

Checklist: Privacy Inputs to be reviewed by gns0-rds-pdp-privacy@icann.org

Input Document	Identified by	Reviewed by / Link to	Status
ICANN Procedure For Handling WHOIS Conflicts with Privacy Law (2008) and GNSO Policy underlying current procedure	Issue Report	Metalitz	S
Review of the ICANN Procedure for Handling WHOIS Conflicts with Privacy Law (2014)	Issue Report	Metalitz	S
2013 RAA's Data Retention Specification Waiver and Discussion Document (2014)	Issue Report		
WHOIS Studies (2012-2014) , especially <ul style="list-style-type: none"> - WHOIS Privacy/Proxy Abuse Study - WHOIS Privacy/Proxy Relay and Reveal Survey 	Charter		
SAC055, WHOIS: Blind Men and an Elephant (September 2012)	Issue Report	Folly	S
Privacy & Proxy Services Accreditation PDP Final Report (2015)	Charter	Metalitz	A
Thick WHOIS PDP Final Report (2011-2013)	Metalitz	Metalitz	S
and IRT Legal Review		Metalitz	S
Article 29 WP statement on the data protection impact of the ICANN RAA (2013-2014) <ul style="list-style-type: none"> - https://www.icann.org/en/system/files/correspondence/namazi-to-kohnstamm-25mar14-en.pdf - https://www.icann.org/en/system/files/correspondence/kohnstamm-to-jeffrey-08jan14-en.pdf - https://www.icann.org/en/system/files/correspondence/jeffrey-to-kohnstamm-20sep13--en.pdf - https://www.icann.org/en/system/files/correspondence/kohnstamm-to-crocker-chehade-06jun13-en.pdf 	Issue Report		
Article 29 WP comments on the data protection impact of the revision of the ICANN RAA concerning accuracy and data retention of WHOIS (2012) <ul style="list-style-type: none"> - https://www.icann.org/en/system/files/correspondence/kohnstamm-to-crocker-atallah-26sep12-en.pdf - https://www.icann.org/en/news/correspondence/chehade-to-kohnstamm-09oct12-en 	Issue Report	Ali (p5)	S
Article 29 WP on ICANN Procedure for Handling WHOIS Conflicts with Privacy Law (2007) <ul style="list-style-type: none"> - http://gns0.icann.org/en/correspondence/cerf-to-schaar-24oct07.pdf - https://www.icann.org/en/system/files/files/cerf-to-schaar-15mar07-en.pdf - https://www.icann.org/en/correspondence/schaar-to-cerf-12mar07.pdf 	Issue Report	Walsh	A
Article 29 WP on ICANN's WHOIS Database Policy (2006) <ul style="list-style-type: none"> - https://www.icann.org/en/system/files/files/schaar-to-cerf-22jun06-en.pdf - https://www.icann.org/en/correspondence/lawson-to-cerf-22jun06.pdf - https://www.icann.org/en/correspondence/parisse-to-icann-22jun06.pdf - https://www.icann.org/en/system/files/files/fingleton-to-cerf-20jun06-en.pdf 	Issue Report	Folly	A
Article 29 WP Opinion on the application of the data protection principles to WHOIS directories Article 29 WP 76 Opinion 2/2003	Issue Report	Walsh	A
Additional Article 29 WP documents that may be of interest to this PDP WG			

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Input Document	Identified by	Reviewed by / Link to	Status
- Article 29 WP 5 Recommendation 2/97	Perrin		
- Article 29 WP 33 Opinion 5/2000	Perrin		
- Article 29 WP 41 Opinion 4/2001	Perrin		
- Article 29 WP 56 Working Document 5/2002	Perrin		
- Article 29 WP 217 Opinion 6/2014	Kimpian	Perrin	A
- Article 29 WP Opinion 1/2010	Perrin	Perrin	A
Council of Europe Declaration			
- Declaration of Committee of Ministers on ICANN, human rights and the rule of law (3 June 2015)	Kimpian		
- Council of Europe's Treaty 108 on Data Protection	Kleiman	Kleiman	S
EDPS Correspondence regarding Registration Data			
- Opinion of the European Data Protection Supervisor: Europe's role in shaping the future of Internet Governance (23 June 2014)	Perrin	Ferdeline	S
- ICANN's public consultation on 2013 RAA Data Retention Specification Data Elements and - Legitimate Purposes for Collection and Retention (17 April 2014)	Kimpian	Ferdeline	S
European Commission Website: Obligations of Data Controllers	Kleiman	Kleiman	S
European Commission News Announcement: EU-US Privacy Shield	Kleiman	Kleiman	S
European Data Protection Directive, 1995	Kleiman	Kleiman	S
International Working Group on Data Protection in Telecommunications and Media Documents			
- Common Position relating to Reverse Directories (Hong Kong, 15.04.1998)	Perrin	Ali (p4)	S
- Common Position on Privacy and Data Protection aspects of the Registration of Domain Names on the Internet (Crete, 4./5.05.2000)	Perrin	Ali (p3)	S
- Common Position on Privacy and Data Protection aspects of the Publication of Personal Data contained in publicly available documents on the Internet (Crete, 4./5.05.2000)	Perrin	Ali	A
- Common Position on Incorporation of telecommunications-specific principles in multilateral privacy agreements: Ten Commandments to protect Privacy in the Internet World (Berlin, 13/14.09.2000)	Perrin	Ali (p2)	S
- Common Position on data protection aspects in the Draft Convention on cyber-crime of the Council of Europe (Berlin, 13/14.09.2000)	Perrin	Ali (p1)	S
NORC Study of WHOIS Privacy/Proxy Prevalence (2010)	Issue Report	Coupet	A
EWG Recommendations for a Next-Generation RDS , especially	Charter	Samuels	S
- Section 6a, Data Protection Principles			

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Input Document	Identified by	Reviewed by / Link to	Status
- Section 6b, Principles for Data Access by Law Enforcement			
- Section 7, Improving Registrant Privacy			
- Annex H, Model for Relay and Reveal			
EWG Research: Data Protection Considerations Applicable to Collection of gTLD Reg Data Memo	Framework	Coupet	A
EWG Research: WHOIS Privacy and Proxy Service Provider Practices Survey	Charter		
EWG Tutorial Pages 28-30 and EWG FAQs 31-38	Issue Report		
Statements/Blogs by Ajayi and Perrin	Issue Report		
Process Framework for a PDP on Next-Generation RDS, especially Page 9, Row 5	Charter		
Human Rights Council - Report by the UN Special Rapporteur on the right to privacy	Ferdeline		
EU Court of Justice Judgements that may apply to gTLDs, including			
- Judgement on preliminary ruling under Article 267 TFEU from Audiencia Nacional (Spain)	Ferdeline		
- Judgment of the Court (Grand Chamber) - Maximilian Schrems v Data Protection Commissioner	Kleiman	Kleiman	A
Africa Union Convention on Cybersecurity and Personal Data Protection	Mutung'u	Mutung'u	A
Relevant National Laws or Court Rulings that may apply to gTLDs, including			
- US Supreme Court Case - McIntyre v. Ohio Elections Commission, 514 U.S. 334 (1995)	Kleiman	Kleiman	A
- The Constitution of the State of California (USA): Article 1, Section 1	Kleiman	Kleiman	A
- Ghana Protection Act, 2012	Mutung'u	Mutung'u	A
Governance of Privacy: Policy Instruments in Global Perspective (MIT Press 2006)	Perrin		
Book: Global Tables of Data Privacy Laws and Bills (Greenleaf, 4rd Edition, January 2015)	Perrin	Kleiman	A
Article: Global data privacy laws 2015: 109 countries, with European laws now a minority (Greenleaf)	Kleiman	Kleiman	A
WorldLII Database of National Data Privacy Legislation	Kleiman		

Note: Relevant input documents not already on the starter list may continue to be added by team members.

All additions will be appended to the end of the table unless they clearly fit within an existing category of documents already identified.

“Identified by” indicates who first identified the document as input – in several cases, the same document was suggested more than once.

“Reviewed by” indicates which member of this small team:

- already posted a summary of the document, focusing on portions relevant to Privacy (follow hyperlink for submitted summary), or
- has volunteered to summarize portions of the document relevant to Privacy.

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“Status” indicates the summary has been (A)ssigned to the reviewer, (S)ubmitted to the email list, or determined by the team to be (C)omplete.