

16 October 2023

RE: Status of Data Processing Agreement (DPA) negotiations

Sebastien Ducos
Chair, Generic Names Supporting Organization (GNSO)

Dear Sebastien,

Thank you for your 3 August [letter](#). We appreciate the GNSO Council's interest in the ongoing work that the Contracted Parties and ICANN org have engaged in to establish agreements to process personal data. For reference, the parties agreed that these agreements would take the form of a specification that may be added to the Registry Agreement (RA) and Registrar Accreditation Agreement (RAA), and as such we refer to them as the "Data Processing Specification" or "DPS."

Prior to the ICANN77 meeting in Washington, DC, the Contracted Parties House (CPH) Negotiating Team and ICANN org reviewed potential compromises on outstanding issues in the negotiation. During ICANN77, the two groups met and continued to make substantial progress towards resolving key terms. Following the meeting, work has continued to bring both parties closer to agreement. As resolution requires agreement on complex terms among the parties, we are unable to identify with specificity the completion date. At this stage, the remaining items on which the parties must agree are few and both ICANN org and the CPH are committed to moving this forward as expeditiously as practicable. ICANN org has informed the CPH Negotiating Team that its goal is to complete these items before the end of the calendar year, with the aim to have the DPS available for use by registrars and registries for the beginning of the Registration Data Policy implementation window.

For clarity, once the language for these remaining terms is agreed to and finalized, the draft DPS will be finished. At that point, it will be shared with the RySG and RrSG for review. Following review and acceptance by the RySG and RrSG, it will be published for public comment.

Both ICANN org and the Contracted Parties look forward to completing the negotiations and finalizing the DPS.

Sincerely,

Theresa Swinehart
Senior Vice President of Global Domains and Strategy, ICANN

Ashley Heineman
Chair, RrSG

Samantha Demetriou
Chair, RySG