

**From:** Rubens Kuhl

**Date:** Monday, January 29, 2018 at 13:06

**To:** <gdpr@icann.org>

**Subject:** [Ext] Comment on all models regarding ZFA/CZDS

This comment applies to all proposed models, both ICANN's and community ones.

None of the comments seem to include ZFA (the mechanism where registries make zone files available to ICANN) and CZDS (the mechanism where registries make zone files available to 3rd parties) in the GDPR models, but as seen in DENIC (.de registry) policy on zone files(<https://www.denic.de/en/faqs/faqs-for-domain-holders/#faq-154>), they are interrelated. Zone files are indexes where most domains (even though not the on-hold or DNS-lacking ones) can be known and then looked up at registration directory services.

While making zone-files available to ICANN thru ZFA provides essential disaster-recovery and compliance capabilities, that purpose needs to be documented and recognised by DPAs so it can continue to be provided by registries.

On making zone-files available to 3rd parties thru CZDS, that needs to find specific and legitimate purposes, the same what is being done to registration directory services. Otherwise, registries might risk being fined for facilitating privacy violations.

CZDS by the way is a good example of why self-certification models don't work; it currently operates on a self-certification principle, and the amount of spam that every new gTLD domain registrant gets show that CZDS terms and conditions are not being followed by a number of parties.

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