

IE Domain Registry CLG trading as .IE

Policy Advisory Committee – PAC #26

Minutes from the 4 February 2021 Meeting

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Minutes of the PAC #26 Meeting held on 4 February 2021

Meeting Location: Virtual meeting.

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

Members and representatives present:

Chair
CyberSafe Ireland
Department of Communications, Climate Action & Environment (DCCAE)
HEAnet
.ie Accredited Registrar (Blacknight)
.ie Accredited Registrar (Register Group)
.ie Accredited Registrar (MarkMonitor)
Irish Computer Society (ICS)
Irish Reporting & Information Security Service (IRISS)
Small Firms Association
IE Domain Registry

1. Memberships Matters

Apologies – Members not present:

- Association of Patent and Trade Mark Attorneys (APTMA) – pre-arranged
- Enterprise Ireland – pre-arranged
- Law Society of Ireland – pre-arranged
- Internet Service Providers Association Ireland (ISPAI) – pre-arranged
- Department of Business, Enterprise and Innovation (DBEI) – pre-arranged

2. Minutes from the 3 September 2020 PAC #25 meeting

The Chair confirmed that the Minutes from the PAC #25 meeting were published online following the 10-day comment period (available here <http://www.iedr.ie/policy-development-process/>). It was noted that no requests for edits were made during the PAC member comment period. Accordingly, the minutes will be digitally signed by the Chair.

The Chair reminded the PAC that the draft Minutes of today's meeting will be circulated to the membership within one week of PAC meetings.

3. Matters arising – new registry management system for .ie domains (TITAN)

The .IE CEO informed the PAC members about recent developments at the registry:-

Rebranding

The registry had dropped the often butchered and mispronounced acronym "IEDR" and is now trading as .IE (the legal name of the company remains the same). The .IE rebranding reflected the company's Purpose - to enable and empower people, communities and businesses across Ireland to thrive online.

.IE is first and foremost the national registry for domain names ending in .ie, but it also provides research and insights to policymakers and helps communities and SMEs to digitise, through its programs which include .IE Digital Town (which now incorporate previous programs such as OPTIMISE, Internet day and Digital Town day).

Growth in .ie registrations in 2020

New registrations increased by over 30%, compared to 2019. (See charts in the slide deck presentation). An important development was that, for the first time, every one of the 32 counties in Ireland recorded increases in registrations, compared to 2019. With over 7,000 in May 2020, this created a new record.

Launch of the new registry management system (TITAN)

.IE launched its new system on 16 November, thereby providing business benefits for the Registrar channel and for Ireland Inc. This represents a significant investment in a platform for the next decade. It provides an industry standard life cycle, higher levels of automation (with EPP) with real-time polling, and enhanced roles and responsibilities for the registrar channel. Many domain management features which Registrars have asked for over the years are now provided. One very important feature being automated refunds and also clientHold (the ability to take action against abusive .ie domain names).

The .IE CEO explained that it has licensed the system used by the Canadian registry to manage its 3 million domain names. The system was customised for .ie policies and processes during 2020. The go-live process in November was like a heart and lung transplant in terms of complexity - given the challenge of migrating 300,000 domain names and millions of associated records, during a short outage window. Despite restrictions on physical meetings during the global pandemic, the company had communicated extensively with its Registrars to help them plan and prepare - providing a demonstration in June, extensive EPP documentation 90 days before launch, and providing a test environment. The system launched in November, on-time and within budget.

A PAC Registrar representative acknowledged the long-term benefits, but said that the launch phase had been devastating for its operations, and for those of some smaller Registrars and asked that the needs of *all* Registrars be accommodated in future. Another Registrar representative asked that future ongoing improvements be handled collectively with the channel rather than via multiple one-to-one interactions with Registrars who raised their own issues separately.

The .IE CEO summarised that a discussion forum feature, Community Deskpro, had been added to DeskPro in order to facilitate and accumulate Registrar feedback. This would allow the registry to post updates on progress of requests from Registrars and also clarify the medium-term software release roadmap.

The PAC Chairman welcomed the requests and complimented the registry for introducing the system.

4. Handling of reserved / blocked .ie domain names

Background:

The registry reminded the PAC that this policy change request related to the request to introduce enhanced consistency and clarity regarding the handling of reserved / blocked names, i.e. not permitted for registration.

.IE summarised the actions taken to date, which are set out in the presentation slide deck.

1. The Registrar channel has received the 30-day notice, in line with normal procedures, indicating an effective date of implementation of 1 March 2021.
2. The minor edits required to the Registration & Naming Policy to accommodate this policy change request were incorporated into the TITAN updates, referred to under section 6.1 below.
3. Domains intended for potential future commercial use by .IE have been re-classified as normal registrations. Reserved and blocked .ie domains no longer appear as registered to .IE and the WHOIS lookup facility reflects the change.
4. User-friendly guidance materials, including helpful on-site content, have been prepared and are all ready for general publication. These materials are currently accessible by the Registrar channel, on the restricted area of the .IE website.
5. A transparent procedure for facilitating requests to “apply” for reserved names, and to appeal if necessary, has been incorporated into the guidance materials. These were previously circulated to the Working Group for review, and no objections were raised.

This policy change will go live on 1 March 2021, and is expected to be submitted to the PAC for formal conclusion at the PAC #27 meeting in April.

5. Handling of online abuse in the .ie namespace

Background:

The PAC was reminded that the topic had been raised for discussion in a bid to establish whether a policy response was needed to tackle potential online abuse in the .ie namespace, and if so, what that appropriate policy response would entail.

Discussions on the topic to date were summarised. It was noted that the Committee had separated its discussion on this topic under two work streams. These work streams relate to the handling of technical abuse and criminal abuse.

4.1. Technical Abuse

Discussions to date were summarised for the PAC. It was noted that previous discussions had focused on:-

- how other ccTLDs handle tech abuse
- when action should be taken / who should take it etc.
- the potential introduction of a free monitoring and reporting service for Registrars (such as NetCraft):
 - Alerting Registrars if domains under their management are engaging in abuse
 - Publishing helpful guidelines outlining suggested Registrar action
 - The rationale for this is that Registrars have a direct relationship with the Registrant and/or those managing the registration

.IE CEO confirmed that the PAC's recommendations had been accepted by the .IE Board of Directors, and in particular the funding for the Netcraft service had been secured for the first year. It will be reviewed annually.

Updates:

1. The Registrar channel has received the 30-day notice, in line with normal procedures, indicating an effective date of implementation of 1 March 2021.
2. Netcraft will begin reporting to registrars on a domain by domain basis, with effect from 1 March.
3. A press release will follow later in the year, when the service has bedded down appropriately.
4. The helpful Guidelines were completed, and circulated to the Registrar channel, detailing recommendations on what appropriate action might be taken by Registrars and hosting service providers in response to such abuse.

The team at .IE worked diligently with the PAC Registrar representatives on word-crafting these Guidelines, to ensure that they were not overly prescriptive for experienced Registrars, yet provided smaller Registrars with useful and practical advice on what actions to take, when notified of abuse relating to their domains. A PAC Registrar representative said he had been contacted by a number of Registrars, concerned that compliance with the Guidelines was mandatory. He was able to reassure them that compliance was voluntary. He indicated there were other concerns that the contracted service returned false positives in a small number of cases.

.IE Technical Services staff said that the service was used by many other ccTLDs and came highly recommended from CENTR members and its contacts in the technical community. Nevertheless, he promised that the service would be monitored closely and if there were deficiencies, then alternative service providers could be engaged.

The registry indicated that many of its Registrars already had established procedures and had been responsible in taking quick action, where warranted. Although the actions were not mandatory, the registry was confident that its accredited Registrars would act in the best interests of domain holders, while carefully managing any perceived risks to the registrar's business.

4.2. Criminal Abuse

It was noted that previous discussions had focused on the potential introduction of a cooperative arrangement between .IE and local law enforcement agencies. This would facilitate the suspension of .ie domains in response to requests from local law enforcement agencies when they confirmed that a .ie domain was being used in connection with criminal activity.

The PAC was reminded that representatives from local law enforcement agencies (GNCCB) had previously presented to the PAC (see slide deck presentation) setting out its perspectives on the matters.

Updates:

It was confirmed that due to a number of significant, resource-demanding projects on-going within the Registry, follow-up by .IE with the GNCCB representatives relating to the revised template was delayed.

The PAC was reminded that its previously stated concerns about potential misuse of the cooperative protocol had been addressed by:-

- use of a defined process, which meets the needs of all stakeholders, which includes *prior engagement* with the Registrar and Registrant
- use of the protocol only where the hosting provider has first been notified of the issue, and failed to take action
- requirement for a defined / single point of contact within the GNCCB that could submit requests to the Registry. This contact would be appropriately informed of the protocol, and its impacts etc.
- the need for accountability, trust and transparency (publishing annual statistics)

Registry representatives confirmed that the .IE Board of Directors had previously acknowledged the value of face-to-face engagement with senior GNCCB representatives, prepared to document a protocol which would be approved by Garda HQ.

In response to a query, the registry confirmed that use cases previously submitted by law enforcement personnel included fake web shops and, in one instance, a phishing scam perpetrated on solicitor's website.

The member representing the ICS stressed the importance of developing relationships before there was a need to exercise them. This will clarify what is feasible, or not, at short notice. Developing relationships at different levels of seniority inside law enforcement agencies will be beneficial in the long term, and ensure continuity of cooperation, if personnel changed.

A Registrar indicated the complications arising from extrajudicial requests from abroad.

Following discussion, it was agreed that the .IE team would:-

- re-visit the draft protocol arrangement, and to revise this in order to ensure the safeguards outlined above are incorporated
- to circulate this revised edition to the representative from the GNCCB for discussion purposes, and to revert to the PAC with the GNCCB feedback in due course, for further consideration
- to invite the GNCCB to come back to speak with PAC members - but only if there was something definitive to finalise (there was no point in receiving another general presentation/discussion).
- To circulate the proposed protocol document to the wider Registrar channel, in order to elicit their views and opinions
- To review Registrars' websites to see if there are best practices that could be followed by the channel (particularly in relation to transparency of procedures for law enforcement engagement).

The Chairman thanked the members for an engaging discussion and asked the registry to accelerate the action plan, and report to the PAC members at the next meeting.

Further updates will be provided at the next PAC meeting.

6. Any Other Business

The PAC Chairman introduced the topic, saying it was a gratifying part of the policy development process when the committee could formally sign-off on policy matters that had been managed by the PAC members and brought to a conclusion.

The Chairman reminded new members that as the changes had been implemented, having also been signed off by the .IE board of directors, and so this wasn't an opportunity to provide input. The sign-off was, in essence, a post-completion formality.

6.1. Policy Conclusion Templates:-

The registry indicated that the bulk of the policy change edits related to the introduction of the TITAN registry management system, and the removal of references to the company's former title of "IEDR".

These following four changes formally took effect on 16 November, following a 30-day notice period, as published on the registry's .IE website.

➤ **Registration and Naming Policy**

The substance of the more important changes referred to the following:-

- operation of the new lifecycle (Auto-Renewal and Deletion Processes) and Grace Periods
- refunds of the registration fee if a domain is deleted within 14 days of registration
- Blocked / reserved names
- documentation of the (existing) Registry Lock service
- introduction of new Contact roles and responsibilities for the Registrant
- secondary market transactions and domain reassignments – a new Procedure for the Registrant Transfer process. This will be a single-ticket process to validate new Registrant's 'Connection'.

➤ **Data and Document Retention Policy**

The substance of the more important changes refer to the following:-

- Definitions have been added to the front of the document. (This Policy previously hyperlinked to the separate Privacy Policy definitions)
- Clarification provided on the retention of personal data associated with domain contacts. Data is kept for the lifetime of the contact person, plus two years, provided the contact isn't associated with another .ie domain.

➤ **Privacy Policy**

The substance of the more important changes refer to the following:-

- Clarification provided on the updated retention practices (as above - Data and Document Retention), and the processing of personal data related to Dispute Resolution services
- Clarification provided that personal data may be processed by those providing technical support services in Canada
- Edits made to Section 6 on Security and how to update information

➤ **WHOIS Services Policy**

The substance of the more important changes refer to the following:-

- Expanded to future-proof for RDAP operations
- Clarification on field names, including those containing personal data, published via WHOIS Services (continuing to publish the Registrant name where the Registrant is a company or charity (legal person), and redacting the Registrant name for individuals, sole traders etc.)
- Clarification on data formats for the Registrar abuse contact role (previously a single, open-text field – but now its a defined contact role)

The Chairman thanked the members of the PAC, and particularly the PAC Secretariat, Sarah McCreesh, whose hard work and diligence was instrumental in bringing those matters to a successful conclusion. The Chairman then invited the registry to summarise the content of the policy conclusion templates.

The Chairman confirmed that the Conclusion Templates will be digitally signed (via DocuSign) after the meeting.

6.2. Update from PAC members on industry sector developments/legislative changes

The Registry briefly outlined recent developments which may be of interest to the PAC members.

In a nutshell:

- A European Parliament's committee approved its position on the e-Evidence package.
- The Commission published legislative proposals, that are relevant for internet infrastructure actors:
 - Europol's revised mandate to increase its cooperation with private parties;
 - the proposal for the Digital Services Act;
 - the proposal for the NIS 2 Directive; and
 - the proposal for a directive on the resilience of critical entities.

In the coming months, the Commission is planning to issue draft legislation on tackling the issue of child sexual abuse online and on digital identity.

NIS 2

(incorporating post-meeting material submitted by the member from the Department of Communications).

As part of its EU Cybersecurity Strategy for the Digital Age, the EC Commission published its proposals for a revised directive on Security of Networks and Information Systems (NIS 2). The Commission's proposals aim to address the deficiencies of the previous NIS directive, and intends to eliminate the distinction between operators of essential services (OES) and digital service providers. The proposal is that entities would be classified "based on their importance".

Top-level domain (TLD) registries are considered "essential entities", together with other actors that are "critical for the integrity of the Internet", i.e. all providers of DNS services along the DNS resolution chain, including operators of root name servers, authoritative name servers for domain names etc

The registry indicated that one element of the proposals would have a dramatic impact on the .ie ccTLD:- the proposal includes an obligation on TLD registries, and the channel providing domain name registration services, for the TLD to collect and maintain accurate and complete domain name registration data.

Furthermore, such entities will be required to provide efficient access to domain registration data for legitimate access seekers. (The registry observed that this would include law enforcement agencies).

Following a brief discussion, it was suggested that, in due course, our colleagues from the Department of Communication might provide an update for the Committee.

Nominet

There was a brief description on the current difficulties facing the registry for .uk domain names, Nominet. A registrar clarified for PAC members that the difficulty could be partially attributed to the membership organisation structure. He confirmed it was a serious matter as it put at risk a registry managing 11-12 million domain names.

Digital Safety Commissioner

The member from CyberSafe Ireland informed the attendees of its long-running campaign for the appointment of a Digital Safety Commissioner and referred to the importance of imminent legislation impacting online child protection, being the AV Media Services Directive. A Registrar commented that because of its focus on Content, it was somewhat outside the scope of the registry and the registrar channel, which are generally regarded as being a 'mere conduit' for transmission of information. The Chairman agreed that the PAC could keep a watching brief on this important matter.

AOB

A Registrar recommended the recently published .IE Domain Profile Report to PAC members, which contained a section on the type of .ie domain names registered during the Covid-19 pandemic, which he found interesting.

6.3. Industry's actions in response to Covid-19 emergency

Members did not have new material to share on this matter.

8. Next Steps

The registry will continue to work on the following:

1. On 1st March, at the end of the 30-day notice period to the Registrar channel:-
 - a. formally go-live with the policy response on handling technical abuse in the .ie namespace, as approved by the PAC and the board of .IE,
 - b. commence the Netcraft monitoring service for online abuse in the .ie namespace, and
 - c. inform Registrars that the Guidelines are now formally active.
2. In relation to handling online criminality, engage with the GNCCB in due course, to seek consensus on the revised cooperative arrangement template, and when there is a definitive ask, to invite the GNCCB to attend PAC #29 (tbc).
3. On 1st March, at the end of the 30-day notice period to the Registrar channel:-
 - a. formally publish the list of Reserved Names on the .IE website, together with the user-friendly explanatory materials and the basis for applications and potential appeals.

9. Next Meeting

The provisional date for the next PAC meeting has been set for Thursday 15th April 2021.