

# IE Domain Registry CLG

trading as .IE

**Policy Advisory Committee – PAC #36**  
**Minutes – 14 September 2023 Meeting**

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# Minutes of the PAC #36 Meeting held on 14 September 2023

**Meeting Location:** Hybrid meeting: on Zoom and at Spencer Hotel for in-person attendees.

**Meeting Time:** Called to order at 11:00 am by the PAC Chair.

**Members and representatives (non .IE staff) present:**

Chair
CyberSafe Kids
Department of Environment, Climate & Communications (DECC)
Department of Enterprise, Trade and Employment (DETE)
.IE Accredited Registrar (Black Knight)
.IE Accredited Registrar (Team.Blue)
Irish Reporting & Information Security Service (IRISS)
HEAnet
Small Firms Association (SFA)

## 1. Opening Remarks

The Chair marked the start of the meeting by paying respects to Ciarán Morris, a member of the PAC who had unfortunately passed away since the last meeting.

## 2. Memberships Matters

**Apologies – Members not present:**

- .IE Board representative
- .IE Accredited Registrar (MarkMonitor)

The Chair welcomed attendees who were deputising for their absent colleagues.

## 3. Minutes from the PAC #35 meeting

The Chair confirmed that the Minutes from the 35<sup>th</sup> Meeting of the Policy Advisory Committee meeting were taken as read and published online following the meeting (available at <https://www.weare.ie/policy-development-process/>). The Chair reminded the PAC that the draft Minutes of today's meeting will be circulated to the membership following the meeting.

## 4. Matters arising

Matters arising, not otherwise included on the agenda, include:

### 4.1 Miscellaneous Amendments to the .ie Policy Suite

- The Registry announced it intended to submit a proposal at the next PAC meeting to update the entire .ie Policy Suite through non-substantive changes such as updating URLs, and removing typos and out-of-date information.
- The Registry indicated that further proposals to restructure the policy suite are planned.
- The Chair noted there was no dissent from the PAC and that the issue seemed straightforward.

### 4.2 Domain Information & Alert System (DIAS), to protect products of geographical origin and reputation

- The Registry gave updates on the status of proposed EU regulations for Geographical Indications for Craft and Industrial Products (CIGI), and the Domain Information & Alert System (DIAS).
- The Registry reported that currently, the proposal from the Council had removed references to the

DIAS – however the EU Parliament appeared to still support this idea.

- The Registry re-affirmed its stance that the proposal for a DIAS is unnecessarily duplicative and burdensome, and will hopefully be rejected in trilogue discussions.
- The representative from DETE confirmed that at this stage in the legislative process, references to the proposed DIAS were still absent from the proposed regulation, but noted that “anything could happen” moving forward in trilogue discussions

## 5. Handling of online abuse which uses the .ie namespace

### 5.1 Criminal abuse - illegality online – Regulatory Authority Protocol (RAP)

- The Registry provided updates regarding the current [RAP](#). The Registry was in the process of making the following changes:
  - creating a standard intake form that regulatory authorities would use to request actions (such as suspensions) for alleged illegal activities;
  - replicating the existing RAP agreement with the Garda National Cyber Crime Bureau to other bureaus such as the Economic Crimes Bureau, Criminal Assets Bureau, etc.; and,
  - developing a separate form for regulators to request disclosure of registration information in accordance with the [Privacy Policy](#).
- While the development of the intake form was not contested, PAC Members strongly urged that the Registry ensure that it does not conduct content moderation at the behest of Regulators. It was further cautioned that this warranted consideration as the Registry developed its intake form.

### 5.2 Handling of technical abuse - Netcraft service

- The Registry provided an update of statistics from the Netcraft Monitoring Service. The service, which launched in March 2021, notifies Registrars and .ie domain holders of online technical abuse issues (e.g., websites hosting malware, phishing or botnets).
- It was reported that there had been **1,190** attacks between 1 January and 31 August, 2023. There had also been **321** Netcraft Service Takedowns in the same period. The majority of attacks and takedowns were related to Phishing URLs.
- Members acknowledged the importance of the service in helping innocent victims of cyber attacks.

## 6. NIS 2.0 – Directive on Security of Network & Information Systems (NIS2)

### 6.1 NIS2 Mandate Tracker

- The Registry provided a high-level summary of work that had been done by the Registry and NIS2 Working Group since the previous PAC meeting (14 May 2023). This included work that had been taken to support three pillars: **Alignment**, **Advocacy**, and **Awareness**.
- The Registry reported that notable deliverables that had been completed since the last meeting included an Impact Analysis, a Registrar Survey, a pending What-We-Heard report, and ongoing engagement with CENTR and government officials.
- The Registry committed to a webinar in Q4, and to preparing a formalised What-We-Heard report by PAC#37. The Registry also committed to preparing a newer Registrar Survey in early 2024 to reassess awareness and capacity.

### 6.2 Key emerging issues

- The Registry reported that it and the Working Group had identified the key emerging issues that arise from NIS2: verifying registration info and providing registration info to legitimate access seekers under Article 28, and meeting cybersecurity risk-mitigation obligations under Article 21.
- The Registry reported that it was taking part in a cross-border working group with other CENTR members to discuss how NIS2 may be implemented in their respective Member States.

### 6.3 Updates from the NIS2 Working Group

- The Registry reported that the NIS2 Working Group met twice since the previous PAC meeting in July and August 2023 to discuss the key emerging issues.

- The Registry reported that the NIS2 Working Group held early discussions on which entities should be responsible for conducting Know-Your-Customer (KYC) checks for Registrants to comply with Article 28 of NIS2, but that no consensus had been achieved.
- The Registry further reported that the NIS2 Working Group unanimously agreed that the Registry should try to avoid imposing penalties or disincentives upon Registrars that are trying to improve their cybersecurity risk-mitigation capacity.

#### **6.4 Discussion on KYC Responsibility**

- Discussion was opened up to the general PAC about which entity should have the ultimate responsibility for conducting KYC for Registrants.
- One Registrar argued that responsibility could lie with the Registry, but delegate the transactional aspects to the Registrar level. It noted that Registrars may need to use third-parties to do this.
- Another Registrar was adamant that KYC should be handled by the Registrars, as they are the main point-of-contact with the Registrant, and Registrants are oftentimes not even aware of the Registry's role or existence. This view was supported by the Registry, which pointed out that the entity closest to the Registrant would be best positioned to collect required information.
- The PAC further discussed how there was still great uncertainty regarding NIS2, especially on how to harmonise registration verification procedures with other countries. It was noted that other governments may potentially adopt heavily burdensome regulatory approaches, but that the Registry is still in a "Wait-and-See" mode.

## **7. Any Other Business**

### **7.1 EU Regulatory Environment**

- The Registry briefly discussed how besides NIS2, the regulatory environment is becoming more complex for the domain name industry. This includes emerging regulatory initiatives such as Web 4.0, geographical indications, Cyber Resilience Act, ENISA's mandate, etc.
- The Registry affirmed that with the help of partners like CENTR, the Registry will stay abreast of all regulatory developments.
- The Registry noted that awareness of NIS2 was becoming "mainstream," and that common concerns involved who was in scope, how complex requirements (like the supply chain provisions) will be.
- The Registry emphasized the importance of informing Small-Medium Enterprises whether they are within scope of NIS2.
- The representative from the Small Firms Association discussed the work done by IBEC and the SFA to advocate for the interests of SMEs.

### **7.2 Ireland's Online Safety & Media Regulation Act, and new Online Safety Commissioner**

- The representative from CyberSafe Kids provided an update on the Online Safety & Media Regulation Act. It was discussed how there was a newly appointed Online Safety Commissioner, as well as a Digital Services Commissioner, to regulate harmful online content.
- It was discussed that the overall hope is that the regulatory regime will help protect individuals, especially children, from harmful content.

### **7.3 Registrar Representative Vacancy**

- The Registry reported that it had talked to the PAC Registrars about a process to fill the vacancy on the PAC for a fourth Registrar, and had reached consensus that a request for expressions of interest to the wider Registrar community was the preferred approach.

## **8. Next Meeting**

The provisional date for the next PAC #37 meeting has been set for **7<sup>th</sup> December 2023**. Members were asked to indicate to the PAC Secretariat their availability.