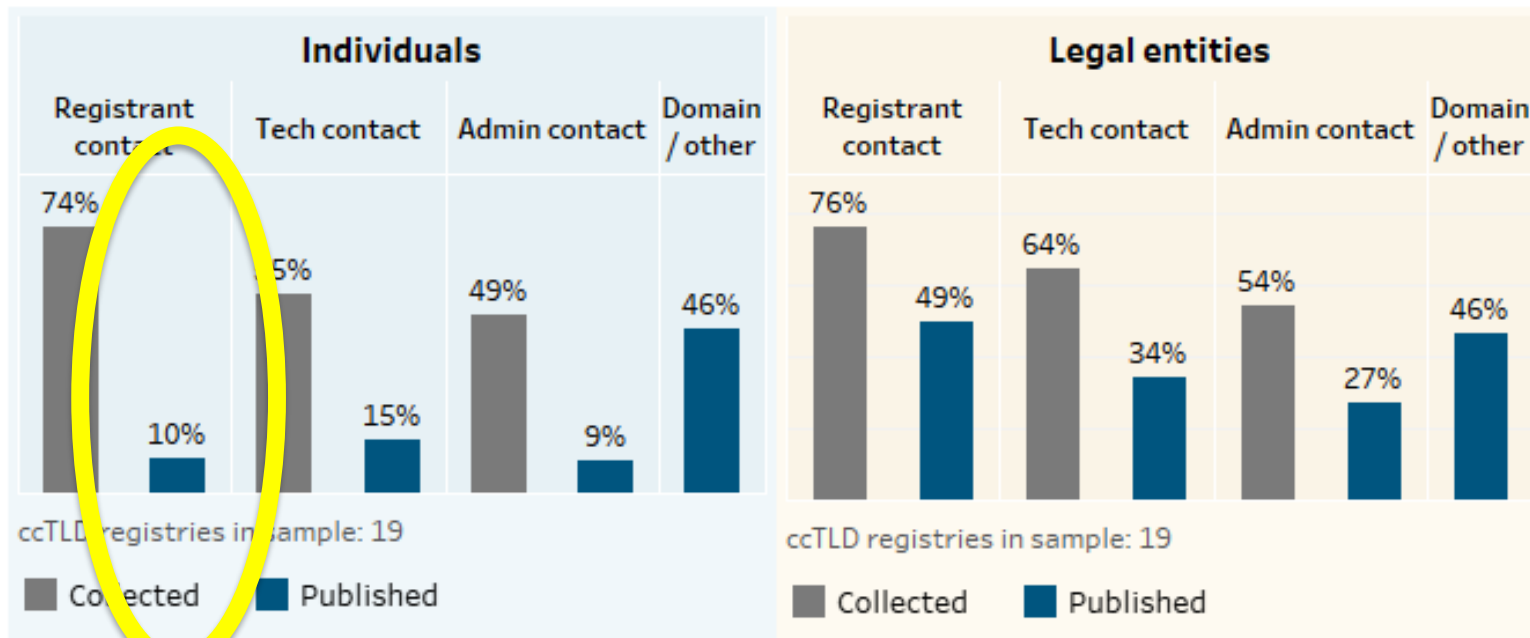
# What data is publicly available in the WHOIS of European ccTLDs?

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



| Individuals | | | | Legal entities | | | |
|---|---|---|---|---|---|---|---|
| Registrant contact | Tech contact | Admin contact | Domain / other | Registrant contact | Tech contact | Admin contact | Domain / other |

Individuals:
- Registrant contact: Collected 74%, Published 10%
- Tech contact: Collected 55%, Published 15%
- Admin contact: Collected 49%, Published 9%
- Domain / other: Published 46%

ccTLD registries in sample: 19
■ Collected ■ Published

Legal entities:
- Registrant contact: Collected 76%, Published 49%
- Tech contact: Collected 64%, Published 34%
- Admin contact: Collected 54%, Published 27%
- Domain / other: Published 46%

ccTLD registries in sample: 19
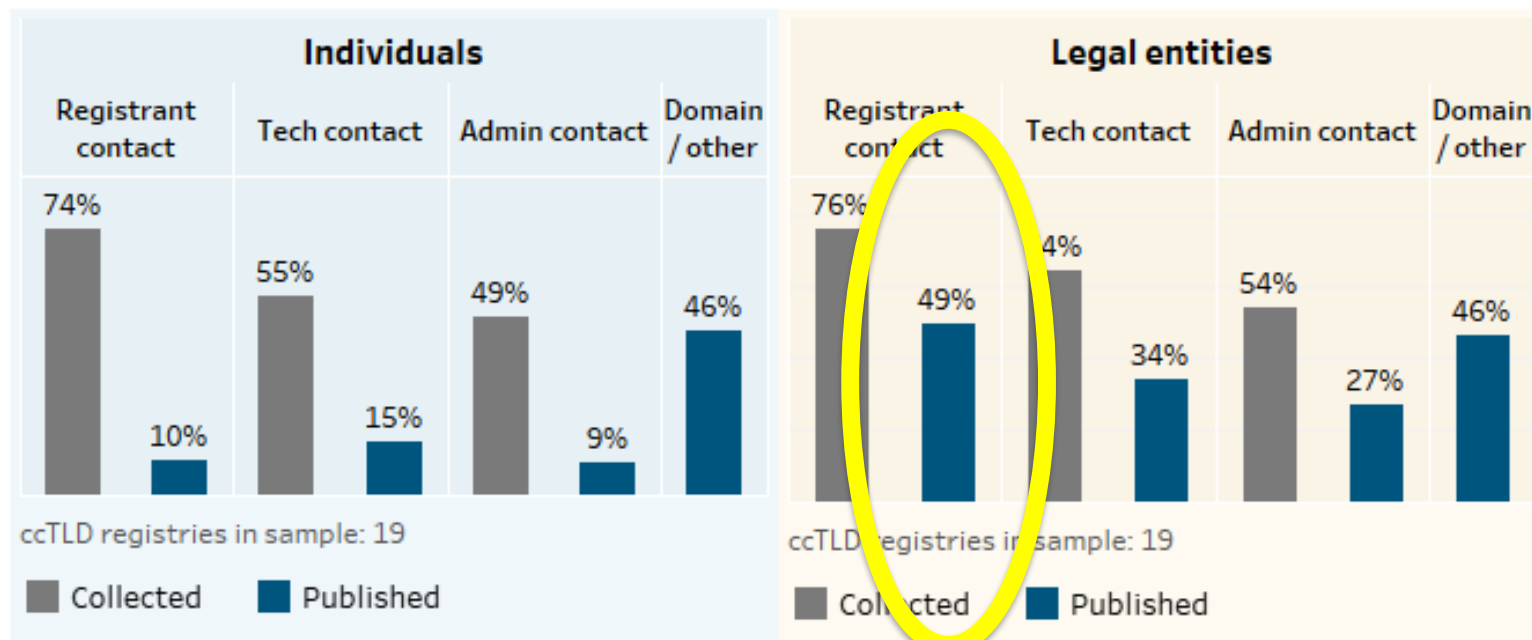■ Collected ■ Published

# What data is publicly available in the WHOIS of European ccTLDs?

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



**Individuals**

| Registrant contact | Tech contact | Admin contact | Domain / other |
|---|---|---|---|
| 74% | 55% | 49% | 46% |
| 0% | 15% | 9% | |

ccTLD registries in sample: 19

Collected  Published

**Legal entities**

| Registrant contact | Tech contact | Admin contact | Domain / other |
|---|---|---|---|
| 76% | 64% | 54% | 46% |
| 49% | 34% | 27% | |

ccTLD registries in sample: 19

Collected  Published

# What data is publicly available in the WHOIS of European ccTLDs?

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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 Fax Ext | 26% | 0% | 26% | 16% |
| | | | | | 47% |
| | | | | | 74% |
| | | | | | 68% |
| | Registrant Phone | 89% | 5% | 84% | 42% |
| | Registrant Phone Ext | 47% | 0% | 47% | 21% |
| | Registrant Postal Code | 89% | 11% | 89% | 58% |
| | Registrant State/Province | 63% | 11% | 63% | 47% |
| | 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% | 32% |

Available at:
https://stats.centr.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
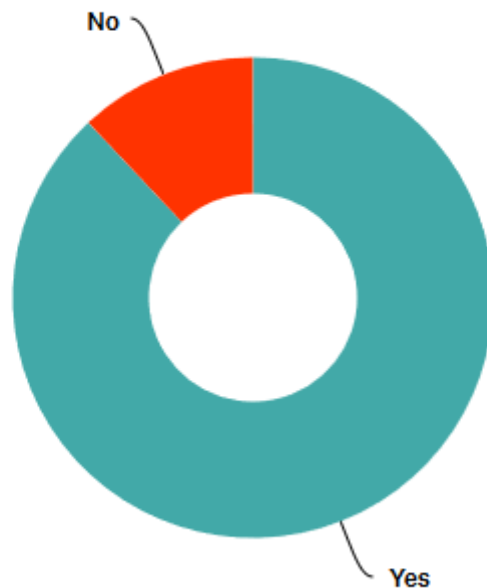
# Access requests

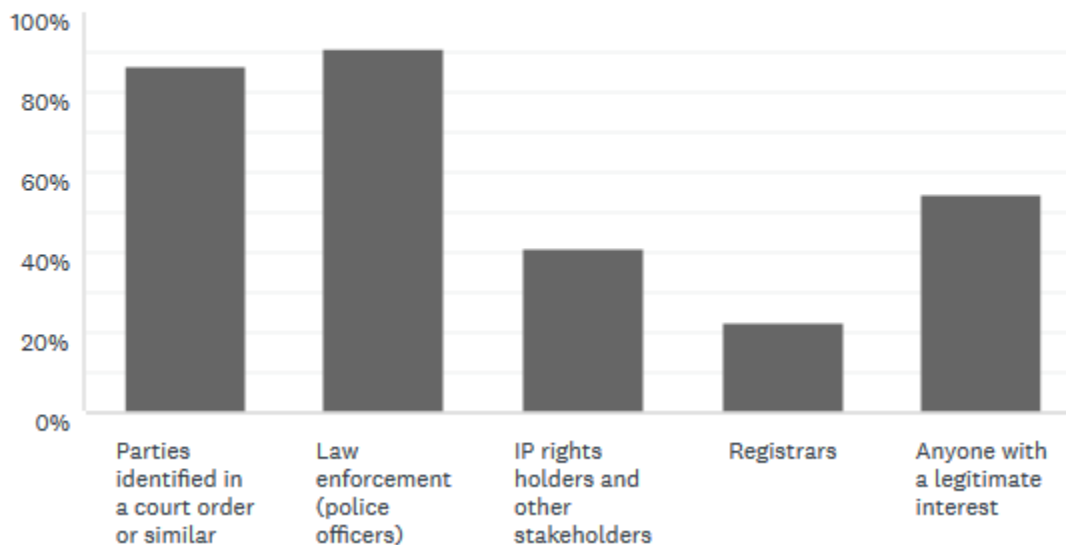If yes, how is access provided?

Answered: 20    Skipped: 5
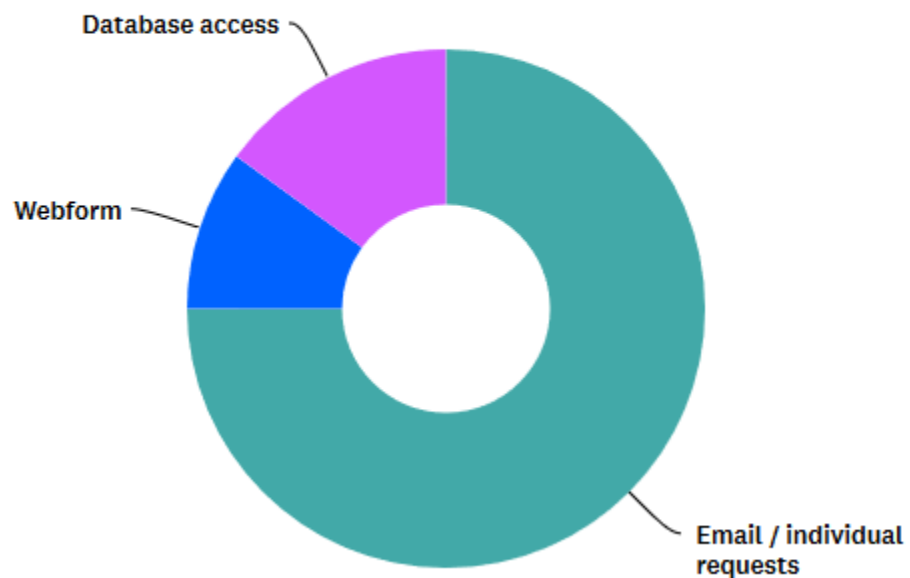
# Access requests

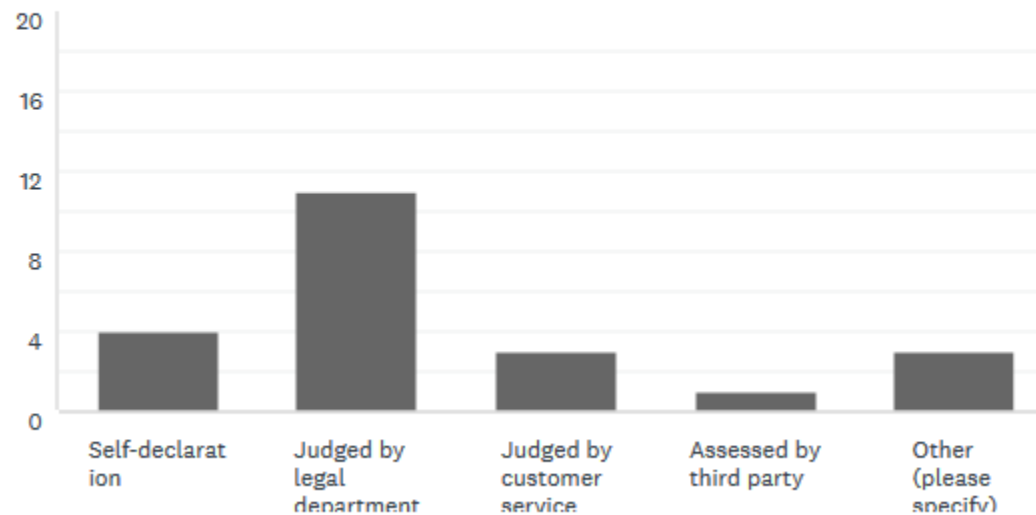If yes, to whom you provide access?

Answered: 22    Skipped: 3

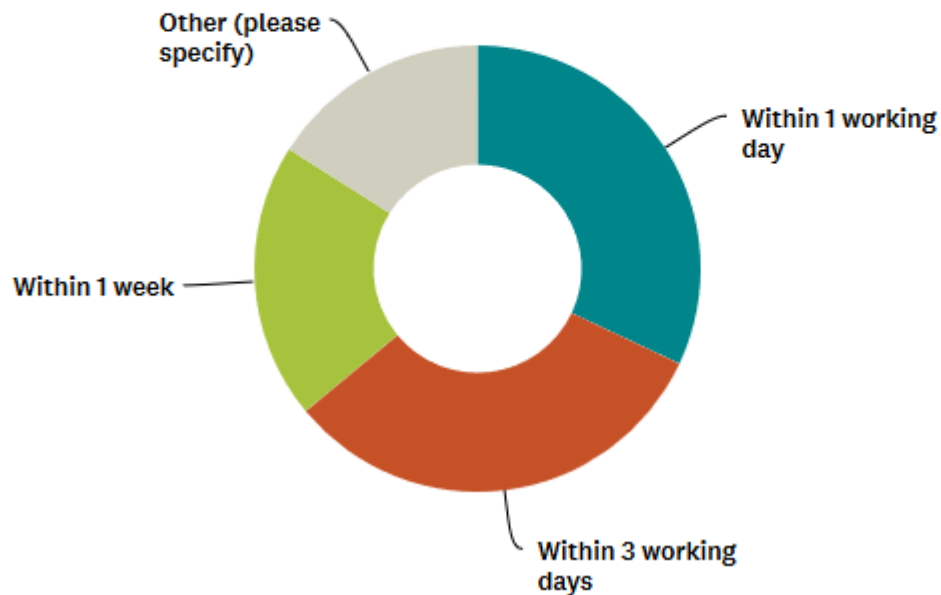# Access requests



How do you verify 'legitimate interest'?

Answered: 19    Skipped: 6

# Access requests

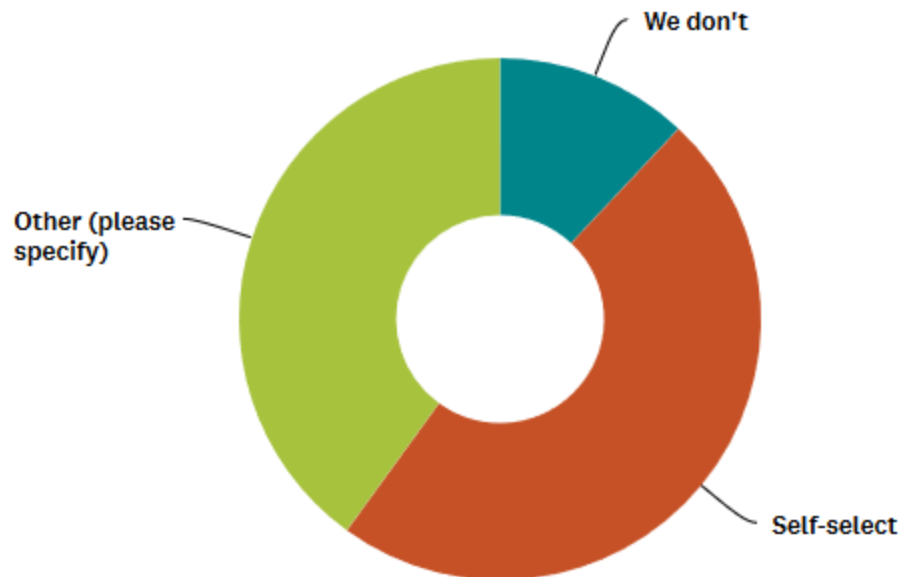If responses to individual requests, within what timeline on average

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