**RECOMMENDATION 9**

The EPDP Team recommends that registrars provide further guidance to a Registered Name Holder concerning the information that is to be provided within the Organization field.

***Disclaimer:*** *This overview has been developed to facilitate the EPDP Team’s consideration of the concerns expressed and possible updates to the recommendations. However, this does not replace the EPDP Team’s obligation to review all input received in full and to indicate if any concerns in this overview have inadvertently been mischaracterized.*

**Noted Concerns**

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| **Concern** | **Corresponding PCRT Comment #** | **Further Discussion Required?** |
| Registrars should be required to inform registrants of the significance of providing an organization name and the fact that this information will be publicly displayed in a registrant data directory service.  [Since organizations are not covered by GDPR, Organization fields should not be redacted. If additional information will be provided to a registrant in order to inform the intended use of the Organization field, we are supportive. In response to arguments that Organization fields should be redacted in case they contain personal data or might identify a data subject in some circumstances: Where natural persons have created corporate entities using their names, those business names do not exist as unique identifiers for natural persons and do not require the protections for natural persons. In these circumstances, the business name with the business information (address, phone, corporate email) is not the personal data of any natural person and the protections for natural persons are not required.]  [if an Organization name includes personal data, the individual whose name is included as part of the Organization name has filed the name as part of a license to do business and therein has provided implicit and explicit consent of use of the name within the context of the Organization name and identity. Thus, the RHN should be provided with educational text around this and asked to provide the Organization name, if applicable.]  [any ICANN Consensus Policy for generic top-level domain Registration Data should include a clear distinction between the treatment of data belonging to natural persons and data belonging to legal persons. Clear registrar guidance explaining to Registered Name Holders what information should and should not be included in the Organization field would help ensure that this distinction is clearly delineated, easy to follow, and consistent with the requirements of the GDRP while at the same time supporting accurate, reliable, and uniform Registration Data and preserving an ability to address law enforcement needs, intellectual property protection, consumer protection issues, and DNS abuse.] | 2, 3, 5, 6  BC, Microsoft, IPC, INTA | Yes/No |
| For natural persons, Organization field should be left blank by Registrant. For legal person (organization), it should be clearly mentioned/advised to Registrant by Registrar during time of Registration to avoid putting name of an individual (natural person) in Organization field e.g. name of an employee working in that organization | 4, Government of India | Yes/No |
| One needs to provide better guidance as to which entity is actually the legal registrant, i.e. the "Organization" or the "Name" | 7, George Kirikos | Yes/No |
| Caution against assuming that the provision of extra educational materials, as being capable of rectifying a defect in the clarity of the process. If the process itself is not capable of being understood by the data subject, then the mere availability of additional, and separate, educational materials will not likely suffice.  [Whilst it might be desirable for the registrar to provide information to the registered name holder, it does not seem likely that the provision of educational material will ensure compliant handling of the organization information. Hence, a solution to allow for the compliant treatment of organization data needs to be found, one component of which may or may not be the provision of educational material.] | 8, 15  RySG, ISPCP, Association of Internet Industry | Yes/No |
| There should be a requirement put in place to tell registrants that the field is for legal person info, and information placed in it will (eventually) be published. | 9, iThreat Cyber Group | Yes/No |
| Here, it is important for the EPDP to recognize that the Organization field is not private information and is in fact consistent with business record requirements from many EU member states as well as European Directive 2000/31/EC. Accordingly, in analyzing interests and rights, the Organization field should not be equated with other fields containing personal data under the GDPR. | 10, Europol Advisory Group on Internet Security | Yes/No |
| Because of the challenges associated with the standardized use of the registrant org field, and the fact that it is used in conjunction with WHOIS archives to indirectly identify data subjects, it is not clear what guidance registrars should be providing to registrants on the use of this field. We are open to further research in this area. | 11, GoDaddy | Yes/No |
| If the Final Report recommends that the Organization field not be redacted, then the language of Recommendation #9 needs to be reworded. | 12, Key-Systems, RrSG | Yes/No |
| The Organization field should be redacted, so there’s no need for further guidance to registrants as to what they should know when populating that field. | 14, Tucows | Yes/No |
| “Guidance” is a poor substitute for redaction. At best, “guidance” from registrars will reduce some of the risk of inadvertent or mistaken data about natural persons being placed in the DNS record; but redacting the field will reduce all of it. Redaction provides a much more certain response to the potential problem.  [Further, organizational fields are expressly protected by the GDPR. Organizations for sensitive religious, philosophical, racial, ethnic, political, trade union, health, gender, sexual orientation are specifically, protected as sensitive data under the GDPR, Article 9.As noted above, we certify that the vast majority of noncommercial organizations we encounter fall within GDPR Article 9 protection -- making this a huge issue for ICANN and a huge reason not to reveal the organization field to the public.] | 18, 19  NCSG, Domain Name Rights Coalition | Yes/No |
| The Organization field should be deleted as unnecessary, confusing, duplicative. Therefore the "Organization" field should not only be redacted but DELETED as I have already addressed previously above. Please remove all references to "Registered Name Holder" and "RNH." The correct (longstanding) term is "Registrant"--see WHOIS data elements, etc. | 20, John Poole | Yes/No |
| The "organization" field needs to appear only in the section for commercial name registrations in the extended Domain Name Registration form | 22, Internet Society India Chennai | Yes/No |