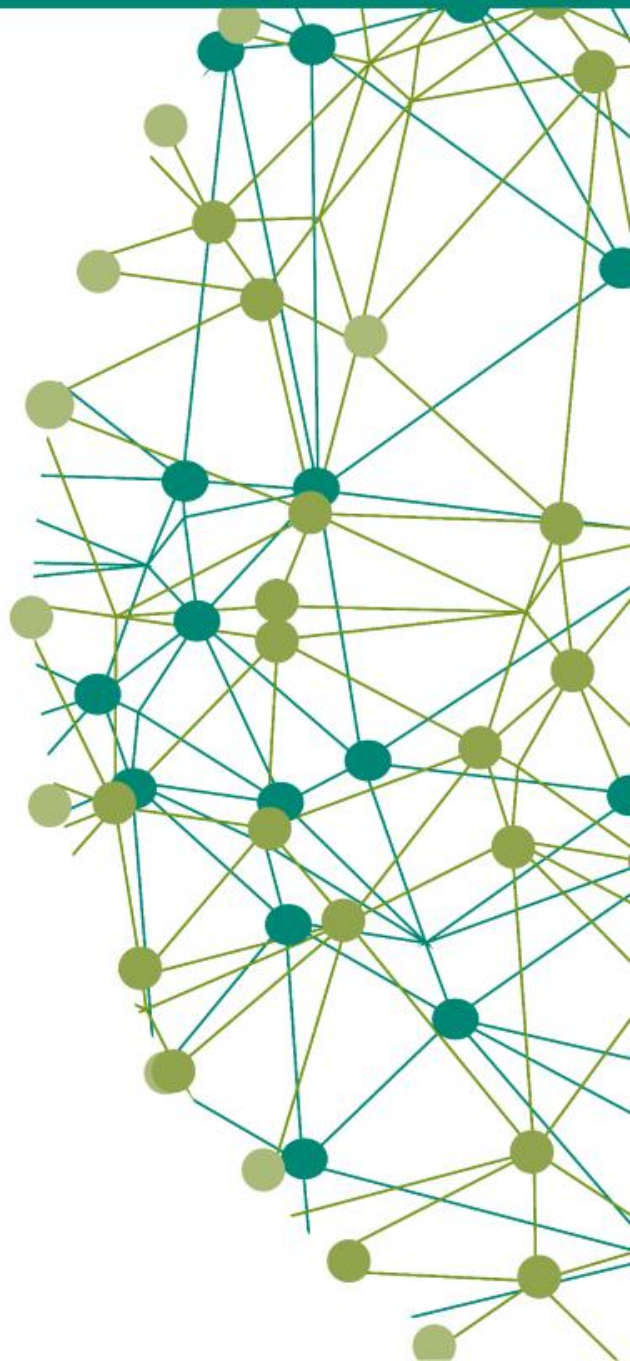
IE Domain Registry

Policy Advisory Committee

5 December 2019 Meeting - PAC#22



Policy Advisory Committee - Agenda

IE Domain Registry

1. **Membership Matters – Apologies and Welcomes**
2. Minutes
3. Update:- proposal to modify .ie WHOIS Policy with respect to mandating use of the abuse contact
4. Update:- discussion relating to the handling of online abuse in the .ie namespace
5. Update:- on the Discovery Group reviewing the handling of reserved/restricted names work stream
6. New Fast-Track Request for policy changes arising from the removal of the Direct Registration Channel
7. Any Other Business
8. Next Meeting – PAC#23

1. **Membership Matters:** New Representative - Welcome

IE Domain Registry

Welcome to the new representatives from:-

- Irish Reporting & Information Security Service (IRISS)
- Law Society of Ireland

Policy Advisory Committee - Agenda

IE Domain Registry

1. Membership Matters – Apologies and Welcomes
2. **Minutes**
3. Update:- proposal to modify .ie WHOIS Policy with respect to mandating use of the abuse contact
4. Update:- discussion relating to the handling of online abuse in the .ie namespace
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2. Minutes of the PAC #21 Meeting – 5 September 2019

IE Domain Registry

- Meeting minutes are circulated to the membership within 2-3 working days of each meeting
- Comments/feedback accepted over a two week period
- If clarifications/edits are requested, and consensus exists, these are reflected in the Minutes
- Meeting minutes, and supporting slides, are published on IEDR.ie after the comment period has ended

Meeting minutes of the 5 September 2019 (PAC#21):

- Published online at http://www.iedr.ie/policy-development-process/

Policy Advisory Committee - Agenda

IE Domain Registry

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3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

IE Domain Registry

Recap:-

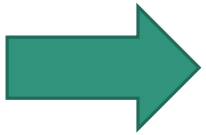
- Policy change proposal relates to the **abuse contact on the .ie WHOIS service**
- Currently an **optional** contact field – populated with an email address (set by Registrar)
- Email address can be used by the Public to report concerns of online abuse

3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

IE Domain Registry

Sample WHOIS record



Domain: iedr.ie
Domain Holder: IE Domain Registry CLG
Admin-c: IH4-IEDR
Tech-c: ITS2-IEDR
Account Name: IEDR
Registrar Abuse Contact: abuse@iedr.ie
Registration Date: 16-March-1999
Renewal Date: 01-January-2025
Holder-type: NonBillable
Locked status: N
Renewal status: Active
In-zone: 1
Nserver: ns0.iedr.ie 77.72.74.133 2a01:4b0:0:6::5
Nserver: ns2.iedr.ie 77.72.78.88 2a01:4b0:2:2::88
Nserver: e.ns.ie
Nserver: f.ns.ie
Nserver: ns.heanet.ie
Nserver: a.ns.ie
Nserver: b.ns.ie

3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

Recap continued:-

- Policy change proposal would:-
  - ✓ make abuse contact a **mandatory** field
  - ✓ alter how “abuse” is **defined** within the WHOIS Policy
- PAC found broad **consensus** for policy change request at PAC#20
- 30-day **consultation** held with Registrar channel

3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

IE Domain Registry

- The proposal was submitted:-
  - to promote and mandate **uptake** of the abuse contact field
  - to provide a **reliable channel** for the submission of abuse reports
  - to enable Registrars to be **notified** of abuse concerns, providing them with the opportunity to manage potential abuses on their servers/platforms
- The mandatory use of abuse contacts:-
  - reflects industry best practice
  - is a beneficial, consumer protection feature

3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

IE Domain Registry

Updates:

- 30-day **consultation** launched on 2 September 2019, ended 1 October ‘19
- 7 responses were received
- Feedback was highly favourable to the proposed change

3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

IE Domain Registry

Feedback received suggested:

- 4 Registrars: **permitting either an email address or a URL** in the WHOIS abuse contact field
  - *Proposed to mitigate potential spam, and to enable the submission of reports via Registrar ticketing systems (to ensure such reports are received into the most appropriate channel)*
- 1 Registrar: that the abuse contact information should be **editable** by Registrars
- 1 Registrar: that Registrar's may **not act** / querying role of Registrars in handling reports of abuse
- 1 Registrar: that **IEDR should verify the abuse contact email** address at setup (and the potential for subsequent, periodic monitoring of abuse report responses)
- 1 Registrar: that the WHOIS should include a **feature enabling Registrant contact** (web form)

3. Update on the policy change proposal

To modify .ie WHOIS Policy with respect to mandating use of the abuse contact

IE Domain Registry

Next Steps

- **PAC to consider:-**
  - feedback provided during the Registrar consultation period
  - issuing recommendation for the implementation of this proposed policy change to the IEDR Board of Directors

- **If a recommendation is issued, IEDR will work on implementation**
  - Once IEDR Board approval provided

Policy Advisory Committee - Agenda

IE Domain Registry

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4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

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Some examples of online abuse include:

Distribution of serious, illegal material
- e.g. child abuse material, human trafficking

Other illegal activity – e.g. selling prohibited items

Engaging in serious technical abuse – e.g. Distribution of Botnets, Malware, Phishing, DNS hijacking

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

IE Domain Registry

Recap:

The topic was raised for discussion at the PAC#19 meeting:-

- In light of increased concerns of online abuse amongst all internet users
- National/International response increasingly focusing on appropriate, effective, efficient abuse handling:-
  - EU legislation (e.g. NIS, ENISA, Cybersecurity Act, CPC Regulation), “Notice & Action” etc.
  - Dept. of Communications - recent press release regarding social media and takedown legislation
- to identify the issues involved in developing an appropriate abuse handling strategy

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

IE Domain Registry

Recap - PAC discussions focused on:-

- Stopping abusive activity and removing illegal content

- Removal of the content from the Internet is the most *effective* way to avoid content being accessed.
- Two parties have access to the content (or the device storing it): the **content publisher** and **hosting provider.**

- What role have ccTLD operators played?

- Attempts to "block" abuse at the Registry-level usually result in domain registration **suspension/deletion**
- Historically, ccTLD operators have taken action as **last resort** (in emergency/Court Order/Law Enforcement)

- Challenges faced by Registry-level action:-

- the abusive content remains **available** (as only the host or content publisher can truly remove it)
- such measures may have **unintended collateral damage**

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

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Current practice at .ie

- Respond **reactively** to reports of abuse – following existing internal complaint handling levels
- Registrant typically given **opportunity to stop the offending action** over 14-30 day period
- Failure to address the issue, results in **suspension**, then if un-remedied, deletion
- Registrant Terms & Conditions provide for suspension/deletion in certain circumstances
  (e.g. unlawful use, where DNS threatened, WIPO decision, Court order…..)

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

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Emerging consensus for guiding principles which may inform potential policy response …..

- Consumer protection *(& businesses)*
- Responsible and transparent approach *(addressing abuse ahead of a legislative push)*
- Assist genuine victims *(especially SMEs)*
- Cooperative approach with Law Enforcement/Public Authorities/Registrars etc.
- Distinguish between criminal abuse and technical abuse:

  - ✓ **Criminal Abuse:**
    - Recognise Registry's limited expertise *(especially for deciding on illegality)*
  - ✓ **Technical Abuse:**
    - Protect Registry and Registrars from unnecessary risk

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

IE Domain Registry

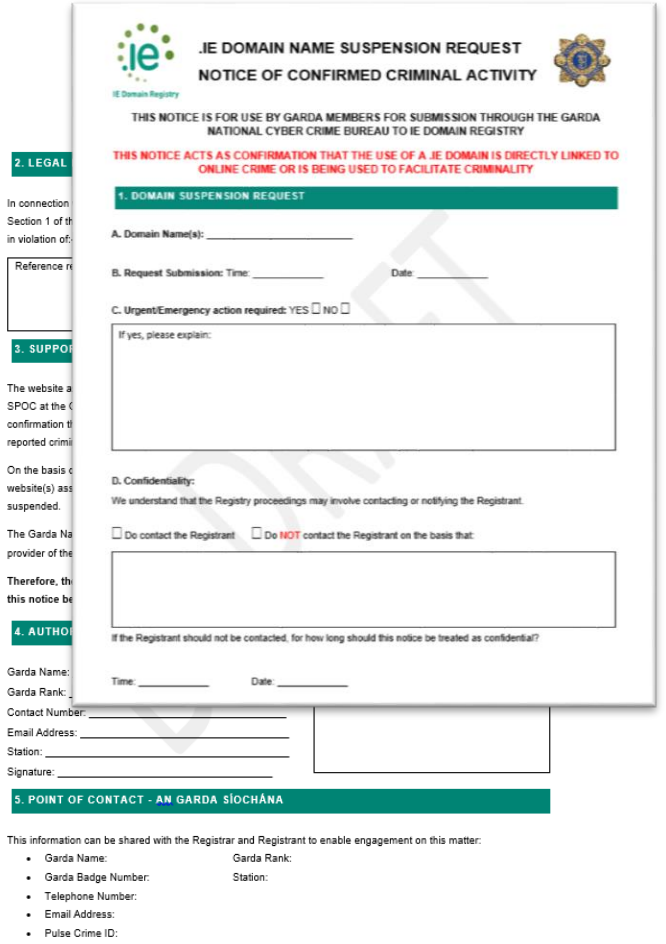
Proposed abuse-handling approach for .ie:-

1. **Tackle online criminality via a cooperative arrangement with Law Enforcement Agencies**

IEDR has:-

- discussed the potential introduction of a cooperative arrangement with Garda National Cyber Crime Bureau
- drafted a sample suspension request form for discussion purposes

Note this template was drafted in accordance with best-practice industry guidelines published by the Domains & Jurisdiction Program at the Internet & Jurisdiction Policy Network



.IE DOMAIN NAME SUSPENSION REQUEST
NOTICE OF CONFIRMED CRIMINAL ACTIVITY

THIS NOTICE IS FOR USE BY GARDA MEMBERS FOR SUBMISSION THROUGH THE GARDA NATIONAL CYBER CRIME BUREAU TO IE DOMAIN REGISTRY

THIS NOTICE ACTS AS CONFIRMATION THAT THE USE OF A .IE DOMAIN IS DIRECTLY LINKED TO ONLINE CRIME OR IS BEING USED TO FACILITATE CRIMINALITY

1. DOMAIN SUSPENSION REQUEST

A. Domain Name(s): _____

B. Request Submission: Time: _____ Date: _____

C. Urgent/Emergency action required: YES ☐ NO ☐

If yes, please explain:

D. Confidentiality:

We understand that the Registry proceedings may involve contacting or notifying the Registrant.

☐ Do contact the Registrant ☐ Do NOT contact the Registrant on the basis that:

If the Registrant should not be contacted, for how long should this notice be treated as confidential?

Time: _____ Date: _____

2. LEGAL

3. SUPPO

4. AUTHO

Garda Name:
Garda Rank:
Contact Number:
Email Address:
Station:
Signature:

5. POINT OF CONTACT - AN GARDA SÍOCHÁNA

This information can be shared with the Registrar and Registrant to enable engagement on this matter:

- Garda Name: Garda Rank:
- Garda Badge Number: Station:
- Telephone Number:
- Email Address:
- Pulse Crime ID:

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

IE Domain Registry

Operational features of proposed cooperative arrangement:-

- Domain **suspension** for breach of Registrant Terms & Conditions (unlawful use)
- Requests would only be accepted from select/informed officers in the Garda National Cyber Crime Bureau
- Would be used where Gardaí:-
  - ✓ explicitly confirm a .ie domain is being used for unlawful purpose
  - ✓ reference the relevant legislation criminalising the alleged offence
  - ✓ request takedown action with the hosting provider **prior** to requesting Registry-level suspension (as hosts can take the most effective action)
- Registrars and Registrants would be informed of the action taken
- IEDR to publish annual statistics on volume of suspension requests received

Note:- IEDR will take expedited action where it is notified of a .ie domain being used in connection with serious illegality (e.g. material depicting child abuse, human trafficking…)

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

IE Domain Registry

Proposed abuse-handling approach for .ie:-

2. Technical abuse – free informational service for Registrars

- IEDR would subscribe to suitable third party Service Provider(s), such as NetCraft
- Service would notify Registrars if domains under their management are engaging in abusive activities
- Helpful guidelines would be made available outlining suggested actions to be taken by Registrars

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

IE Domain Registry

Next Steps

- Is the PAC in favour of IEDR **altering its abuse handling practices** as outlined to address:-

  - **criminal abuse** via a cooperative arrangement with Law Enforcement Agencies, and
  - **technical abuse** via a free informational service for Registrars

    (notifying them of domains under their management engaging in abuse)

- Does the PAC agree that IEDR should act where criminal abuse is not remedied via Registrar/Registrant/Host. Provider?

- Does the PAC agree that IEDR should act where technical abuse is not remedied via Registrar/Registrant/Host. Provider?

Policy Advisory Committee - Agenda

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5. Update on the Discovery Group reviewing the handling of reserved/restricted names

IE Domain Registry

Recap:

- On-going discussion on handling reserved names
- PAC acknowledged the need for enhanced determinism, consistency and clarity:
  - some names appeared as self-registered to IEDR
    to ensure they were unavailable for registration (to avoid confusion - uk.ie)
  - other names appeared as available, when they weren't
    geographical place names e.g. Thurles.ie

5. Update on the Discovery Group reviewing the handling of reserved / restricted names

IE Domain Registry

Recap:

- IEDR identified **a number of potential, suitable policy responses**
- Discovery Group was **setup** to review and discuss these options
- Discovery Group engagement has developed **consensus** on elements of a potential approach

5. Update on the Discovery Group reviewing the handling of reserved/restricted names

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Discovery Group has developed broad, emerging consensus that an appropriate response should:-

- be based on the principles of **transparency**, **quality of information** and **a mechanism to "apply"** for a reserved domain name
- adopt the "EURid (.eu) approach"
  - Avoid the introduction of a dedicated Reserve Name Policy
  - Address "reserved"/"blocked" names in the "availability" provisions within .ie Registration & Naming Policy
  - Publish a non-exhaustive list of "blocked"/"reserved" names
  - Publish user-friendly materials, such as leaflets, with guidance on why/how such names are handled
  - Introduce a defined, transparent procedure for facilitating requests to "apply" for "blocked"/"reserved" names

5. Update on the Discovery Group reviewing the handling of reserved/restricted names

IE Domain Registry

Discovery Group found strong consensus for:

- **Use of labels** such “blocked”, “reserved”, similar to those used by EURid (.eu)
  - to distinguish the applicable grounds for blocking/reserving names
  - clarifying that names labelled as blocked/reserved (on the relevant list) aren’t “available” for registration

- IEDR to block names for **security reasons**. Such names will not be published on any publicly available list

- .ie domains intended for **potential future commercial use** by the Registry would be treated as normal registrations, rather than as blocked/reserved names. In line with standard practice, these names will show IE Domain Registry as the domain holder on WHOIS

.ie Domains registered to IEDR…

allinthename.ie	iedr-cofunding.ie	irishnationaldomainregistry.ie	name.ie
allinthenames.ie	iedrltd.ie	irishregistrars.ie	nationaldomainregistry.ie
auctionmy.ie	iedr-optimise.ie	irish-registrars.ie	nationalregistry.ie
auctionyour.ie	ienic.ie	irishregistrations.ie	optimise-iedr.ie
buyandsellmy.ie	ieregistrar.ie	irish-registrations.ie	registrarof.ie
buyandsellyour.ie	ie-registrar.ie	irishregistry.ie	registry.ie
buymy.ie	ieregistrars.ie	irish-registry.ie	registryof.ie
cctld.ie	ie-registrars.ie	irishtld.ie	renewmydot.ie
claimthename.ie	éire.ie	irishwhois.ie	securemyname.ie
domainregistry.ie	domainregistry2.ie	itsallinthename.ie	secureyourdomain.ie
domain-registry.ie	wpad.ie	itsmydomain.ie	sellmy.ie
domainregistryltd.ie	testbed.ie	itsmyname.ie	sheis.ie
domains.ie	ieregistry.ie	itsyourname.ie	subdomains.ie
eire.ie	ie-registry.ie	liberalisation.ie	sub-domains.ie
eireregistry.ie	ietld.ie	liberalization.ie	themainname.ie
finalcall.ie	iewhois.ie	mydomainname.ie	tld.ie
getyourdomain.ie	iezine.ie	myecomkit.ie	trademy.ie
getyourname.ie	ie-zine.ie	myecommkit.ie	tradeyour.ie
heis.ie	inside.ie	idn.ie	uwhois.ie
iecctld.ie	internetday.ie	iedrpi.ie	weare.ie
iedomainregistry.ie	internic.ie	iedrtest.ie	whois.ie
iedomains.ie	inthename.ie	ns.ie	whoisdot.ie
iedr.ie	ipv6.ie	supportdocs.ie	why.ie
i-e-d-r.ie	irish.ie	zzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzzz.ie	yourdomainname.ie

ENUM - Commercial Project	
enum.ie	enumregistrations.ie
e-num.ie	enumregistry.ie
enumdomain.ie	enum-registry.ie
enum-domain.ie	enums.ie
enumdomainregistry.ie	enumtld.ie
enumdomain-registry.ie	enum-tld.ie
enum-domainregistry.ie	enumwhois.ie
enum-domain-registry.ie	enum-whois.ie
enumdomains.ie	ienum.ie
enum-domains.ie	myenum.ie
enumireland.ie	my-enum.ie
enum-ireland.ie	num.ie
enumnic.ie	registrarofenum.ie
enum-nic.ie	registrar-of-enum.ie
enumreg.ie	registryofenum.ie
enum-reg.ie	registry-of-enum.ie
enumregistrar.ie	tier1registry.ie
enum-registrar.ie	tier1-registry.ie
enumregistrars.ie	tier2registrar.ie
enum-registrars.ie	tier2registrars.ie
enum-registrars.ie	tier2registrars.ie

Reserved .ie Domain Names

Reserved List*
dennisjennings.ie
elliptic.ie
government.ie
kid.ie
mise.ie
pdn.ie
peticulargrooming.ie
pin.ie
porn.ie
school.ie
webprofessional.ie
web-professional.ie
webprofessionals.ie
web-professionals.ie

IE Domain Registry

*NOTE

These names are currently registered to the IEDR.

The Discovery Group is working to design a procedure for interested parties to request to register reserved names.

Separately, should IEDR voluntarily decide to release a name from the .ie Reserved Name list, it will reserve the right to either auction the name or to allow it to expire via the non-renewal process.

In such instances, a notice will be published on the IEDR website providing 30-days notice of the intended change.

Blocked .ie Domain Names: Non-technical/security reasons **

Legal Dispute	Two Letter Names	Consumer Protection
*Rationale: "Shelved" following dispute	Rationale: Avoid confusion/misleading	Rationale: Avoid confusion/misleading
office1.ie	co.ie	info.ie
	ds.ie	int.ie
	ec.ie	mil.ie
	ei.ie	mobi.ie
	eu.ie	net.ie
	ie.ie	arpa.ie
	ip.ie	com.ie
	ir.ie	org.ie
	me.ie	
	ni.ie	
	rr.ie	
	uk.ie	
	us.ie	

*Note
- "Shelving" is no longer available as a mechanism for remediation in disputes.

- This follows a review under the .ie policy development process, during discussions on the policy change request to introduce an Alternative Dispute Resolution Policy.

5. Update on the Discovery Group reviewing the handling of reserved/restricted names

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Discovery Group has also broad, emerging consensus for the following:-

- Introduction of a defined, transparent procedure for facilitating requests to “apply” for blocked/reserved names
  - Available to those with a legitimate, overriding interest in the name

- Provided by the Registry
  - Consensus - not be acceptable/appropriate to offer this via automated functionality on Registrar systems

5. Update on the Discovery Group reviewing the handling of reserved/restricted names

Proposed: Draft procedure to request to register a reserved .ie name circulated to the Discovery Group

- The interested party would submit web-form on www.iedr.ie with relevant supporting info
- IEDR Registration Services review and issue decision
- If interested party has further information it wishes to have considered, matter will be considered by IEDR Mgmt.
  - If approved, the interested party can submit the registration order with a Registrar (re-assign)
  - If refused, the interested party may submit an appeal to the IEDR Board of Directors

5. Update on the Discovery Group reviewing the handling of reserved/restricted names

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Next Steps:

Discovery Group will continue to discuss:-

- **Proposed Blocked/Reserved Name Lists**
- **Procedure to request to register reserved names**
- **Minimal Policy edits arising from the proposed policy response**
  To be circulated by the Secretariat, including “label” definitions, for discussion/refinement
- **User-friendly materials, including leaflets**
  To be drafted and circulated by the Secretariat for discussion/refinement.
- **Present recommendations at next PAC meeting**

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6. Fast Track: policy changes arising from the planned removal of the Direct Registration Channel

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Background: Direct Registrant Channel

- Exists for those wishing to register a .ie domain without help of an accredited .ie Registrar
- 1-Year Registration/Renewal Cost: €62 ex. VAT
- "Registrar of Last Resort"
- IEDR does not provide any additional services to Directs (e.g. hosting, email, web dev)
- Console for Directs was substantially upgraded in 2012/13

  Tech development, customisation, testing was expensive, resource-demanding

- The Direct Registrant channel has experienced **significant decline** in recent years… *(see next slide)*

6. Fast Track: policy changes arising from the planned removal of the Direct Registration Channel

IE Domain Registry

Background: Direct Registrant Channel (continued)

Direct registrations

12 months to:-	2010	2011	2012	2013	2014	2015	2016	2017	2018	Sept 2019 YTD
New Regs - Direct	606	285	210	146	157	141	112	94	85	47
New Regs - Total	36,587	39,398	33,482	32,154	31,072	35,225	34,615	39,523	51,040	38,797
% of Total new registrations	1.7%	0.7%	0.6%	0.5%	0.5%	0.4%	0.3%	0.2%	0.2%	0.1%

At 31 December:-	2010	2011	2012	2013	2014	2015	2016	2017	2018	30-Sep-19
Direct Db	5,096	4,562	3,996	3,370	3,081	2,733	2,509	2,371	2,308	2,202
Total Db	154,918	174,777	184,377	187,269	198,191	210,839	221,871	237,412	262,140	277,471
% of Total .ie database	3.3%	2.6%	2.2%	1.8%	1.6%	1.3%	1.1%	1.0%	0.9%	0.8%

6. Fast Track: policy changes arising from the planned removal of the Direct Registration Channel

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Why is this being proposed?

- **Significant decline** in direct registrations in recent years
- No evidence that Direct Registrant channel needed (changing Registrar landscape):-
  - **Choice:** there are currently over 130 accredited .ie Registrars, providing a range of professional services, with varying fees and accessible platforms
  - **Expertise:** Mix of national and international Registrars, many ICANN accredited, and some offering specialist services, such as brand protection etc.
- Analysis indicates there are **no adverse issues / risks to consumers** from this service withdrawal
- IEDR cannot grow its direct portfolio, given its self-imposed restrictions on marketing/promotion

6. Fast Track: policy changes arising from the planned removal of the Direct Registration Channel

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EU ccTLD Registries – ongoing withdrawal from Direct registration support

Area: Registration policy

Direct registrations

Whether the registry acts as a registrar and/or if allows direct registrations (excludes internal technical accounts)

Do not support	17	53%
Support direct registrations	12	38%
Registrar for ccTLD (and other TLDs)	2	6%
Registrar subsidiary for ccTLD	1	3%

Source: Legal survey 2017. Records: 36. Updated: April 2017.
Selected region/s: Europe.

Support direct registrations
Registrar for ccTLD (and other TLDs)
Registrar subsidiary for ccTLD
Do not support

In 2019:-

- Swedish Registry recently sold its portfolio of Direct customers to an accredited Registrar via auction
- Nominet announced its intention to cease providing the ‘Registrar of last resort’ service

6. Fast Track: policy changes arising from the planned removal of the Direct Registration Channel

How will this service be withdrawn?

To be determined. Potential mechanisms under consideration, include:-

- Advise Direct customers to select a Registrar to be its billing agent by a set date
  (giving an appropriate, lengthy notice period)

- Outsource the Direct Registrant channel management
  (Normal good governance rules will apply, tender process)

- Sell the portfolio to an existing accredited .ie Registrar
  (Normal good governance rules will apply, tender process)

Note: Nothing should impede Direct registrants from voluntarily transferring to a Registrar, before or during the tender process

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7. Any Other Business

a) Update on industry related developments/legislative changes (including NIS Directive) to be outlined by PAC members

b) Updates on the operation of the .ie Alternative Dispute Resolution Policy

IE Domain Registry

Next Meeting

PAC # 23

20 February 2020