RECOMMENDATION 3

The EPDP Team recommends that requirements related to the accuracy of registration data under the current ICANN contracts and consensus policies shall not be affected by this policy.

Disclaimer: *This overview has been developed to facilitate the EPDP Team's consideration of the concerns expressed and possible updates to the recommendations. However, this does not replace the EPDP Team's obligation to review all input received in full and to indicate if any concerns in this overview have inadvertently been mischaracterized.*

Noted Concerns

Concern	Corresponding PCRT Comment #	Further Discussion Required?
Wording of this recommendation should also clearly bring out both Verification and Validation aspects of WHOIS Accuracy in 2013 RAA.	6, Government of India	Yes/No
Proposed edits to ensure specific accuracy requirements are called out as specificity is important, so that there is no confusion around what ICANN requirements could be considered to be part of the requirement for accuracy.	7, Tucows	Yes/No
Accuracy is both fully within scope of the EPDP and specifically addressed by the GDPR – thus, ICANN and contracted parties should proactively address how they will ensure the accuracy of data from the beginning and not only how they will rectify inaccurate data brought to their attention after collection	8, Disney	Yes/No
The accuracy requirements that currently exist under the contracts must be at a minimum maintained. These should be expanded to improve accuracy levels in light of the requirements under GDPR for accuracy, and especially in light of the unacceptably low levels of accuracy as reflected in ICANN's ARS reports. The EPDP's work to align WHOIS with GDPR will be incomplete if it fails to recommend a policy to improve accuracy.	9, 10, 13, 16, 17 BC, Microsoft, IPC, MarkMonitor, Coalition for Online Accountability, INTA, MPAA	Yes/No

[If the accuracy of the data can somehow be improved by changes to ICANN processes and policies, we would support such improvements.] [Accuracy of domain name ownership is paramount to collection of WHOIS/Registered Name Holder data in the first instance. In addition, since this data will be used by others (with a lawful interest), ensuring that it is accurate for them is also relevant. Moreover, as demonstrated by the .dk ccTLD, when accuracy and validation of registration data is taken seriously, it leads to dramatic decreases in abuse and illegal activity on the top level domain.] [The accuracy requirements under the ICANN contracts and consensus policies need to be reflected in the EPDP recommendations, particularly because accuracy is itself a fundamental component of the GDPR. Greater accuracy will enhance the objectives of compliance with the GDPR while maintaining the WHOIS framework to the greatest extent possible, since accuracy is a common element of both sides of that equation. Therefore, the EPDP should consider requirements to include in its policy recommendations that will support maintaining and enhancing accuracy in the DNS.]		
Expresses general support for Recommendation 3 but notes that existing Whois accuracy efforts, whether through policy or enforcement, do not appear to achieve an outcome consistent with the requirements of GDPR Art. 5.1(d). It is critical for the EPDP to take a holistic approach to data protection requirements, and ICANN's mandate to ensure the overall security and stability of the DNS, while respecting the rights of data subjects to have accurate records of their personal data maintained. [ICANN's ARS is critical to supporting data accuracy and should be recognized in the policy and/or supported in a processing Purpose (see	11,12 (Europol, GAC	Yes/No

previous comments). That being said, the GAC agrees that the EPDP is not in a position to recommend new requirements on contracted parties associated with data accuracy and that such policy enhancements are to be considered separately.]		
There is a need for improvements related to the accuracy of registration data. The existing level of registration data accuracy is inadequate.	14, Internet Society India Chennai	Yes/No
The GDPR has requirements for data accuracy, but there has been no adequate evaluation of whether ICANN's existing accuracy procedures comply with the GDPR.	15, iThreat Cyber Group	Yes/No
It is not logical to examine if only some ICANN policies comply with GDPR but to not examine others. Here the EPDP WP makes a recommendation about data accuracy, but so far, the EPDP team has not fully explored the data accuracy requirements of the GDPR, and whether the procedures in the 2013 Registrar Accreditation Agreement (RAA) and the Temp Spec are GDPR-compliant. That needs to be done. SSAC believes that data accuracy in RDS is vital and has commented many times on the importance of accuracy in RDS data.	18, SSAC	Yes/No
The EPDP working group needs to do its work, then review ALL of ICANN's "requirements related to the accuracy of registration data" before making a such a broad and vague recommendation.	19, John Poole	Yes/No
This recommendation is unnecessary; Policies regarding accuracy are not within the remit. While DNRC understands that accuracy is important to specific stakeholder groups, and to the registrants, unreasonable fears about impact on existing accuracy policies should not be legitimized by a recommendation such as this one. [This recommendation is unnecessary; nothing in the temp spec or the current set of recommendations affects policies regarding accuracy in any way.]	20, 22 (Domain Name Rights Coalition, Internet Governance Project)	Yes/No

Accuracy is an integral element to a sustainable domain name system. In our experience, registration information of domains established for illegitimate purposes regularly contain fake names and addresses. In fact, if there is a legitimate complaint regarding inaccurate registration data, there should be an independent verification procedure.	21, VAP	Yes/No