

EPDP Team Meeting

18 September 2018

Meeting #14

Agenda

1. Roll Call & SOI Updates (5 minutes)
2. Welcome and Updates from EPDP Team Chair (5 minutes)
3. Appendix C (30 minutes)
Objective: Reach Preliminary Agreement on how to move forward
4. Section 4.4 (60 minutes)
 - Proposed changes to §4.4
 - Matrix of data processing purposes and identify which parties have that purpose:
 - Registrars
 - Registries
 - ICANN
 - Third-party interests
- 5) Confirm action items and questions for ICANN Org, if any (5 minutes)
- 6) Wrap and confirm next meeting to be scheduled for Tuesday 18 September at 13.00 UTC.

Welcome & Updates from EPDP Team Chair

Agenda Item #2

Welcome and Updates from EPDP Team Chair

- Complete GDPR Training Course by Tuesday, 18 September
- GDPR Training and Q&A session with Becky Burr on Wednesday, 19 September

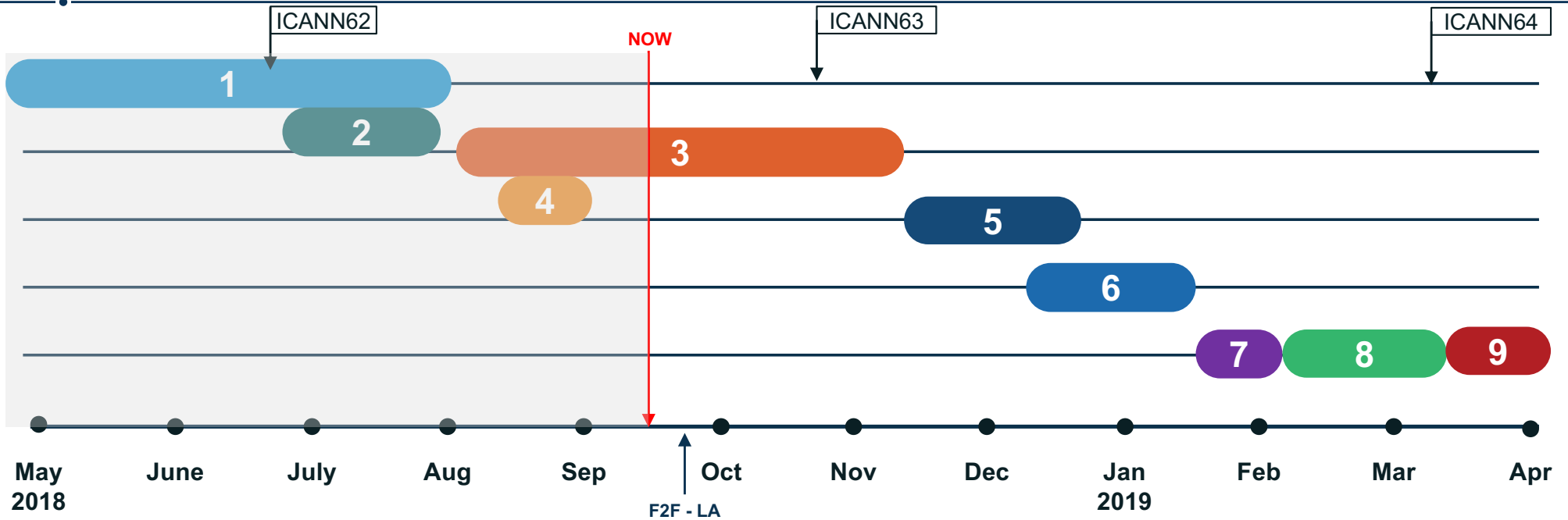
Please add any questions / topics to

https://docs.google.com/document/d/1QBy9YhdoaQ2yBmPicUSJai9YaNPZWrRywFJVIJAF_Ms/edit

- ICANN63 Travel Support – 4 applications received and granted
- Recap CBI Open House Session
- Use of DSI's
- Other updates

EPDP Timeline

18 September 2018
Meeting #14



1 Prep work, incl. EPDP Initiation Request & Charter adoption

2 Formation of EPDP Team

3 EPDP Team Deliberation & Publication of Initial Report⁽¹⁾

4 Input from SO/ACs & SG/Cs

5 Public Comment on Initial Report

6 Review of Public Comment & Submission of Final Report

7 Council consideration of Final Report

8 Public Comment prior to Board consideration⁽²⁾

9 Board consideration

08 Meetings to ICANN 63
3 (F2F - LA)

248 Days to Temp Spec Expiration

(1) Access Model deliberations will begin after gating questions have been completed & will be added to the timeline then.
(2) Exploring option for alternative method for community input while satisfying Bylaws requirement, await response.

Outstanding Action Items

Appendix A	<p>13 September 2018</p> <hr/> <p>17 September 2018</p>	<p>EPDP small team of volunteers (to be identified) to work on answering the issues addressed for Appendix A, §§2.1 - 2.3, Appendix A §2.4, Appendix A §1, Appendix A, §4. EPDP Team to provide input on questions identified (see https://docs.google.com/document/d/1M2XdbXZsvfYfsxdR1xG2qT7XZ07AopJubRH8ZX1Qt3s/edit)</p>
F2F Meeting	<p>13 September 2018</p> <hr/> <p>18 September 2018</p>	<p>If anyone from the EPDP Team would like to provide ideas or suggestions for the F2F in Los Angeles, please feel free to do so via the list.</p>
GDPR Training	<p>11 September 2018</p> <hr/> <p>17 September 2018</p>	<p>All members, alternates and liaisons to complete the GDPR training as soon as possible but no later than 17 September.</p>
GDPR Training	<p>11 September</p> <hr/> <p>17 September</p>	<p>GDPR session with Becky Burr scheduled for Wednesday, 19 September. EPDP Team members to submit questions in advance to allow for adequate preparation..</p>

Appendix C

Agenda Item #4

Appendix C

Objective: Preliminary Agreement on how to move forward with Appendix C

Contributions:

- ⦿ Original proposal provided by RySG (see email from Alan Woods)
- ⦿ Modification by BC (see email from Margie Milam)
- ⦿ Support for modification by IPC (see email from Diane Plaut)

Way forward:

- ⦿ Discuss proposed modification as Principles for Processing Registration Data (see attached draft)
- ⦿ Move the remaining content out of the Appendix (see attached draft)

Rationale:

- ⦿ Appendices usually include detailed technical direction
- ⦿ Agreement that the prescriptive portions can be removed
- ⦿ Principle are more appropriately placed in earlier section of the policy

Section 4.4

Agenda Item #4, refer to these documents:

- a) Review input received on Registrar purposes, see https://docs.google.com/document/d/1linDj9isH6uU-KYIVPPu2GyT0-Q3urTXXIW1Hhr_-y8/edit
- b) Review input received on overview of purposes, see https://docs.google.com/spreadsheets/d/1RivZFrPQpJ_bgDIOI6yfhYaSs2oYgS1n4TObifAoJ8/edit#gid=1439148289

Section 4.4

(1) Answer [Charter questions](#): Part 1: Purposes for Processing Registration Data:

a) Purposes outlined in Sec. 4.4.1-4.4.13 of the Temporary Specification:

a1) Are the purposes enumerated in the Temporary Specification valid and legitimate?

a2) Do those purposes have a corresponding legal basis?

a3) Should any of the purposes be eliminated or adjusted?

a4) Should any purposes be added?

(2) Take into account [EDPB advice](#):

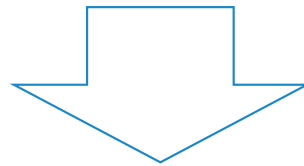
“ICANN should take care not to conflate its own purposes with the interests of third parties.”

Review:

- Recommended changes to §4.4
- Matrix of data processing purposes and identify which parties have that purpose:
 - Registrars
 - Registries
 - ICANN
 - Third-party interests

4.4. However, such Processing must be in a manner that complies with the GDPR, including on the basis of a specific identified purpose for such Processing. Accordingly, Personal Data included in Registration Data may be Processed on the basis of a legitimate interest not overridden by the fundamental rights and freedoms of individuals whose Personal Data is included in Registration Data, and only for the following legitimate purposes

New Content of §4.4



4.4. However, such Processing must be in a manner that complies with the GDPR. In particular, the principles laid down in Art. 5 GDPR must be abided by, e.g. there must be a specified, explicit and legitimate purposes. Additionally, a legal basis from the catalogue in Art. 6 I GDPR must be given. These are:

- a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

New Format of §4.4

4.4. However, such Processing must be in a manner that complies with the GDPR...

4.4.4(a) Registrar Purposes for processing data

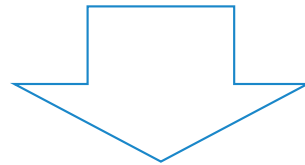
4.4.4(a).1 ...

4.4.4(a).2...

4.4.4(b) Registry Purposes for processing data

4.4.4(c) ICANN Purposes for processing data

4.4.4(d) Purposes for processing data by third-party interests



...to the "Purposes matrix"

Wrap Up

Agenda item #5 & #6

Wrap Up

Review actions items and questions for ICANN Org, if any

Next meeting to be scheduled for Thursday 20 September at 13.00
UTC