5 April 2019

RE: ICANN64

Keith Drazek
Chair, GNSO Council
email: Contact Information Redacted

Dear Keith,

In follow up to a number of questions that were raised during the different meetings at ICANN64 in Kobe, I thought it might be helpful to share with the GNSO Council expected next steps in relation to the EPDP Team Phase 1 Final Report and recommendations, as well as the Draft Technical Model developed by the Technical Study Group on Access to Non-Public Registration Data.

EPDP Team on the Temporary Specification for gTLD Registration Data Phase 1 Final Report

- The Final Report and recommendations, adopted by the required GNSO Supermajority support, are now out for public comment to obtain community input prior to Board action on the final policy recommendations. Similarly, the GAC has been notified, as required by the ICANN Bylaws, of the upcoming Board consideration of these recommendations and has been invited to flag if there are public policy issues raised by these recommendations and provide advice accordingly on those issues to the ICANN Board.
- ICANN org intends to share with the DPAs the EPDP final policy recommendations following the closure of the public comment period so that the comments can inform the outreach and questions to be raised with DPAs.
- The Board is expected to consider all the input received during its workshop scheduled for 1-3 May and take a decision during the Board meeting on 3 May or shortly thereafter.

Technical Model by the Technical Study Group (TSG) on Access to Non-Public Registration Data

- As outlined in the blog post published recently, the TSG is planning a number of additional meetings, including a face-to-face meeting on 15-16 April in ICANN's Washington, DC office to review the input and finish their edits to the draft model. Once complete, the TSG will submit its final report to me as I tasked this group with this project. Org is already in the process of preparing the necessary materials to be able to consult with the DPAs.
- As I have stated on various occasions, the work of the TSG is not intended to pre-empt the work of the EPDP Team in phase 2, but is rather carried out at the recommendation of Contracted Parties. Next week, my team will meet with the European Commission's Directorates General CONNECT, HOME, and JUST to present the model. We will then pose questions to the EDPB on the model. The main objective is to use the technical model to obtain legal certainty from the EDPB / DPAs on the legal viability of such a

model as well as a confirmation on whether the legal liability for contracted parties can be reduced. Any feedback that is received will be shared with the ICANN Community and will hopefully help inform the EPDP Team's deliberations.

I hope this is helpful in clarifying and confirming the next steps on these two efforts. As stated previously, Org stands ready to assist as needed to support the GNSO Council and the broader ICANN community in its efforts on phase 2 of the EPDP.

If you have any further questions or comments, please do let me know.

Best wishes,

Göran Marby
President and Chief Executive Officer
Internet Corporation for Assigned Names and Numbers (ICANN)