EPDP Phase 2a
Update to GNSO Council

24 March 2021
Council Instruction

[a]t the latest 3 months after reconvening, the Chair of the EPDP Team and GNSO Council Liaison to the EPDP will report back to the GNSO Council on the status of deliberations. Based on this report, which is expected to include an update on progress made and the expected likelihood of consensus recommendations, the GNSO Council will decide on next steps, which could include providing additional time for the EPDP to finalize its recommendations or termination of the EPDP if it is clear that no progress is being made or consensus is unlikely.
Background
Two topics from phase 1 & 2 for further review by EPDP Team

Differentiation between Legal & Natural Person Data

i. Whether any updates are required to the EPDP Phase 1 recommendation on this topic (“Registrars and Registry Operators are permitted to differentiate between registrations of legal and natural persons, but are not obligated to do so“);

ii. What guidance, if any, can be provided to Registrars and/or Registries who differentiate between registrations of legal and natural persons

Feasibility of unique contacts to have a uniform anonymized email address

i. Whether or not unique contacts to have a uniform anonymized email address is feasible, and if feasible, whether it should be a requirement.

ii. If feasible, but not a requirement, what guidance, if any, can be provided to Contracted Parties who may want to implement uniform anonymized email addresses.
Achievements to date

Development of Proposals for possible Guidance
Identification of proposals for possible guidance to Contracted Parties who choose to distinguish between legal and natural person data

Review of all relevant information
Review of all relevant background information (e.g. legal advice, ICANN org study) and identification of clarifying questions

Leadership Confirmation
Confirmation of Chair (Keith Drazek), Vice-Chair (Brian Beckham), GNSO Council Liaison (Philippe Fouquart)

Legal Questions
Submission of follow up legal questions to external legal Counsel

Definitions
Development of definitions in relation to feasibility of unique contacts
Remaining work items

**Guidance**
Agree and finalize guidance for Contracted Parties that want to distinguish between legal and natural person data

**Legal**
Consider responses to legal follow up questions (within approximately 4 weeks) and determine how this impacts views on Council assigned questions on both topics

**Initial Report**
Agree on responses to Council assigned questions for inclusion in the Initial Report

**Consensus Designations**
Determine consensus designations for proposed recommendations to be included in the Initial Report
EPDP Phase 2A - Summary Timeline

1. Project Management, Workplan, & Factsheet
2. EPDP-P2A Legal vs. Natural Deliberations
3. EPDP-P2A Unique Contacts Deliberations
4. Construct Initial Report
5. Public Comment on Initial Report
6. Review of Public Comment & Submission of Final Report
7. Council Consideration of Final Report
8. Public Comment during Board Consideration
9. Board Consideration

Complete: 40% Status: Health:

1) Update to GNSO Council on probability to achieve consensus recommendations
EPDP Team had a slower than anticipated start

Although it may be difficult to come to consensus on all issues, it is important that the group is allowed the time as committed to in its timeline to develop an Initial Report.

There is a possibility that some additional time may be needed due to external dependency on responses to legal questions by external legal counsel.

Expectation is that by 20 May GNSO Council Meeting a more specific update can be provided by Chair and Council Liaison on the likelihood of consensus recommendations.