

APRALO-APAC Hub Webinar

**Privacy and Data Protection: Impacts
on end-users, At-Large community
and other sections within ICANN**

ARALO-APAC Hub Webinar

What Is Privacy?

- A state in which one is not observed or disturbed by other people.
- the quality or state of being apart from company or observation
- freedom from unauthorized intrusion
- Information privacy - the right to have some control over how your personal information is collected and used

Privacy Regulation - OECD Principles

Collection Limitation Principle

There should be limits to the collection of personal data and any such data should be obtained by lawful and fair means and, where appropriate, with the knowledge or consent of the data subject.

Data Quality Principle

Personal data should be relevant to the purposes for which they are to be used, and, to the extent necessary for those purposes, should be accurate, complete and kept up-to-date.

Purpose Specification Principle

The purposes for which personal data are collected should be specified not later than at the time of data collection and the subsequent use limited to the fulfilment of those purposes or such others as are not incompatible with those purposes and as are specified on each occasion of change of purpose.

Privacy Regulation- OECD Principles

Use Limitation Principle

Personal data should not be disclosed, made available or otherwise used for purposes other than those specified in accordance with Paragraph 9 (purpose) except:

- with the consent of the data subject; or
- by the authority of law.

Security Safeguards Principle

Personal data should be protected by reasonable security safeguards against such risks as loss or unauthorised access, destruction, use, modification or disclosure of data.

Privacy Regulation- OECD Principles

Openness Principle

There should be a general policy of openness about developments, practices and policies with respect to personal data. Means should be readily available of establishing the existence and nature of personal data, and the main purposes of their use, as well as the identity and usual residence of the data controller. Individual Participation Principle

Individuals should have the right:

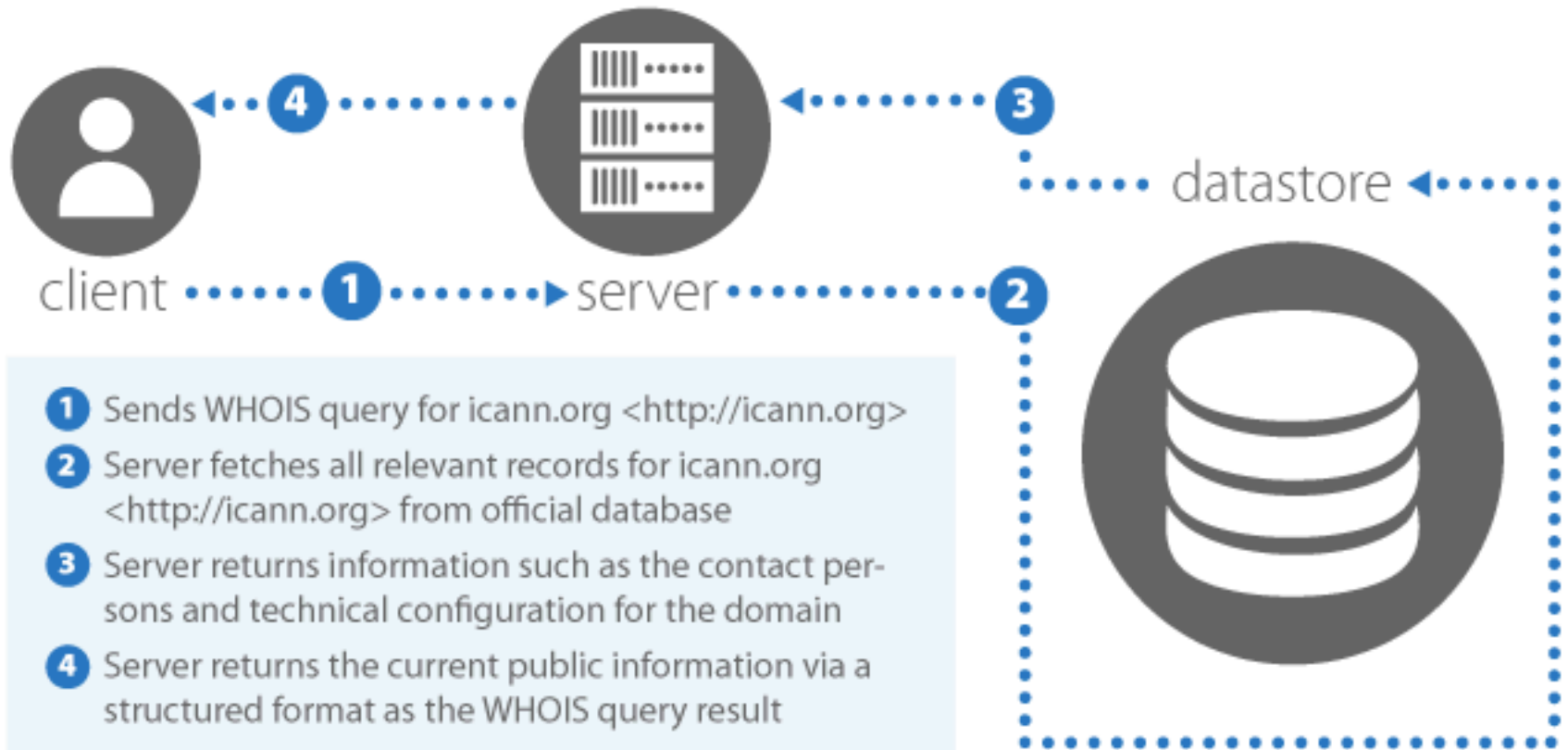
- a) to obtain from a data controller, or otherwise, confirmation of whether or not the data controller has data relating to them;
- b) to have communicated to them, data relating to them
 - i. within a reasonable time;
 - ii. at a charge, if any, that is not excessive;
 - iii. in a reasonable manner; and
 - iv. in a form that is readily intelligible to them;
- c) to be given reasons if a request made under subparagraphs (a) and (b) is denied, and to be able to challenge such denial; and
- d) to challenge data relating to them and, if the challenge is successful to have the data erased, rectified, completed or amended.

Privacy and WHOIS

For all gTLDs, Registrars (and resellers) and 'Thick' Registries make publicly available information about each registrant including the following:

- Name
- Email Address
- Postal address
- Voice telephone number

Provision of WHOIS Information



Privacy and WHOIS

Privacy and Proxy Services

- **Privacy Service:** a service that provides the Registrant Name and subset of other information (possibly null set)
- **Proxy Service:** a relationship in which the Registrant is acting on behalf of another – so the WHOIS data is that of the agent