

4 May 2018

Akram Atallah
President, Global Domains Division
Internet Corporation For Assigned Names and Numbers
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Re: Effect of GDPR-Related Temporary Policy on Across-field Address Validation Working Group (AFAV) and the Privacy/Proxy Services Accreditation Implementation Review Team

Dear Akram,

The Registrar Stakeholder Group (RrSG) understands ICANN staff recently consulted with the leadership teams of the Registration Directory Service (RDS) Policy Development Process and the GNSO Council to discuss options on how to proceed in light of the looming General Data Protection Regulation (GDPR) implementation deadline. We understand one option ICANN staff and the ICANN Board of Directors are considering is adopting a Temporary Policy to formalize an Interim Compliance Model for contracted parties, and then initiating an Expedited Policy Development Process (EPDP) to establish a permanent policy.

In addition to modifying provisions of existing Registry Agreements (RAs) and Registrar Accreditation Agreements (RAAs), the RrSG is aware of two additional work items currently in progress that will be immediately impacted by the GDPR and any potential Temporary Policy: the Across-field Address Validation Working Group (AFAV) and the Privacy/Proxy Services Accreditation Implementation Review Team (PPSAI IRT).

Across-field Address Validation Working Group

The AFAV is immediately impacted by GDPR and any Temporary Policy in the following key areas:

- Access to all postal address fields
- Transmission of personal data to third-party provider(s)

Privacy/Proxy Services Accreditation Implementation Review Team

The PPSAI IRT is immediately impacted by GDPR and any Temporary Policy in the following key areas:

- Disclosure of personally identifiable information to third parties without due process
- Publication obligations in violation of GDPR

Because of the uncertainty posed by GDPR and any Temporary Policy established by ICANN, including the immediate incorporation of such Temporary Policy into the Registrar Accreditation

Agreement, the RrSG formally requests that the language of the Temporary Policy specifically include a statement that immediately pauses the work of the AFAV WG and PPSAI IRT and keeps it paused until the announcement of the permanent policy that results from the EPDP.

Sincerely,

Graeme Bunton
Chair, Registrar Stakeholder Group