

# IE Domain Registry CLG

trading as .ie

**Policy Advisory Committee – PAC #37  
Minutes – 7 December 2023 Meeting**



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# Minutes of the PAC #37 Meeting held on 7 December 2023

**Meeting Location:** Hybrid meeting: on Teams 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:**

<b>Chair</b>
<b>CyberSafe Kids</b>
<b>Department of Enterprise, Trade and Employment (DETE)</b>
<b>.ie Accredited Registrar (BlackKnight)</b>
<b>.ie Accredited Registrar (EuroDNS)</b>
<b>.ie Accredited Registrar (MarkMonitor)</b>
<b>.ie Accredited Registrar (Team.Blue)</b>
<b>Irish Computer Society</b>
<b>Irish Reporting &amp; Information Security Service (IRISS)</b>
<b>HEAnet</b>

## 1. Memberships Matters

**Apologies – Members not present:**

- **.ie Board representative**
- **Small Firms Association**
- **Department of Environment, Climate Change and Communications**

The Chair welcomed the new representative from the EuroDNS Registrar, and informed the PAC that there would be a new representative from the Small Firms Association in the new year.

## 2. Minutes from the PAC #36 meeting

The Chair confirmed that the Minutes from the 36<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.

### 3. Matters arising

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

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

- The proposal to make miscellaneous amendments to the policy suite (the Proposal) was brought to the PAC for consideration. The PAC agreed that the issue warranted an expedited procedure without a dedicated working group or public consultation.
- One PAC Member recommended that the Proposal should be amended to not include the Data Protection Officer (DPO)'s name in the policy. Another PAC Member supported this change, as it would mean the policy must be changed any time the DPO changed. No PAC Member objected to this change, and the Proposal was amended.
- The Proposal was accepted by the PAC with no objections. The Registry committed to sending the Proposal to the Board of Directors for approval.

#### 3.2 Geographical Indications Regulations

- The Registry gave updates on the status of proposed EU regulations for Geographical Indications for Craft and Industrial Products (CIGI), and Wine, Spirits and Agricultural Products (AGRI).
- The Registry reported that CIGI regulation entered into force on 16 November 2023, and that the AGRI regulation was expected to enter into force soon. Both regulations require registries to recognize GIs as an invokable right in alternative dispute resolution processes. The Registry reported that this is already done at .ie.
- Both regulations also allow for the creation of a Domain Name Information Alert System in 18 months, pending a feasibility study from the Commission.
- The representative from the Department of Enterprise, Trade and Employment (DETE) indicated that there were no further updates for the time being.

### 4. Handling of online illegality and abuse which uses the .ie namespace

#### 4.1 Illegality online – Upcoming Legislation

- The Registry reported on upcoming legislation that may have an effect on how online illegal activity is managed:
  - *EU Regulation on Financial Data Access (FIDA)* – gives competent authorities the ability to order “domain registries or registrars” to delete “fully qualified domain names” in some situations.
  - *Digital Services Bill 2023* – national legislation that gives effect to aspects of the *Digital Services Act*. Includes provisions about when a government can request a court order for blocking access to online content.
- With regards to the FIDA regulations, PAC Members expressed concern that policymakers were unaware of how Registries and Registrars function, and that the provision on blocking fully qualified domain names was not practical. The Registry reported that CENTR would be holding a deep-dive session on the FIDA regulations, and that the Registry would update the PAC as it finds out more.
- On the *Digital Services Bill 2023*, PAC Members questioned whether it could practically be enforced. The Registry committed to monitor how the legislation evolves and would update the PAC as needed.

- One PAC Member also suggested that the PAC read an EUIPO study on “[dynamic blocking injunctions](#),” which discusses legislative interventions to enforce Intellectual Property Rights. This report was distributed to the PAC with these minutes.

#### 4.2 Handling of technical abuse - Netcraft service

- The Registry’s Chief Information Officer 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 **1,718** authorized takedowns between 1 January and 31 October, 2023. There was a surge in attacks in September 2023 (**360**), which was possibly a result of global events. The majority of attacks were related to Phishing URLs.
- Members acknowledged the importance of the service in helping innocent victims of cyber attacks.

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

### 5.1 NIS2 Roadmap

- The Registry noted that NIS2’s transposition was less than a year away. It reported that the Registry intended to focus efforts on *Advocacy* and *Awareness Building* moving forward. These activities include engaging with policymakers and hosting more webinars for registrars and NIS2.

### 5.2 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 September 2023).
- The Registry reported that notable deliverables that had been completed since the last meeting. This included engagement with officials from the Department of Environment, Climate Change and Communications (DECC) and the National Cyber Security Centre (NCSC), participation at Internet Corporation for Assigned Names and Numbers (ICANN) and Council for European National Top-Level Domain Registry (CENTR) events on NIS2, developing a What We Heard Report, and delivering webinars for .ie accredited registrars.

### 5.3 Updates

- The Registry reported that the NIS2 Working Group met on 23 November 2023, and approved a draft of the What We Heard Report to be distributed to DECC officials and the PAC. The Report was distributed to DECC officials and was shared with members of the PAC following PAC 37.
- The Registry reported that the government had announced the *National Cyber Security Bill* in its Autumn Legislative Programme, which will be the legislative vehicle to transpose NIS2.
- The Registry reported that CENTR had developed a series of recommendations for Member States and the NIS Cooperation Group on how Article 28 provisions should be implemented, which are discussed in the What We Heard Report.
- The Registry and several PAC Members also participated in an event held before ICANN 79 hosted by eco – Association of the Internet Industry on NIS2. Some takeaways included that Article 28 would not be determined by implementing acts, and that the NIS Cooperation Group intends to publish guidance on registration verification, and Legitimate Access Seekers.

### 5.4 What We Heard Report

- The Registry discussed the What We Heard Report that had been developed since PAC 36. It was

reported that this report summarizes the engagement on NIS2 that the Registry had conducted to date. It further discusses the high-level themes that had emerged from the engagement. These themes included:

- Concerns about disproportionate burden
  - Concerns about the lack of clarity
  - Concerns about lack of Registrar awareness
  - Desire for government collaboration and cross-border harmonisation
- Several PAC Members indicated that the report echoed sentiments they had heard through their own engagement.

## 6. Next Meeting

The provisional date for the PAC #38 meeting has been provisionally set for **29 February 2024**. Members were asked to indicate to the PAC Secretariat their availability.