

RDDS EPDP Phase 2 Board Advice Questions

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Board Advice

- <https://community.icann.org/download/attachments/167544761/AL-ALAC-ST-0821-01-01-EN.pdf>

Issue # 1

- Reference to “GDPR-related regulations in Europe”?
 - NIS2 as it evolves
- What “issue” should the GNSO reconsider in light of the requirement that the Board must adopt the EPDP's recommendations, unless such recommendations are not in the best interests of the ICANN community or ICANN
 - ALAC does not believe the current SSAD is in the interest of ICANN or the community. NIS2 will likely require changes that may make it feasible, but would only apply to parties subject to EU regulation. Thus the need for additional GNSO Policy.

Issue # 2

- Refer to GNSO instead of adopting Recs, in addition to Rec, or something else.
 - Board is in a difficult position and we prefer to not be too proscriptive. Current SSAD will not meet needs and will likely not be financially sustainable. With NIS2, perhaps something more realistic can be developed. That should be universally applicable and subject to ICANN oversight, thus the need for policy.
- Reference to Privacy/Proxy providers?
 - They have redacted data and should be subject to same practices as Registrars/Registries.

Issue # 3

- “Regulations comparable to NIS2”?
 - NIS2 is currently a moving target, so we do not know the exact form it will take.
- ALAC recommending that Board consider initiating a PDP with aim of ensuring all Registrars follow policy comparable to NIS2?
 - Yes
- What about other laws in Europe or elsewhere?
 - Not aware of other situations at the moment, but EPDP already has applied EU personal data protection regs across the entire ICANN contracted party ecosystem.