

EPDP Team Meeting

24 September 2018

Day 1 – F2F Meeting
Meeting #16

Meeting Goals

- ⦿ Confirm road map for GDPR compliance
- ⦿ Develop preliminary agreements for GDPR-compliant purposes and data processing
- ⦿ Advance other topics to build core GDPR-compliance components as prioritized during Day-1 discussion
- ⦿ Note: The group will continue to identify and move on to additional discussion topics once discussions on a particular agenda item are complete.

Agenda Day 1

8:00-8:30 PT (15:00-15:30 UTC)

Arrive at ICANN

8:30 PT (15:30 UTC)

Introductions and Agenda Review

Road Map for GDPR Policy

Goal: Confirm products and requirements

What does Victory Look Like?

- In this Meeting
- For the Initial Report delivery at ICANN Barcelona

9:00 PT (16:00 UTC)

Minimum Required Components (Table of Contents for New Policy)

- Legitimate Purposes for Processing Personal Data
- Data Elements Analysis
- Data Elements Redaction
- Data Retention
- Other?

10:15 PT (17:15 UTC)

Break

10:30 PT (17:30 UTC)

GDPR-Compliant Purposes for Processing Data (Section 4.4)

- Step 1: Clarify *who* has a legitimate purpose and *what* exactly it is
- Step 2: Compliance check with GDPR Article 6 (compare against 6 GDPR principles)

Agenda Day 1 (continued)

12:00 PT (19:00 UTC)

Lunch (Provided)

13:00 PT (20:00 UTC)

GDPR-Compliant Purposes for Processing Data (Section 4.4)
(continued)

15:00 PT (22:00 UTC)

Break

15:15 PT (22:15 UTC)

Specific Data Processing

- Data Elements (which are lawful?)
- Redaction of Personal Data (which are Personal Information)
- Logging requirements

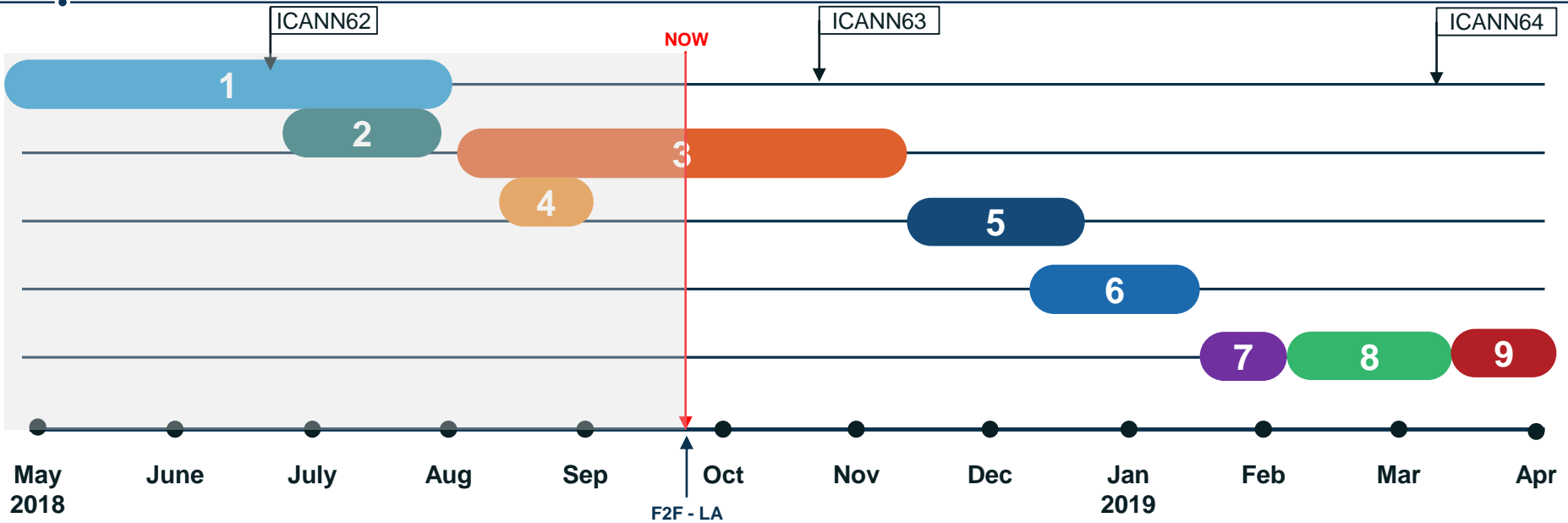
17:45 PT (00:00 UTC)

Summarize Day-1 Progress and Plans for Day 2

Dinner at Dinner at SOL at 19.00

EPDP Timeline

24 September 2018
Meeting #16



1 Prep work, incl. EPDP Initiation Request & Charter adoption

2 Formation of EPDP Team

3 EPDP Team Deliberation & Publication of Initial Report⁽¹⁾

4 Input from SO/ACs & SG/Cs

5 Public Comment on Initial Report

6 Review of Public Comment & Submission of Final Report

7 Council consideration of Final Report

8 Public Comment prior to Board consideration⁽²⁾

9 Board consideration

06 Meetings to ICANN 63
3 (F2F – LA)

242 Days to Temp Spec Expiration

Introductions & Agenda Review

Meeting Objective & Materials

Meeting objective – answer two sets of charter questions:

- a) Purposes of processing registration data
- b) Identify the Data collected, redacted, and disclosed to third parties

Draft documents that will require our attention the next few days:


- a) The Purposes for Processing Registration Data (“purposes”)
- b) Data Elements Worksheets (“data”)

Developing Draft Documentation

- Using Purposes for Processing Registration Data: develop a draft set of “purposes.”
- Then use the Data Analysis Worksheets to test whether GDPR requirements are met, and possibly amend or eliminate “purposes” when we apply them against specific data.
I.e., an iterative process:
 - draft the set of purposes
 - employ the Data Elements worksheet and questions.
 - Refine / review purposes.
- A purpose should be considered legitimate (for now) if it is legitimate for any cases.
I.e., a legitimate purpose might have a legal basis only for a subset of data, subset of registrants or only for certain circumstances.
[This is especially true for all purposes premised on legitimate interests pursued by the controller or by a third party.] That is for later discussion.
- We will take one example of a data set through the Data Analysis Worksheets to demonstrate how it works so we have this operation in mind as we discuss purposes.

Initial Report Elements

- Legitimate Purposes for Processing Personal Data
- Data Elements Analysis
- Data Elements Redaction
- Data Retention



Charter Questions
a – h

Purposes of Processing Data

Background

- ⦿ Document that will be distributed takes purposes from google sheet (x mark document)
- ⦿ Purposes in brackets had been suggested as purposes pursued by certain actors but no agreement reached yet
- ⦿ Also included is a column that has a proposed legal basis (GDPR article 6) for the purpose
- ⦿ Third party interests encapsulated in ICANN purposes for now as initial focus is on collection

Objective

EPDP Team task is to review these purposes for processing registration data and agree on a working draft of purposes and legal basis for application in the data elements worksheet.

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Further refinement to happen as a result of the data elements worksheet exercise which will go deeper into:

- Which data elements are required to be collected for this particular purpose?
- Is the purpose not in violation of ICANN's Bylaws?
- If the purpose is based on an ICANN contractual requirement, is this a lawful requirement tested against GDPR and other laws?
- For whom is the purpose being pursued?
- Is the processing necessary to achieve the purpose?

Through data element discussion it may become clear that a purpose may need to be reworded or that it may not meet the requirements to be considered legitimate.