

**From:** Paul Diaz

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**To:** Jamie Hedlund <[jamie.hedlund@icann.org](mailto:jamie.hedlund@icann.org)>, Akram Atallah <[akram.atallah@icann.org](mailto:akram.atallah@icann.org)>

**Cc:** Graeme Bunton

**Subject:** CPH follow-up to ICANN Compliance statement

Dear Jamie and Akram,

The RySG and RrSG read with interest the 2 November 2017 statement issued by ICANN's Contractual Compliance team (<https://www.icann.org/resources/pages/contractual-compliance-statement-2017-11-02-en>).

As we've previously noted, the GDPR challenge is far broader than Whois: it covers all personal data, not just registration data. As such, we request that in ICANN's detailed guidance which has been promised to follow, that the scope at this stage is not limited to Whois and registration data. For example, escrow and payment data and retention obligations may also be impacted by GDPR. We further request that ICANN compliance be mindful of such wider implications, in addition to the welcome movement signaled on the more visible aspects of personal data processing such as publication in Whois.

For the record, we also should point out that this includes processing that should not require a Registry Services Evaluation Policy (RSEP), as such processing is not defined as a "registry service" (for example, regarding what and how we escrow data moving forward). Our members have no desire to complete RSEP documentation and processes, where not currently required to do so as contracted parties, in order to accommodate a change in national laws. We'd appreciate details on an alternative process so that there is some predictability for contracted parties as to how reviews will proceed and what may be approved. We ask that such details be provided no later than 22 December 2017.

Best regards,

Paul Diaz  
RySG chair

Graeme Bunton  
RrSG chair