

AUSTRALIA'S CONTRIBUTION TO GNSO COUNCIL ON WHOIS

Australia would like to reiterate to the GNSO Council the position it conveyed during the GNSO Council - Government Advisory Committee (GAC) Working Group meeting on 26 March 2006.

On the information available to us, Formulation 2, as identified in the Final Task Force Report on the Purpose of Whois and of the Whois Contacts, appears to better reflect the public policy interests of a fully functional Whois regime from an Australian perspective.

At this point, Australia considers that Whois should:

- \* satisfy the traditional and ongoing goal of ensuring the security and stability of the Internet;
- \* provide the ability to identify and respond to those involved in criminal activity such as child pornography, 'phishing' and identity theft;
- \* provide an appropriate level of data to any user that seeks it including, for example, civil and criminal law enforcement officials, online consumers, network operators, intellectual property rights holders and registrars and registries;
- \* support national laws and global agreements associated with privacy, trade practices, consumer protection, intellectual property rights and copyright protection; and
- \* operate in a manner that is technically feasible and cost effective for registrars and registries, and does not rely solely on the registrant to be implementable.

We appreciate that Whois is a complex issue with a range of interests. Given this, we consider that it is important that the GAC and GNSO Council continue to exchange information and views.

Australia will work with other GAC members to ensure that the GAC is well placed to have effective dialogue with the GNSO community in Marrakesh.

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