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

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Your reference

Our reference  
SA2/DOS-2018-03638

Enclosure(s)

Date  
26-09-2018

**Re: ICANN – activities of the Brussels branch office**

Sir,

I refer to your letter of 9 August 2018.

In your letter, you state that ICANN has five regional offices: in Los Angeles (headquarters), Brussels, Istanbul, Montevideo, and Singapore. You further indicate that ICANN has engagement centers in Washington, D.C., Geneva, Beijing and Nairobi. Finally, it is mentioned that ICANN has strategic partnerships in Asunción, Cairo, and Seoul.

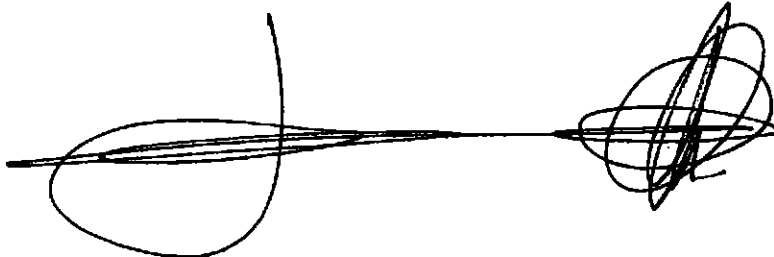
On the basis of the foregoing, as well as the information available on your website, I conclude that the Brussels regional (branch) office is the only establishment of ICANN within the EU.

Pursuant to article 56(1) of the GDPR, the supervisory authority of the single establishment of the controller or processor shall be competent to act as lead supervisory authority for the cross-border processing carried out by that controller or processor.

I therefore conclude that the Belgian Data Protection Authority shall be competent to act lead supervisory for the processing of personal data for any cross-border processing carried out by ICANN, including, as the case may be, processing of personal data in the context of WHOIS.<sup>1</sup>

I considered it my duty to inform you of our position in this matter.

Yours faithfully,

A handwritten signature in black ink, consisting of a long horizontal line that curves upwards on the left and ends in a complex, scribbled loop on the right.

Willem Debeuckelaere  
President

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<sup>1</sup> According to article 4(23) of the GDPR "cross-border processing" means either:

- (a) processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or
- (b) processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State.