

**From:** Silvia Vivanco

**Date:** Friday, November 24, 2017 at 1:40 PM

**To:** Board Operations

**Cc:** ICANN At-Large Staff, Aziz Hilali, Mohamed El Bashir, Sarah Kiden

**Subject:** AFRALO/AFRICANN ABU DHABI meeting Statement "General Data Protection Regulation - (GDPR)"

Dear Board support staff,

On behalf of AFRALO's Chair Mohamed El Bashir, find attached the AFRALO/AFRICANN Statement "General Data Protection Regulation - (GDPR)" discussed and approved at the ICANN 60th meeting in Abu Dhabi.

Please be so kind to forward it to the ICANN Board for its consideration.

Thank you!

Kind regards,

Silvia

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Manager, At Large Regional Affairs

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AFRALO / AfrICANN joint meeting  
Abu Dhabi, Wednesday 1<sup>st</sup> November 2017

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Statement  
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We, the African ICANN Community members who are participating in the ICANN 60 International Public meeting in Abu Dhabi and attending the joint AFRALO / AfrICANN meeting on Wednesday 1<sup>st</sup> November 2017, discussed the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679).

We acknowledge the fact that the regulations have elicited a lot of interest from many stakeholders within the ICANN community and the ICANN organization due to their possible implications, especially on WHOIS. We also note the fact that the regulations are of big interest to Africa because significant content and domain name registrations in the region are hosted outside the continent with a high number of them within the European Union (EU). We are interested in and are keen on understanding the negative and positive implications of the GDPR on Africa once implemented.

Many African countries lack data protection or requisite privacy legislation. The few that do, use a diverse set of standards that are not harmonized despite the cross-border nature of data exchange brought about by increased use of the Internet. While some countries have sufficient data protection laws, a majority lack GDPR compliant Data Protection.

The GDPR comes into force on 25<sup>th</sup> May 2018. We encourage African countries that are major trading partners of the European Union to consider adopting relevant measures needed to ensure compliance with the GDPR in a way that does not have negative impact on their African community. More importantly, we encourage Registries and Registrars who are serving non-EU regions like Africa to ensure implementation does not have damaging implications on their non-EU customers. This will ensure that cross-border transactions with the EU are not affected. There are both financial and non-financial implications of ensuring compliance under this comprehensive regulation.

We urge all stakeholders to:

- examine how the regulations will affect their organizations

- implement policies that comply with the GDPR
- raise awareness on the purpose of the GDPR to mitigate any risks that may result from non compliance
- use GDPR to their advantage.

Furthermore, we believe that ICANN should investigate the possibility of compliance issues under the Registry Agreement (RA) and the Registrar Accreditation Agreement (RAA) because of the GDPR and work with contracted parties to understand these issues and take necessary actions to solve them. We also encourage the ICANN Board to conduct an awareness campaign to educate the community on the implications of the GDPR as it concerns the technical identifiers.

Thank you!