

[Date]

Subject: ICANN Expedited Policy Development Process Team Releases Interim Report

Dear Members of the European Data Protection Board,

This letter is further to earlier correspondence between yourselves and Goran Marby, the CEO of ICANN, (the Internet Corporation for Assigned Names and Numbers). ICANN is a global non-profit organization responsible for ensuring the stable and secure operation of the Internet's system of unique identifiers, i.e., domain names and IP addresses. I am writing on behalf of a multi-stakeholder policy development team formed by ICANN to develop GDPR-compliant policies to govern the operation and procedures relating to the processing of personal data collected by stakeholders in the domain name industry.

On 25 May 2018, the ICANN Board adopted a Temporary Specification for gTLD Registration Data ("Temporary Specification"), which is intended to bring gTLD (generic Top Level Domain), registration data processing into compliance with GDPR, with the least impact on current operations and practices. It expires on 25 May 2019. Accordingly, an Expedited Policy Development Process (EPDP) Working Group was chartered and tasked with determining if the Temporary Specification should be adopted as ICANN policy, as is or with modifications, while complying with the GDPR and other relevant privacy and data protection laws. This Working Group is comprised of volunteers reflecting the global stakeholders in the ICANN community, including businesses, Internet engineers, technical and security experts, civil society, academic experts, governments (including law enforcement), end users, business and intellectual property interests, domain name registrars and registry operators.

The EPDP Working Group team is approximately half-way through its deliberations, and has read and considered the GDPR, explanatory documents, and the writings of the EDPB to date. It is still dealing with many difficult challenges in interpretation and analysis of ICANN's complex multi-stakeholder role, but I am pleased to report that it is making progress. The Working Group has published an Initial Report for public comment describing preliminary recommendations for operating in a GDPR-compliant manner and also answering questions posed in the EPDP Working Group's Charter. Data Elements Workbooks, which are tools to capture the data processing analysis described above, can be found in the Initial Report Annex.

The EPDP Working Group benefited from the advice the EDPB kindly provided to ICANN in previous communications and, in particular, your letter dated 5 July 2018 (see <https://www.icann.org/en/system/files/correspondence/jelinek-to-marby-05jul18-en.pdf>). The EPDP Working Group thought the EDPB might be interested in its Initial Report, which has now been published for public comments (see <https://www.icann.org/public-comments/epdp-gtld-registration-data-specs-initial-2018-11-21-en>). We would, of course, be most grateful for any comments or guidance the EDPB might have at this point.

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Deleted: As indicated in ICANN CEO Göran Marby's September 17, 2017 letter, ICANN is a global non-governmental non-profit organization responsible for ensuring the stable and secure operation of the Internet's system of unique identifiers, i.e., domain names and IP addresses. ¶

Moved up [1]: ICANN is a global non-governmental non-profit organization responsible for ensuring the stable and secure operation of the Internet's system of unique identifiers, i.e., domain names and IP addresses.

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Yours truly,

Kurt Pritz
Chair, EPDP Working Group

