

# EPDP-TempSpec Phase 1 and Phase 2 Priority 2 Final Recommendations and Associated Implementation Tasks

1. All the final recommendations from the EPDP-TempSpec have been evaluated by the IRT and tasks have been determined for implementation. Each recommendation and associated implementation tasks are presented below. In analyzing the recommendations, the IRT has identified several categories that can be addressed for review by the community.
  - 1.1. Recommendations for research and study
  - 1.2. Recommendations that did not result in tasks for the IRT
  - 1.3. Recommendations that did not result in language in the policy document
  - 1.4. Recommendations that are specifically addressed in the policy language
  - 1.5. Implementation approaches for recommendations in the Final Report that did not result in policy language
  - 1.6. Implementation approaches for recommendations in the Final Report that did result in have policy language
2. **Research and Studies**
  - 2.1. **Recommendation #15.1** - Review of ICANN org Uses of Registration Data After the Life of the Registration
  - 2.2. **Recommendation #15.4** - Review of ICANN Data Retention Waiver Process
  - 2.3. **Recommendation #17** - Natural vs. Legal
  - 2.4. **Recommendation #27** - Updates to Existing Consensus Policies/Procedures
3. **Did Not Result in Tasks for the IRT**
  - 3.1. **Recommendation #2** - (Divergence) Additional Purposes
  - 3.2. **Recommendation #3** - System for Standardized Access to Non-Public Registration Data
  - 3.3. **Recommendation #4** - Contractual Accuracy Requirements
  - 3.4. **Recommendation #21** - Instructions to GNSO Rights Protection Mechanisms PDP Working Group
  - 3.5. **Recommendation #25** - Input to Transfer Policy Review
  - 3.6. **EPDP-TempSpec Phase 2 Recommendation #19** - Display of Affiliated and/or Accredited Privacy/Proxy Providers
  - 3.7. **EPDP-TempSpec Phase 2 Recommendation #21** - Data Retention
4. **Did Not Result in Language in the Policy Document**
  - 4.1. **Recommendation #1** - Purposes for Processing gTLD Registration Data
  - 4.2. **Recommendation #8.1** - Data Protection Agreements with Escrow Providers
  - 4.3. **Recommendation #9** - Transmission of Data from Registries/Registrars to ICANN Compliance
  - 4.4. **Recommendation #22** - Data Protection Agreements with Dispute Resolution Providers

- 4.5. **Recommendation #26** - Data Protection Agreements with Non-Contracted Party Entities
- 4.6. **EPDP-TempSpec Phase 2 Recommendation #22** - Purpose 2
- 5. **Resulted in Language Addressed in the Policy Document**
  - 5.1. **Recommendation #5** - Data Elements to be Collected by Registrars
  - 5.2. **Recommendation #6** - Consent to Publish Additional Contact Information
  - 5.3. **Recommendation #7** - Data Elements to be Transferred from Registrars to Registries
  - 5.4. **Recommendation #8.2** - Data Transfer Requirements to Escrow Providers
  - 5.5. **Recommendation #8.3** - Data Elements to be Transferred from Registries/Registrars to Escrow Providers
  - 5.6. **Recommendation #10** - Data Redaction
  - 5.7. **Recommendation #11** - Redaction of the City Field
  - 5.8. **Recommendation #12** - Publication and Redaction of the Organization Field
  - 5.9. **Recommendation #13** – Provision of Email Address/Web Form
  - 5.10. **Recommendation #14** - Privacy/Proxy Registrations
  - 5.11. **Recommendation #15.2** - Data Retention Requirements
  - 5.12. **Recommendation #15.3** - Registrars should not be prohibited from setting their own retention periods, if required by law, legal proceedings, or other appropriate legal basis
  - 5.13. **Recommendation #16** - (Divergence) Geographic Basis
  - 5.14. **Recommendation #18** - Requests for Lawful Disclosure
  - 5.15. **Recommendation #19** - Data Protection Agreements with Contracted Parties
  - 5.16. **Recommendation #20** - Data Processing Activities and Responsible Parties
  - 5.17. **Recommendation #23** - URS/UDRP Requirements
  - 5.18. **Recommendation #24** - Transfer Policy Requirements
  - 5.19. **Recommendation #28** - Policy Effective Date
  - 5.20. **Recommendation #29** - Admin Contact Transition
  - 5.21. **EPDP-TempSpec Phase2 Recommendation #20** - City Field
- 6. **Implementation approaches** taken for 19 recommendations in the final report that **DO NOT** have policy language: Rec 1, Rec 2, Rec 3, Rec 4, Rec 9, Rec 20, Rec 21, Rec 22, Rec 25, Rec 26, Rec 27, P2P2 Rec 19, P2P2 Rec 21, P2P2 Rec 22
  - 6.1. **Recommendation #1 - Purposes for Processing gTLD Registration Data**
    - 6.1.1. This recommendation will be addressed in the terms of the data processing agreements with Contracted Parties, which will include language regarding the ICANN purposes for processing gTLD Registration Data.
  - 6.2. **Recommendation #2 - (Divergence) Additional Purposes**
    - 6.2.1. This recommendation is a commitment statement by the EPDP-TempSpec and will be considered as part of Phase 2 of its work.

- 6.3. **Recommendation #3 - System for Standardized Access to Non-Public Registration Data**
  - 6.3.1. This recommendation is a statement by the EPDP-TempSpec to make a new recommendation regarding “Standardized Access” as part of its Phase 2 efforts. The EPDP-TempSpec addressed this topic as part of its Phase 2 work.
  
- 6.4. **Recommendation #4 - Contractual Accuracy Requirements**
  - 6.4.1. This recommendation is a statement by the EPDP-TempSpec to clarify that there is no intention to change the requirements related to accuracy. Therefore, IRT has addressed this recommendation by taking note to ensure that accuracy requirements are not changed. Additional language or implementation notes in the Registration Data Policy are not required to address this point.
  
- 6.5. **Recommendation #9 – Transmission of Data from Registries/Registrars to ICANN Compliance**
  - 6.5.1. The recommendation is aimed at Contracted Parties to make contract changes, if necessary, thus, no additional policy language is needed to address this recommendation.
  
- 6.6. **Recommendation #8.1 - Data Protection Agreements with Escrow Providers**
  - 6.6.1. This recommendation is addressed in the data processing agreements between ICANN org and data escrow providers. As such, no additional policy language is needed to address this recommendation.
  
- 6.7. **Recommendation #15.1 - Review of ICANN Org Uses of Registration Data After the Life of the Registration**
  - 6.7.1. This recommendation has been addressed in the Data Retention: Review of ICANN org Processes [report](#), which provides an analysis of ICANN org’s active processes and procedures to identify and document the instances in which it would request personal data from a registrar beyond the period of the life of the registration
  
- 6.8. **Recommendation #15.4 - Review of ICANN Data Retention Waiver Process**
  - 6.8.1. This recommendation has been addressed in the Review of ICANN Process for Handling Registrar Data Retention Waiver Requests [report](#), which provides an analysis of the data retention waiver process based on available quantitative data and case experience, and aims to identify potential areas in which the process could be adjusted.
  
- 6.9. **Recommendation #17 - Natural vs. Legal**
  - 6.9.1. This recommendation has been addressed in the Differentiation between Legal and Natural Persons in Domain Name Registration Data Directory Services (RDDS) report prepared per Recommendation 17.2, which provides an analysis on the costs and benefits of differentiating between legal and natural persons in RDDS.
  
- 6.10. **Recommendation #19 - Data Protection Agreements with Contracted Parties**
  - 6.10.1. This recommendation is addressed in the data protection agreements between ICANN org and Contracted Parties. The data processing terms

are intended to define the principles and procedures that the parties shall adhere to and the responsibilities the parties owe to each other.

- 6.11. **Recommendation #20 - Data Processing Activities and Responsible Parties**
  - 6.11.1. This recommendation is covered in the requirements defined for EPDP-TempSpec Recommendation 19 concerning data protection agreements between ICANN and Contracted Parties. As such, no additional policy language is needed to address this recommendation.
- 6.12. **Recommendation #21 - Instructions to RPM PDP Working Group**
  - 6.12.1. This recommendation has been addressed in the URS recommendations of the RPM PDP Working Group report.
- 6.13. **Recommendation #22 - Data Protection Agreements with Dispute Resolution Providers**
  - 6.13.1. This recommendation is covered in the requirements defined for EPDP-TempSpec Recommendation 19 concerning data protection agreements. As such, no additional policy language is needed to address this recommendation.
- 6.14. **Recommendation #25 - Input to Transfer Policy Review**
  - 6.14.1. This recommendation requests that the GNSO, as part of its review of the Transfer Policy, review the implications, as well as adjustments, that may be needed to the Transfer Policy as a result of the GDPR.
  - 6.14.2. **Recommendation #26 - Data Protection Agreements with Non-Contracted Party Entities**
    - 6.14.2.1. This recommendation is covered in the requirements defined for EPDP-TempSpec Recommendation 19 concerning data protection agreements. As such, no additional policy language is needed to address this recommendation.
  - 6.14.3. **Recommendation #27 - Updates to Existing Consensus Policies/Procedures**
    - 6.14.3.1. This recommendation specifies the need to identify and address all policies and procedures that might be affected by the EPDP-TempSpec Phase 1 policy recommendations and the new Registration Data Policy. The relevant analysis of impacted areas as part of Recommendation 27 work is being completed in multiple “waves”. Wave 1 [Report](#) covered existing consensus policies in effect, Wave 1.5 [Report](#) covered policy recommendations approved but not yet implemented, and Wave 2 will cover (non-policy) procedures. Proposed updates to the different policies are being addressed with the oversight of the IRT.
  - 6.14.4. **EPDP-TempSpec Phase 2 Recommendation #19 - Privacy and Proxy Services**
    - 6.14.4.1. This recommendation will be applicable when a new policy is implemented that defines the display of affiliated or Accredited Privacy/Proxy service.

- 6.14.5. **EPDP-TempSpec Phase 2 Recommendation #21 - Data Retention**
  - 6.14.5.1. This recommendation provides further clarity to the EPDP-TempSpec Phase 1 Recommendation 15 concerning data retention. As such, no additional policy language is needed to address this recommendation.
- 6.14.6. **EPDP-TempSpec Phase 2 Recommendation #22 - Purpose 2**
  - 6.14.6.1. This recommendation adds an additional purpose to the EPDP-TempSpec Phase 1 purposes. As such, no additional policy language is needed to address this recommendation.
- 6.15. **Implementation approaches taken for 19 recommendations that DO have language: Rec 5, Rec 6, Rec 7, Rec 8.2, Rec 8.3, Rec 10, Rec 11, Rec 12, Rec 13, Rec 14, Rec 15.2 & 15.3, Rec 18, Rec 23, Rec 24, Rec, 28, Rec 29, P2P2 Rec 20**
  - 6.15.1. **Recommendation #5 - Data Elements to be Collected by Registrars**
    - 6.15.1.1. This recommendation is incorporated into Section 6 as well as “Implementation Notes” Section A of the draft Registration Data Consensus Policy.
  - 6.15.2. **Recommendation #6 - Consent to Publish Additional Contact Information**
    - 6.15.2.1. This recommendation is incorporated into Section 9.2.4 of the draft Registration Data Consensus Policy.
  - 6.15.3. **Recommendation #7 - Data Elements to be Transferred from Registrars to Registries**
    - 6.15.3.1. This recommendation is incorporated into Section 7 as well as “Implementation Notes” Section B of the draft Registration Data Consensus Policy.
  - 6.15.4. **Recommendation #8.2 - Data Transfer Requirements to Escrow Providers**
    - 6.15.4.1. This recommendation is incorporated into Section 8 of the draft Registration Data Consensus Policy.
  - 6.15.5. **Recommendation #8.3 - Data Elements to be Transferred from Registries/Registrars to Escrow Providers**
    - 6.15.5.1. This recommendation is incorporated into Section 8 as well as “Implementation Notes” Section B of the draft Registration Data Consensus Policy.
  - 6.15.6. **Recommendation #10 - Data Redaction**
    - 6.15.6.1. This recommendation is incorporated into Section 9 of the draft Registration Data Consensus Policy.
  - 6.15.7. **Recommendation #11 - Redaction of the City Field**
    - 6.15.7.1. This recommendation is incorporated into Section 9.2.2.4 of the draft Registration Data Consensus Policy.
  - 6.15.8. **Recommendation #12 - Publication and Redaction of the Organization Field**

- 6.15.8.1. This recommendation is incorporated into Section 6, Section 9 and Addendum II of the draft Registration Data Consensus Policy.
- 6.15.9. **Recommendation #13 – Provision of Email Address/Web Form**
  - 6.15.9.1. This recommendation is incorporated into Sections 9.2.3 of the draft Registration Data Consensus Policy.
- 6.15.10. **Recommendation #14 - Privacy/Proxy Registrations**
  - 6.15.10.1. This recommendation is incorporated into Section 9.2.5 of the draft Registration Data Consensus Policy.
- 6.15.11. **Recommendation #15.2 - Data Retention Requirements**
  - 6.15.11.1. This recommendation is incorporated into Section 12 of the draft Registration Data Consensus Policy.
- 6.15.12. **Recommendation #15.3 - Registrars should not be prohibited from setting their own retention periods, if required by law, legal proceedings, or other appropriate legal basis**
  - 6.15.12.1. This recommendation is incorporated into the “Implementation Notes” Section F of the draft Registration Data Consensus Policy.
- 6.15.13. **Recommendation #16 - (Divergence) Geographic Basis**
  - 6.15.13.1. This recommendation is incorporated into Section 9.2.1 of the draft Registration Data Consensus Policy.
- 6.15.14. **Recommendation #18 - Requests for Lawful Disclosure**
  - 6.15.14.1. This recommendation is incorporated into Sections 10.5, 10.6, 11.2 and “Implementation Notes” E of the draft Registration Data Consensus Policy.
- 6.15.15. **Recommendation #23 - URS/UDRP Requirements**
  - 6.15.15.1. This recommendation is incorporated into the URS and UDRP Rules and Procedures.
- 6.15.16. **Recommendation #24 - Transfer Policy Requirements**
  - 6.15.16.1. This recommendation is incorporated into the Transfer Policy.
- 6.15.17. **Recommendation #28 - Policy Effective Date**
  - 6.15.17.1. This recommendation is incorporated into Section 4 of the draft Registration Data Consensus Policy.
- 6.15.18. **Recommendation #29 - Admin Contact Transition**
  - 6.15.18.1. This recommendation is incorporated into Section 7.8 of the draft Registration Data Consensus Policy.
- 6.15.19. **EPDP-TempSpec Phase 2 Recommendation #20 - City Field**
  - 6.15.19.1. This recommendation is incorporated in Section 9.2.2.4 of the draft Registration Data Consensus Policy