**RECOMMENDATION 21**

The EPDP Team recommends that ICANN Org enters into required data protection agreements such as a Data Processing Agreement (GDPR Art. 28) or Joint Controller Agreement (Art. 26), as appropriate, with the non-Contracted Party entities involved in registration data processing such as data escrow providers and EBERO providers. These agreements are expected to set out the relationship obligations and instructions for data processing between the different parties.

***Disclaimer:*** *This overview has been developed to facilitate the EPDP Team’s consideration of the concerns expressed and possible updates to the recommendations. However, this does not replace the EPDP Team’s obligation to review all input received in full and to indicate if any concerns in this overview have inadvertently been mischaracterized.*

**Noted Concerns**

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| **Concern** | **Corresponding PCRT Comment #** | **Further Discussion Required?** |
| Language should be added to clarify is clear that we are not recommending that ICANN enter into contracts with registrants, as they are also non-contracted parties. (See PCRT for recommended edit.) | 2 (Internet Governance Project, NCSG) | Yes/No |
| Not enough information to determine whether this recommendation is appropriate. Recommendation #21 as worded sounds like the EPDP working group is rendering legal advice to ICANN. | 3 (John Poole) | Yes/No |