

Law Enforcement Recommendations for RAA ammendment

ICANN Nairobi 2010

SOCA

SERIOUS ORGANISED CRIME AGENCY

Protective Marking : Protect



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



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Protective Marking : Protect

The Present

- Polarity of Practices
- No mandatory requirement for KYC or any due diligence
- 27% domain name owners not readily traceable



1. - Due Diligence

- 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

