General Data Protection Regulation (GDPR)

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ICANN APAC TWNIC Engagement Forum
16 April 2019



About the General Data Protection Regulation (GDPR)

- The European Union's (EU's) GDPR aims to protect EU citizens and residents from privacy and data breaches (took effect 25 May 2018)
- "*The Regulation is an essential step to strengthen citizens' fundamental rights in the digital age and facilitate business by simplifying rules for companies in the Digital Single Market.*"
- Applies to all companies processing and holding the personal data of subjects residing in the EU, regardless of the company's location
- Failure to comply may result in fines up to €20 million or 4% of global annual turnover
- European Data Protection Authorities will interpret and enforce the regulation, and European courts will resolve any disputes
- More information: http://ec.europa.eu/justice/data-protection/reform/index_en.htm



Temporary Specification for gTLD Registration Data

- Given the importance of WHOIS for security and stability of the Internet as well as for the public interest, the goal of the Temporary Specification was to preserve WHOIS to the greatest extent possible while complying with GDPR.

- This was achieved by maintaining existing requirements for robust collection of Registration Data so that users with a legitimate purpose can continue to have access to this data by requesting access from registrars and registry operators.

- A tiered/layered access model was adopted to ensure continued access to Registration Data while limiting publication of personal data.

- We also received input that led to flexibility built into our compliance model. For example, we received input from the European Commission that any personal data included in the registration data for any registrant, including a legal person, is protected under GDPR. As such, the model does not differentiate between legal and natural person.

- Additionally, we have to ensure that the model does not create situations where bad actors go to the EU to register domain names, and registrars and registry operators not established in the EU would be at a competitive disadvantage because they would not have the ability to apply the requirements globally, resulting in the additional burden of having to put in place multiple processes and systems.

Expedited Policy Development Process (EPDP)

- The ICANN Generic Names Supporting Organization initiated an Expedited Policy Development Process to consider whether or not to confirm the Temporary Specification as consensus policy by 25 May 2019 (the date the Temporary Specification will expire). Read more here.
- Discuss a standardized access model to nonpublic registration data in Phase Two.
- Only covers topics in the Temp Spec.
- Initial report published 21 November 2018.
- Final report on Phase One submitted to GNSO Council in February 2019.
- GNSO Council approved the Phase One recommendations on 4 March.
- Prior to the ICANN Board's consideration, the recommendations are open for public comment until 17 April 2019.
- The ICANN Board will consider the recommendations prior to the expiration of the Temporary Specification on 25 May 2019.

Changes to WHOIS since 25 May 2018

What has not changed?

- Registration Data for all of the applicable fields will continue to be collected, transferred, and retained as before.
- Registrars and registry operators are required to continue to escrow Registration Data.
- Existing rules and procedures for rights protection mechanisms and the trademark clearinghouse remain in place.

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What has changed?

- Access to Registration Data will be tiered/layered. Personal data will be redacted for Registration Data processed in the EU. Third-party with legitimate interest may gain access to non-public Registration Data by contacting the relevant registrar/registry operator.
- Registrars will provide an anonymized email address or web form to contact registrants, admin and tech contacts.
- All other information for tech and admin contacts will be redacted.

WHOIS Before and After 25 May 2018

WHOIS record field	Before 25 May	Current WHOIS
Domain Name	Display	Display
Registry Domain ID	Display	Display
Registrar WHOIS Server	Display	Display
Registrar URL	Display	Display
Updated Date	Display	Display
Creation Date	Display	Display
Registry Expiry Data	Display	Display
Registrar Registration Expiration Date	Display	Display
Registrar	Display	Display
Registrar IANA ID	Display	Display
Registrar Abuse Contact Email	Display	Display
Registrar Abuse Contact Phone	Display	Display

WHOIS Before and After

WHOIS record field	Before 25 May	Current WHOIS
Reseller	Display	Display
Domain Status	Display	Display
Domain Status	Display	Display
Domain Status	Display	Display
Registry Registrant ID	Display	Do not display
Registrant Name	Display	Do not display
Registrant Organization	Display	Display
Registrant Street	Display	Do not display
Registrant City	Display	Do not display
Registrant State/Province	Display	Display
Registrant Postal Code	Display	Do not display
Registrant Country	Display	Display
Registrant Phone	Display	Do not display
Registrant Phone Ext	Display	Do not display

WHOIS Before and After

WHOIS record field	Before 25 May	Current WHOIS
Registrant Fax	Display	Display
Registrant Fax Ext	Display	Display
Registrant Email	Display	Anonymized email or web form
Registry Admin ID	Display	Display
Admin Name	Display	Display
Admin Organization	Display	Display
Admin Street	Display	Display
Admin City	Display	Display
Admin State/Province	Display	Display
Registrant Fax	Display	Display
Registrant Fax Ext	Display	Display
Registrant Email	Display	Display
Registry Admin ID	Display	Display
Admin Name	Display	Display

WHOIS Before and After

WHOIS record field	Before 25 May	Current WHOIS
Admin Organization	Display	Do not display
Admin Street	Display	Do not display
Admin City	Display	Do not display
Admin State/Province	Display	Do not display
Admin Postal Code	Display	Do not display
Admin Country	Display	Do not display
Admin Phone	Display	Do not display
Admin Phone Ext	Display	Do not display
Admin Fax	Display	Do not display
Admin Fax Ext	Display	Do not display
Admin Email	Display	Anonymized email or web form
Registry Tech ID	Display	Do not display
Tech Name	Display	Do not display
Tech Organization	Display	Do not display

WHOIS Before and After

WHOIS record field	Before 25 May	Current WHOIS
Tech Street	Display	Do not display
Tech City	Display	Do not display
Tech State/Province	Display	Do not display
Tech Postal Code	Display	Do not display
Tech Country	Display	Do not display
Tech Phone	Display	Do not display
Tech Phone Ext	Display	Do not display
Tech Fax	Display	Do not display
Tech Fax Ext	Display	Do not display
Tech Email	Display	Anonymized email or web form

WHOIS Before and After

WHOIS record field	Before 25 May	Current WHOIS
Name Server	Display	Display
Name Server	Display	Display
DNSSEC	Display	Display
DNSSEC	Display	Display
URL of ICANN Whois Inaccuracy Complaint Form	Display	Display
>>> Last update of WHOIS database	Display	Display