

International Working Group
on Data Protection
in Telecommunications

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Mr. Stuart Lynn
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Interim Report Of The Names Council's WHOIS Task Force Of October 14, 2002

Dear Mr. Lynn,

I am chairing the International Working Group on Data Protection and Telecommunications.

The Group has tried to play an active role in the privacy-friendly development of the information society for quite some time. The Group was founded in the framework of the International Conference of Data Protection and Privacy Commissioners in 1983. It consists not only of representatives from national and international data protection organisations, but also of independent scientists and other specialists in privacy and telecommunications. The Group issues common positions and working papers on data protection and privacy problems in the telecommunications sector. Since 1996 one of the main subjects that the Working Group has been dealing with are data protection and privacy matters regarding the development of the Internet.

An overview of the work of the Working Group is available from the website of the secretariat of the Group at <http://www.datenschutz-berlin.de/doc/int/iwgdpt/index.htm>.

At its last meeting on 11-12 November 2002 in Berlin the Working Group has discussed privacy matters regarding the proposed modifications of the WHOIS policy in the Interim Report Of The Names Council's WHOIS Task Force of October 14, 2002. The Working Group has already dealt with privacy and data protection aspects of the registration of domain names on the Internet in a Common Position adopted at its 27th meeting on 4-5 May 2000. Please find attached a copy of the Common Position for your information. The Common Position is also available on the Internet at http://www.datenschutz-berlin.de/doc/int/iwgdpt/dns_en.htm.

At its meeting in November 2002 the Working Group has reaffirmed the recommendations given in its Common Position.

In this respect the Working Group is especially critical of proposals contained in the Interim Report of the Names Council's WHOIS Task Force to extend the search capabilities of WHOIS databases to searches for the registrant name. We can not see a plausible reason for such an extension of the search capabilities of the WHOIS databases which would at the same time create an additional risk to the privacy of the registrants of domain names.

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The Working Group has been initiated
by Data Protection Commissioners
from different countries in order
to improve privacy and data protection
in telecommunications and media

I would be obliged if you could take these comments into account when reshaping ICANN's WHOIS policy.

Should you have any questions regarding this letter or about the work of our Working Group in general, please do not hesitate to contact me.

Yours sincerely,

Hansjürgen Garstka
(Chairman)