### EPDP-P2A – started – November 2020

#### GNSO Council Instructions

<table>
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<th>Topics</th>
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<td>• Legal vs. natural persons</td>
<td>• Feasibility of unique contacts to have a uniform anonymized email address</td>
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**Approach**

Reconvene EPDP Team to address these remaining topics

**Instructions**

a) Legal vs. natural persons - the EPDP Team is expected to review the study undertaken by ICANN org (as requested by the EPDP Team and approved by the GNSO Council during Phase 1) together with the legal guidance provided by Bird & Bird as well as the substantive input provided on this topic during the public comment forum on the addendum and answer:

i. Whether any updates are required to the EPDP Phase 1 recommendation on this topic (“Registrars and Registry Operators are permitted to differentiate between registrations of legal and natural persons, but are not obligated to do so “);

ii. What guidance, if any, can be provided to Registrars and/or Registries who differentiate between registrations of legal and natural persons.

b) In relation to feasibility of unique contacts to have a uniform anonymized email address, the EPDP Team is expected to review the legal guidance and consider specific proposals that provide sufficient safeguards to address issues flagged in the legal memo. Groups that requested additional time to consider this topic, which include ALAC, GAC and SSAC, will be responsible to come forward with concrete proposals to address this topic. This consideration is expected to address:

i. Whether or not unique contacts to have a uniform anonymized email address is feasible, and if feasible, whether it should be a requirement.

ii. If feasible, but not a requirement, what guidance, if any, can be provided to Contracted Parties who may want to implement uniform anonymized email addresses. For clarity, the GNSO Council is not directing any particular outcome on either topic, but as manager of the PDP, it is sharing its expectations with regards to which questions are expected to be addressed as part of the EPDP Team’s deliberations. Consistent with the PDP Manual, the GNSO Council does expect that all the required steps are followed in the consideration of these issues which may include further public comment on an Initial Report and a Final Report that would be considered an addendum to the EPDP Phase 2 Final Report.

**Immediate Actions**

1. Communicate to the groups that have appointed members to the EPDP Team that the Council is expected to instruct the EPDP Team to further consider the topics of legal/natural and feasibility of unique contacts per the instructions above, as well as the expected timeframe. Request groups to:

   a) Commence process of confirming members availability and/or reappointing members to work on these topics.

   b) Start developing proposals to address these topics, factoring in deliberations to date, that will allow the EPDP Team to kickstart deliberations on these topics when it reconvenes.

2. Council to further consider leadership question:

   • Should Council liaison serve as interim chair as timeframe is limited?

   • Should informal call for expression of interest be conducted amongst EPDP members?

   • Should formal call of expression of interest for external chair be conducted?

**Subsequent Steps**

3. Once Council completes consideration of EPDP Phase 2 Final Report:

   a) Council to confirm go ahead for EPDP Team to reconvene by confirming / selecting leadership (liaison and/or chair). Note, the adoption of the EPDP Phase 2 Final Report does not automatically trigger the starting point as resourcing and bandwidth will also need to be factored in.

   b) Reconvene EPDP Team to commence deliberations.

   c) At the latest 3 months after reconvening, the Chair of the EPDP Team and GNSO Council Liaison to the EPDP will report back to the GNSO Council on the status of deliberations.

   Based on this report, which is expected to include an update on progress made and the expected likelihood of consensus recommendations, the GNSO Council will decide on next steps, which could include providing additional time for the EPDP to finalize its recommendations or termination of the EPDP if it is clear that no progress is being made or consensus is unlikely.