To start the EPDP Team's deliberations on the question:

i. Whether any updates are required to the EPDP Phase 1 recommendation on this topic ("Registrars and Registry Operators are permitted to differentiate between registrations of legal and natural persons, but are not obligated to do so");

Each team is requested to respond to the following questions in a constructive manner:

1) What (if anything) has convinced your group that there should be a requirement to distinguish between legal/natural/personal/non-personal instead of leaving this optional? In other words, why is it not sufficient to leave this determination to Contracted Parties, noting that, as the controller, the Contracted Party ultimately bears the risk associated with the unintentional disclosure of personal data?

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ISPCP:	
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RrSG:	
RySG:	
SSAC:	

2) If your group remains unconvinced that this should be a requirement, what would it take to convince you that a requirement to distinguish is acceptable, recognizing that (i) some groups believe this distinction is very important, and (ii) the Bird & Bird provided guidance that "the risk to Contracted Parties seems low, if they take the measures described in the question presented, to avoid personal data being (or if reported, staying) published in Registration Data"?

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3) Even if your group thinks it should be a requirement, and recognizing that some groups are of the view that this should not be a requirement, what could be alternative approaches that could be considered, absent a requirement, to work towards achieving the goal of distinguishing between legal/natural/personal/non-personal? For example:

    - What incentives can be considered to encourage CPs to distinguish?

- Should the EDPB be requested to review the proposed guidance to opine on whether it reduces the risk for Contracted Parties to an acceptable level as well as balancing it with the requirements under GDPR.
- Should a timeframe for review of this guidance be set within which the guidance would remain optional but at which point the GNSO can review whether the guidance is used and/or whether a change to a requirement would be appropriate?
- Other?

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