

## GAC Communiqués Related to RegData Policy Implementation

[ICANN76](#): 2023 March

The GAC welcomes the implementation work on the Registration Data Consensus Policy deriving from the Expedited Policy Development Process (EPDP) Team Phase 1 final recommendations and appreciated the opportunity to provide feedback as part of the public comment process.

The GAC supports the EPDP Team's efforts to develop a policy that complies with existing data protection principles while establishing clearly defined minimum data elements that allow contracted parties to process data in line with their relevant obligations within their jurisdictions.

At the same time, the GAC looks forward to receiving the Implementation Review Team's analysis and response to the public comments, including, *inter alia*:

- The issue of response times to urgent requests to ensure that responses to such requests are in fact expedited in a manner consistent with an emergency response;
- Defining urgent requests to include those involving "imminent or ongoing cybersecurity incidents";
- Avoiding the risk of implementing a partial system resulting in a policy gap by, among other things, resolving inconsistencies between the Phase 1 recommendation regarding the optional collection of the registrant organization and the subsequent Phase 2A recommendation to require the functionality of distinguishing between legal and natural persons;
- Clarifying the obligation for Contracted Parties to enter into a data protection agreement;
- Requiring the collection and publication of "reseller" data; and
- Clarifying the policy's impact on the Thick WHOIS Transition Policy.

[ICANN73](#): 2022 March

The GAC recalls its previous advice within the ICANN66 Montréal Communiqué and the follow-up on previous advice in the ICANN70, 71 and 72 Communiqués with regard to Phase 1 of the EPDP on gTLD Registration Data and the request for "a detailed work plan identifying an updated realistic schedule to complete its work." The GAC welcomes the detailed work plan provided by ICANN org to the IRT prior to ICANN73 and notes that the expected Data Protection Agreements (DPAs) between ICANN org and Contracted Parties have been "undergoing time-consuming negotiations" and are part of discussions "which may lead to an impasse". Since finalized DPAs seem to be on the critical path to completing the implementation of EPDP Phase 1 policy recommendations, the GAC asks the ICANN Board to support the Org in getting this item completed to enable the timely conclusion of the Phase 1 IRT.

[ICANN72](#): 2021 October

The GAC notes its previous advice within the ICANN66 Montréal Communiqué and the follow-up on previous advice in the ICANN70 and 71 Communiqués with regard to Phase 1 of the EPDP on gTLD Registration Data and the request for “a detailed work plan identifying an updated realistic schedule to complete its work.” The GAC highlights with “continued concern that the Phase 1 Implementation Review Team (IRT) lacks a current published implementation timeline.”

[ICANN71](#): 2021 June

The GAC notes its previous advice within the ICANN66 Montréal Communiqué and the ICANN70 Communiqué with regard to Phase 1 of the EPDP on gTLD Registration Data and the request for “a detailed work plan identifying an updated realistic schedule to complete its work.” The GAC observes with continued concern that the Phase 1 Implementation Review Team (IRT) lacks a current published implementation timeline.

[ICANN70](#): 2021 March

The GAC notes its previous advice within the Montréal Communiqué with regard to Phase 1 of the EPDP on gTLD Registration Data and the request for “a detailed work plan identifying an updated realistic schedule to complete its work.” The GAC observes with concern that the Phase 1 Implementation Review Team (IRT) continues without a current published schedule or milestones. The GAC also notes the continued work amongst the different phases of this EPDP including the Operational Design Phase (ODP) and, as expressed during the meeting with the Board, requests that an updated and current schedule is created and published for those elements that are under ICANN org’s control.

[ICANN68](#): 2020 June

In line with its previous advice, the GAC observed the need to maintain WHOIS access to the fullest extent possible and noted that in its San Juan Communiqué it advised the ICANN Board to instruct ICANN org to “Distinguish between legal and natural persons, allowing for public access to WHOIS data of legal entities, which are not in the remit of the GDPR”. The GAC reiterates that this advice still stands and should be considered.

[ICANN66](#): 2019 November

With regard to Phase 1 of the EPDP, a. The GAC advises the Board to: i. Take all possible steps to ensure that the ICANN org and the EPDP Phase 1 Implementation Review team generate a detailed work plan identifying an updated realistic schedule to complete its work and provide and inform the GAC on the status of its progress by January 3, 2020;