

EPDP Phase 2a Update to GNSO Council



24 March 2021

Council Instruction

[a]t the latest 3 months after reconvening, the Chair of the EPDP Team and GNSO Council Liaison to the EPDP will report back to the GNSO Council on the status of deliberations. Based on this report, which is expected to include an update on progress made and the expected likelihood of consensus recommendations, the GNSO Council will decide on next steps, which could include providing additional time for the EPDP to finalize its recommendations or termination of the EPDP if it is clear that no progress is being made or consensus is unlikely.

Background

Two topics from phase 1 & 2 for further review by EPDP Team

Differentiation between Legal & Natural Person Data

- i. Whether any updates are required to the EPDP Phase 1 recommendation on this topic (“Registrars and Registry Operators are permitted to differentiate between registrations of legal and natural persons, but are not obligated to do so”);
- ii. What guidance, if any, can be provided to Registrars and/or Registries who differentiate between registrations of legal and natural persons

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Feasibility of unique contacts to have a uniform anonymized email address

- i. Whether or not unique contacts to have a uniform anonymized email address is feasible, and if feasible, whether it should be a requirement.
- ii. If feasible, but not a requirement, what guidance, if any, can be provided to Contracted Parties who may want to implement uniform anonymized email addresses.

Achievements to date

Development of Proposals for possible Guidance

Identification of proposals for possible guidance to Contracted Parties who choose to distinguish between legal and natural person data

Review of all relevant information

Review of all relevant background information (e.g. legal advice, ICANN org study) and identification of clarifying questions

Definitions

Development of definitions in relation to feasibility of unique contacts

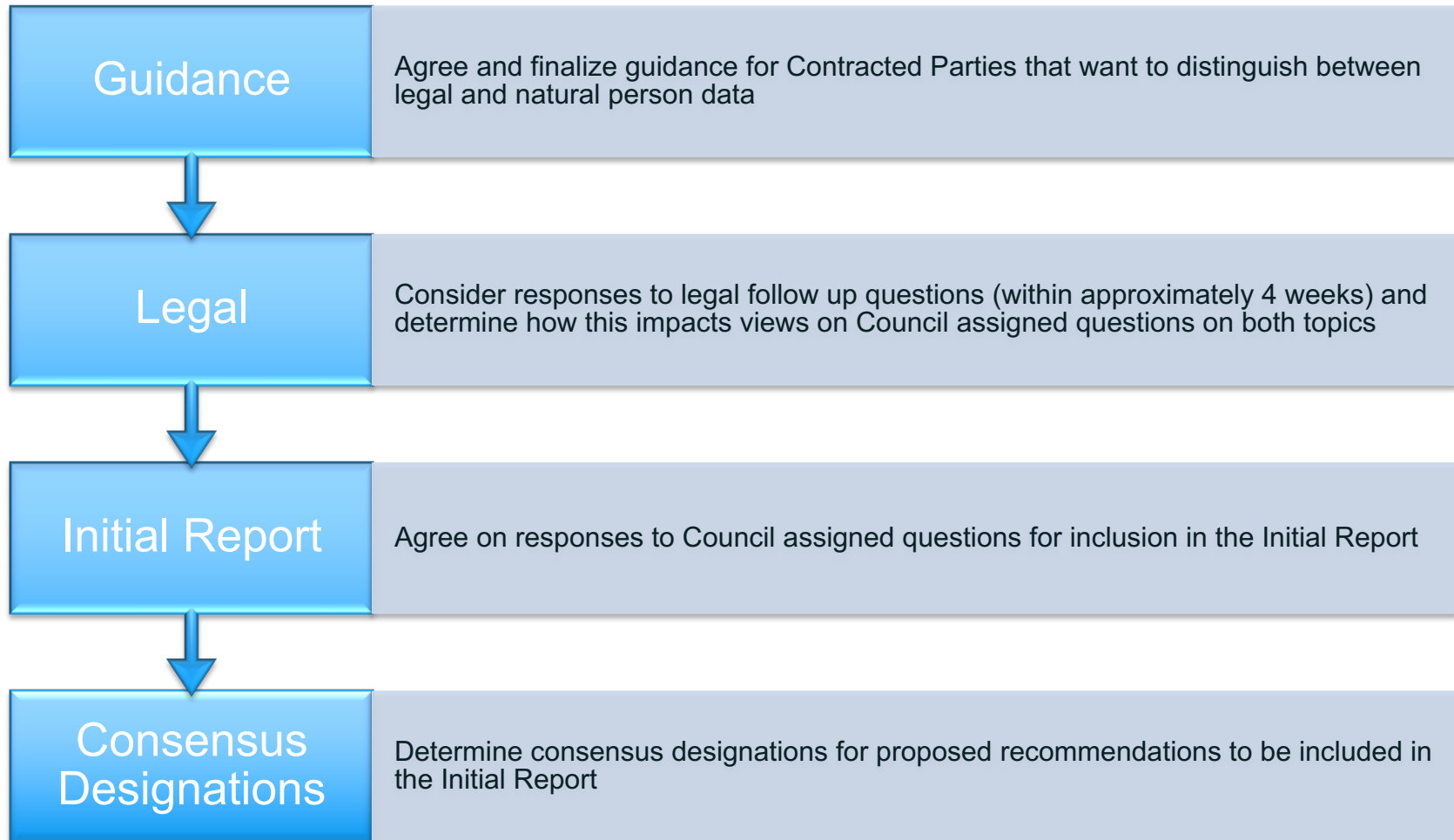
Leadership Confirmation

Confirmation of Chair (Keith Drazek), Vice-Chair (Brian Beckham), GNSO Council Liaison (Philippe Fouquart)

Legal Questions

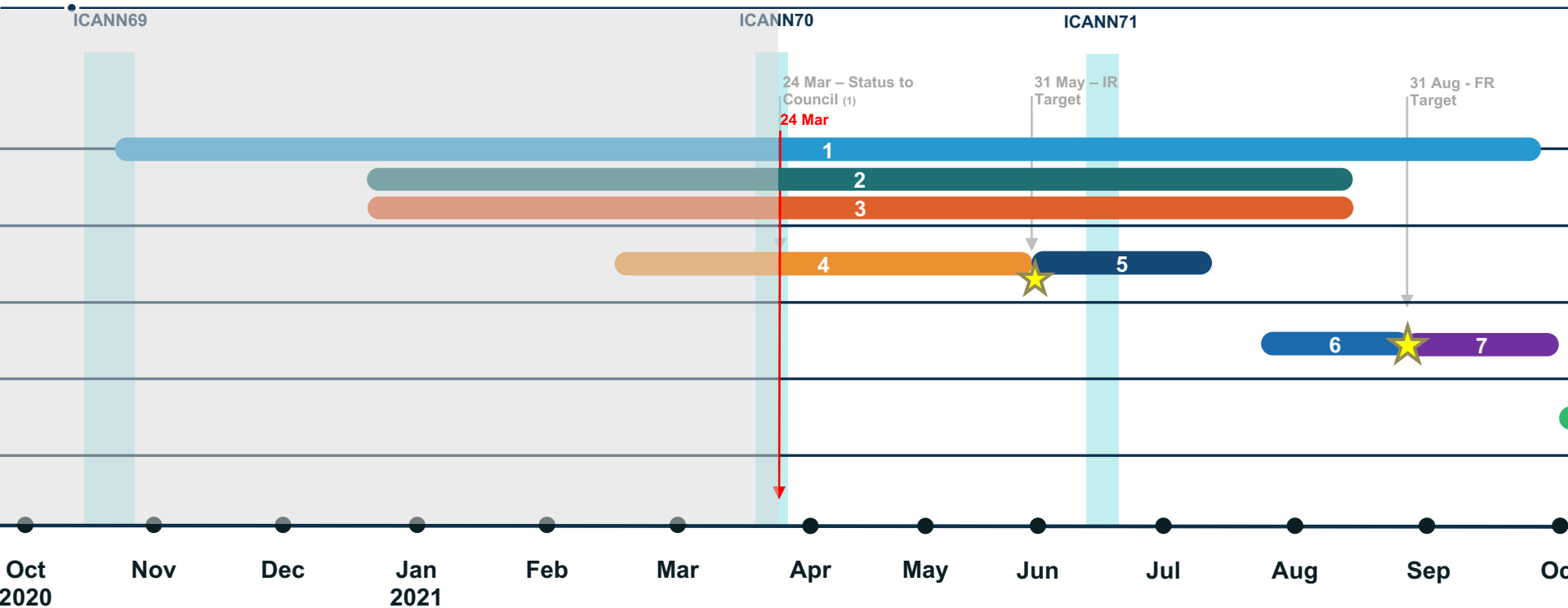
Submission of follow up legal questions to external legal Counsel

Remaining work items



EPDP Phase 2A - Summary Timeline

24 Mar 2021



1 Project Management, Workplan, & Factsheet

2 EPDP-P2A Legal vs. Natural Deliberations

3 EPDP-P2A Unique Contacts Deliberations

4 Construct Initial Report

5 Public Comment on Initial Report

6 Review of Public Comment & Submission of Final Report

7 Council Consideration of Final Report

8 Public Comment during Board Consideration

9 Board Consideration

Complete: 40% Status: ● Health: ■

Chair & Liaison Assessment & Proposed Approach



EPDP Team had a slower than anticipated start



Although it may be difficult to come to consensus on all issues, it is important that the group is allowed the time as committed to in its timeline to develop an Initial Report



There is a possibility that some additional time may be needed due to external dependency on responses to legal questions by external legal counsel



Expectation is that by 20 May GNSO Council Meeting a more specific update can be provided by Chair and Council Liaison on the likelihood of consensus recommendations