

ICANN71 – GNSO EPDP Phase 2A Community Update and Consultation

Wednesday 16 June from 14.30 – 15.30 UTC (16.30 – 17.30 local time)

Note: speakers are expected to represent the EPDP Team, not their respective groups. As such, they are expected to provide a balanced view of the recommendations and questions in the report with the objective of encouraging community members to come forward with new information and/or proposals that may help the EPDP Team in its deliberations.

The staff support team will assist with the development of slides that facilitate the introduction of each recommendation & question.

Proposed Agenda

Time	Speaker	Topic	Objective / Speaking Notes
14.30 – 14.40	Keith Drazek (EPDP Chair)	Welcome & Introduction	<ul style="list-style-type: none">• Provide a brief overview of the background and assignment of the EPDP Phase 2A• Emphasize that there is still divergence on nearly all issues & recommendations but that focus now is on encouraging new information and ideas to aid the EPDP in its deliberations• Highlight that this session is an opportunity for the community to provide input and/or ask clarifying questions
14.40 – 14.45	EPDP Team member	Introduce Preliminary Recommendation #1 and Question 1	<ul style="list-style-type: none">• As the report indicates, there are different views on the question of whether changes are needed to the phase 1 recommendation which allows for differentiation between legal and natural person data, but does not require it.• Some are of the view that changes are warranted, while others believe that the phase 1 recommendation does not require changes.• As such, no consensus at this stage to recommend changes but the EPDP Team is looking for new information or inputs that it has not considered yet while assessing whether or not changes need to be made.
14.45 – 14.50	EPDP Team member	Introduce Preliminary Recommendation #2 and Question 2	<ul style="list-style-type: none">• There are a number of developments such as NIS2, relevant decisions by pertinent tribunals and data protection authorities, as well as the possible adoption of the SSAD that may required a renewed consideration of the question of whether changes are necessary.

			<ul style="list-style-type: none"> • The preliminary recommendation suggests that the Council should monitor these developments to decide if/when reconsideration is warranted, but some have suggested that this is already the responsibility of the Council and as such, doesn't need to be specifically called out. • Community input is sought on if/how this recommendation is necessary. Further information on how this monitoring is helpful is also welcomed.
14.50 – 14.55	EPDP Team member	Introduce Preliminary Recommendation #3 and Question 3	<ul style="list-style-type: none"> • The EPDP Team has discussed the possible introduction of a standardized data element to facilitate and harmonize practices for those CPs who want to differentiate, but some important questions remain: <ul style="list-style-type: none"> ○ Should a standardized data element be available for a Contracted Party to use? If yes, why? If no, why not? Why is harmonization of practices beneficial or problematic? ○ If yes, what field or fields should be used and what possible values should be included, if different from the ones identified in the Initial Report (Registrant Legal Person – Yes/No/Unspecified)? ○ If such a standardized data element is available, MUST a Contracted Party who decides to differentiate use this standardized data element or should it remain optional for how a Contracted Party implements this differentiation?
14.55. – 15.00	EPDP Team member	Introduce Preliminary Recommendation #4 and Question 4	<ul style="list-style-type: none"> • The EPDP Team developed guidance for Contracted Parties who decide to differentiate but there are a number of questions that are put out for community input: <ul style="list-style-type: none"> ○ Does this guidance as written provide sufficient information and resources to Registrars and Registry Operators who wish to differentiate? If not, what is missing and why? ○ Are there additional elements that should be included? ○ Are there legal and regulatory considerations not yet considered in this Initial Report, that may inform Registries and Registrars in deciding whether and how to differentiate, and if so, how? ○ If a Registrar or Registry Operator decides to differentiate, should this guidance become a requirement that can be enforced if not followed (“MUST, if Contracted Party decides to differentiate”)?

15.00 – 15.05	EPDP Team member	Introduce Preliminary Recommendation #5 and Question 5	<ul style="list-style-type: none"> • The EPDP Team has put forward a preliminary recommendation that Contracted Parties who choose to publish a registrant- or registration-based email address in the publicly accessible RDDS should ensure appropriate safeguards for the data subject in line with relevant guidance on anonymization techniques provided by their data protection authorities and the appended legal guidance in this recommendation. The EPDP Team does ask: <ul style="list-style-type: none"> ○ Does this guidance as written provide sufficient information and resources to Registrars and Registry Operators who wish to publish a registrant- or registration-based email address? If not, what is missing and why?
15.05 – 15.30	All	Moderator: Keith	<p>Questions to trigger discussion:</p> <ul style="list-style-type: none"> • What information should the EPDP Team consider, that it has not considered yet, that may help inform its deliberations? • What proposals should the EPDP Team consider that have not been included in the Initial Report, factoring in the instructions by the Council in relation to the scope of work?