

27 September 2018

RE: Steps Toward Implementing an Accreditation and Access Model

ICANN Business Constituency
ICANN Intellectual Property Constituency

Dear members of the Business Constituency and Intellectual Property Constituency

Thank you for your 7 Sept. 2018 letter. It has been posted to the ICANN correspondence page [here](#). We appreciate your concerns regarding the timeline for implementing a possible unified access model for registration data. As you know, ICANN is seeking community input on the [Draft Framework for a Possible Unified Access Model for Continued Access to Full WHOIS Data](#), which was published 20 August 2018. The community's input is critical as we continue our discussions with the European Data Protection Board to confirm, where possible that the community's consensus policy and a possible access model are compliant with the European Union's General Data Protection Regulation (GDPR) as well as with other relevant data privacy requirements.

We note your sense of urgency for implementing such a model. I would like to emphasize that ICANN has made determining the legal viability of such a model a priority. It is ultimately up to the community, via its multistakeholder policy development process, to determine whether it supports a consensus policy for the implementation of such a model. We have devoted resources to this work as well as to continued engagement with the relevant data protection authorities and government agencies. We are seeking this legal guidance for all parties with respect to a possible unified access model to reduce the legal risks for ICANN contracted parties who offer registration directory services.

It is important to note that ICANN is taking this deliberative approach to ensure that any model and consensus policy that is implemented is done so in accordance with the applicable law. It is also important to note that the Expedited Policy Development Process to consider the [Temporary Specification for gTLD Registration Data](#) may also consider a standardized access model as part of its deliberations. However, that group has determined it will do so only after answering a series of gating questions, as specified in the EPDP's [team charter](#).

Finally, as you know, the Board reaffirmed the Temporary Specification, without any changes, on 21 August 2018. While at this time the Board does not intend to issue another temporary specification, nor to revisit any provision in the Temporary Specification, it will again consider whether to reaffirm the Temporary Specification in November.

Thank you again for your engagement on this important topic. I urge you to continue following the latest developments on ICANN's Data Protection/Privacy Issues [webpage](#).

Sincerely,



Göran Marby
President and Chief Executive Officer
Internet Corporation for Assigned Names and Numbers (ICANN)