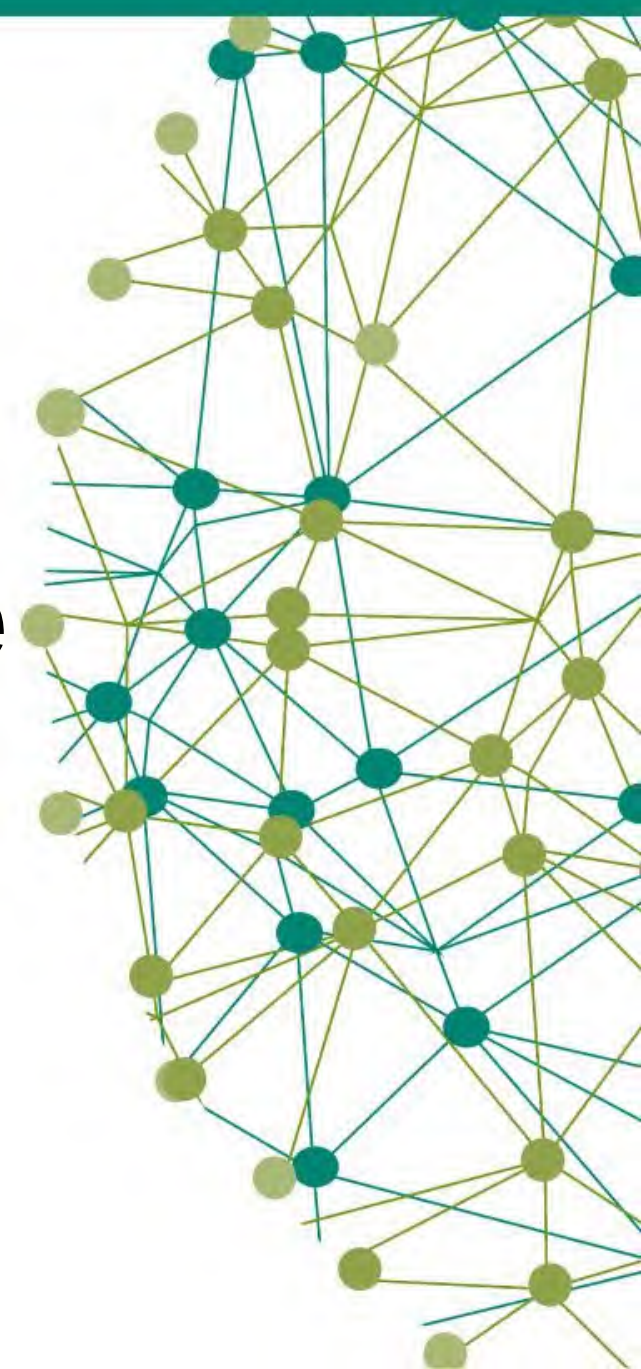




IE Domain Registry

# Policy Advisory Committee

28 March 2019 Meeting - PAC#19





IE Domain Registry

# Policy Advisory Committee - Agenda

1. Apologies (absentees)
2. Membership Updates, Welcomes, Introductions
3. Minutes of the Meeting of PAC#18 (5 Dec 2018)
4. Matters arising:- PAC Terms of Reference
5. Update on the policy change to introduce an Alternative Dispute Resolution Process (ADRP)
6. Update on the policy change to remove restrictions on .ie domains corresponding to TLDs
7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity
8. Any Other Business
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## 2. Membership Updates

# Welcomes and Introductions

### Welcome to our:-

- **Incoming Chair**
- **Newly (re-)elected accredited Registrar representatives**
  - **Blacknight Solutions**
  - **Dada Group / Register 365**
  - **FCR Media**
  - **MarkMonitor**
- **Tour-de-table – brief introductions**



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## 3. Minutes of the Meeting of PAC#18 (of 5 Dec 2018)

### Meeting Minutes

- 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 December 2018 (PAC#18):**
  - ❖ Published online at <https://www.iedr.ie/p30/policy-development/>
  - ❖ Additional clarifications were added following the comment period (within Section 4 on the ADR and Section 5 on the TLD proposal, as notified on the PAC mailing list).



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## 4. Edits to the PAC Terms of Reference (ToR) - as proposed at PAC#18

- Edits to **Section 3.5.** proposed at PAC#18 have been incorporated to read:-
  - **Edit:-** Term - 4 years (previously, 2 years) for Members of the PAC -
  - **New:-** # of Terms - No limit on the number of consecutive terms for Members
- Other **minor edits** relate to removal of fax no. ref's, company designation change, spelling correction.
- **NEW** Proposed changes to the Schedule of **Eligible Organisations**
  - IEDR proposes that invites be sent to:
    - CyberSafe Ireland,
    - Consumer Protection Commission (CCPC)
    - Irish Reporting and Information Security Service (IRISS).
  - **Should any additional organisations be invited to participate on the PAC?**





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## 5. Updates on the proposal to introduce an Alternative Dispute Resolution Policy (ADRP)

### Action Points from the PAC#18 meeting:

#### IEDR to engage with the preferred process operator:-

- regarding implementation considerations, final costings and contracting.

#### IEDR to proceed with implementation plans:

- Reverting to the Working Group regarding potential **changes/issues** (if they arise, finalising outstanding drafting matters)
- Liaising with Registrars regarding implementation date and **operational** considerations (awareness and educational content is required)
- Informing PAC of the implementation **date**
- Creating and issuing a plain-English “Public Service style” **notice** (regarding the planned introduction of the ADRP)



## 5. Updates on the proposal to introduce an Alternative Dispute Resolution Policy (ADRP)

- **Updates:**
  - **IEDR has been working with the preferred process operator to:-**
    - map the intended operation of the process within its systems
    - agree commercial contract terms and costings
  - **Costings have been agreed** and contracts will be formally signed within 1-2 weeks.
  - **60-day countdown** to implementation will then begin

## 5. Updates on the proposal to introduce an Alternative Dispute Resolution Policy (ADRP)

### Next Steps:

- **Awareness-building efforts to launch:-**
  - incl. drafting of educational content for PAC Eligible Organisations, Registrars, Registrants, Public,
  - Public service style comms. to issue, and related content on iedr.ie to be updated (& shared)
  
- **Additional outstanding work items to be completed before implementation include:-**
  - Finalise the **definitions** within the ADRP text
  - Modify the **Registrant Terms & Conditions**  
(edits will be minimal, at least 30-day notice will be given)



## 5. Updates on the proposal to introduce an Alternative Dispute Resolution Policy (ADRP)

### Expected implementation timeline:





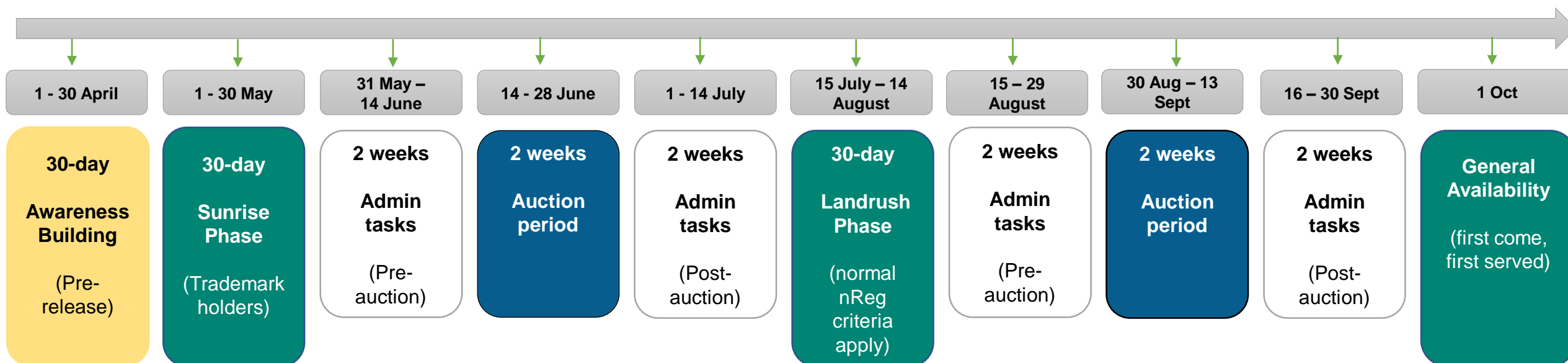
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## 6. Update on the proposal to remove the restriction on .ie domains corresponding to TLDs

- ❖ **coop.ie, post.ie, aero.ie** Final o/s work item is to release the domains
- ❖ These will be released following the precedent **phased-release mechanism** (Sunrise, Landrush, General Availability).
- ❖ The estimated **draft release timetable** is as follows:





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## ONLINE ABUSE

***“Abusive and illegal content decreases trust and confidence in the Internet as a platform for innovation, creativity and economic opportunity”***

- [CENTR \(2019\) ‘Domain Registries and online content’](#)



IE Domain Registry

## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

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**



## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

- Increased awareness/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” / Takedown guidelines etc.
  - Dept. of Communications - recent press release regarding social media and takedown legislation
- Questions are being asked:-
  - How can online trust be improved?
  - How can internet users feel more safe and protected?

## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

### 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 **takedown/deletion**
- Historically, ccTLD operators have taken action as a **last resort** (in emergencies / when presented with a Court Order / Law Enforcement)

### Registry action challenges:-

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

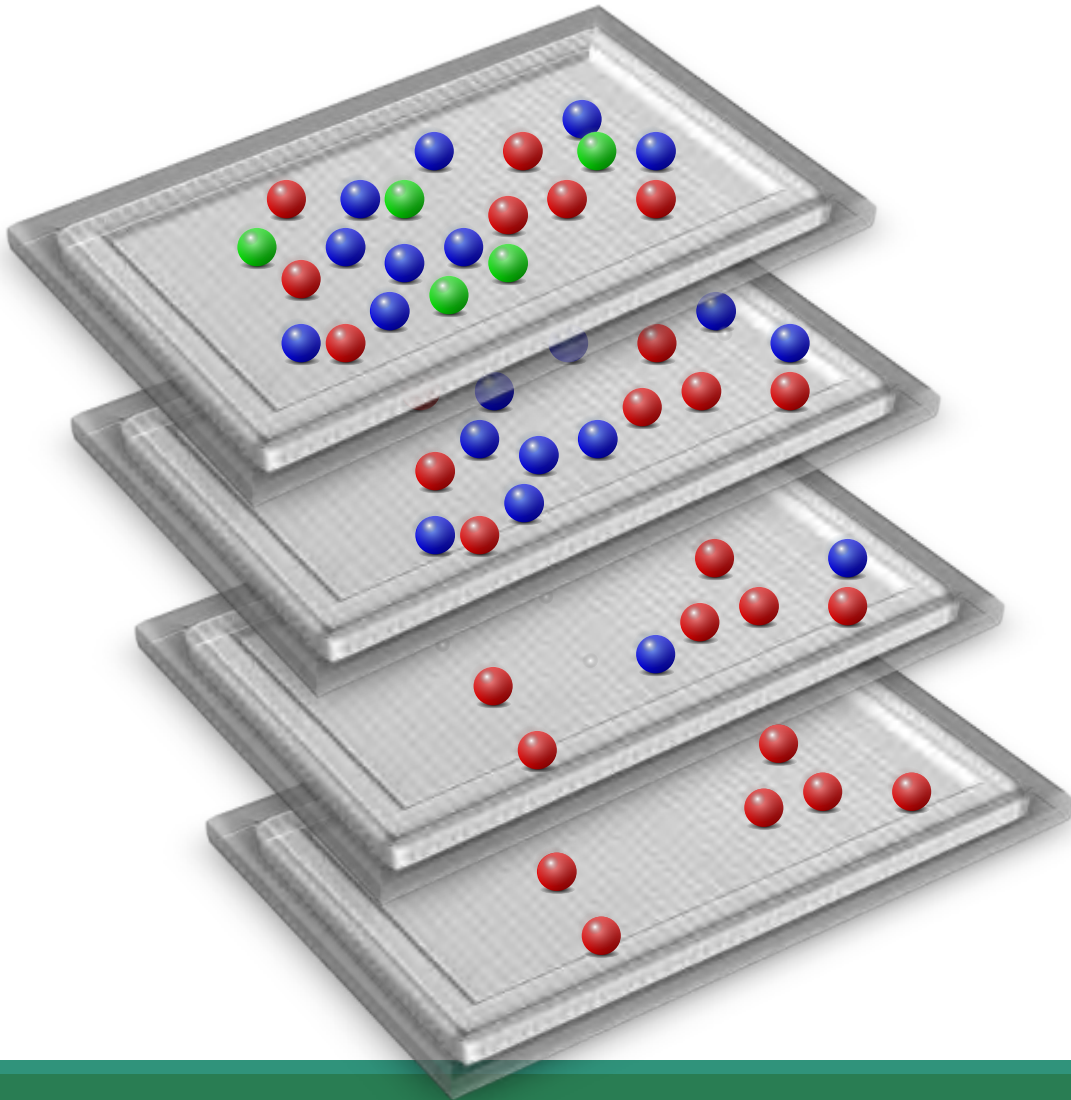
Therefore, actions at Registry level have historically only been used as **emergency measures...**20

## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

### 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 takedown in certain circumstances
  - (e.g. where DNS threatened, WIPO decision, Court order.....)

# Complaint Handling Levels in the .ie namespace



**Level 1:** IEDR can filter and deal with cases, such as :-

**Technical abuse** – malware, phishing, DNS hijacking or poisoning, botnet command and control, willful distribution of malware.....

**Obvious criminality** - distribution of material depicting child abuse, human trafficking

**Court Order** – including an instruction to suspend, delete a domain

**Level 2:** WIPO and Regulatory Authority protocol (RAP)

**IP infringement:-** complainant sends to WIPO directly

**Regulatory body** - notice of illegal activity - existing protocol (RAP)

**Level 3:** Registration abuse

**Breach of t&c's during registration** - incorrect supporting documentation

**Level 4:** complex cases – refer to Expert Panel, Courts

**Legal matters:-** defamation, slander, impersonation, passing-off

**Registration issues:-** bad faith registrations, non-rights IPR breach

**'Ownership' issues:-** Business disputes, family disagreements

## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

### What are ccTLD operators doing now?

- Many domain registries in Europe are taking steps to address abuse – proactively and with more urgency
  - EU ccTLDs are seeing a significant **rise in abuse**, including fake webshops
  - Some are investing in technical resources to **detect** and/or **predict** potential abuse
  - Others use alternative approaches, with some **reviewing** applications before acceptance (if abuse suspected)

e.g. **EURid** (.eu) has introduced [early detection system](#) technical facility (APEWS)

[.eu has history of significant domains removals for abuse]

EURid deleted [36,000 domains](#) in Oct '18 and [11,760 domains](#) in June '18

e.g. **DNS Belgium** (.be) cooperative takedown agreement with local Public Authorities (PA)

Notifies PA of abuse. No immediate takedowns. Re-direct to warning/stop page. Rectification possible before deletion. Used as avenue of last resort where local authority proves efforts exhausted. Liability on PA

## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

### For PAC Discussion:-

- Should IEDR **alter its abuse handling practices**? Should it act **proactively**?
- In what instances should it **takedown/delete** a registration? How **quickly** should this be done?
- What is considered **clear, serious illegality** and what requires **expert input**?
- Should focus be on those **purposely misusing** .ie domains (rather than those hacked)?
- Deterministic procedure needed (which includes communications with Registrars and Registrants)



## 7. NEW - to modify .ie Policy to support the takedown of .ie domains engaging in abusive activity

### Important Considerations:

- ✓ IEDR is responsible for ensuring the **continued secure operation** of .ie
- ✓ Moral/professional **obligation to protect users** of the .ie infrastructure
- ✓ **Unintended collateral damage:**
  - E.g. Websites with embedded phishing scams can be **innocent** victims.  
How should this be handled without damaging the victim's business?

(Hosting Provider could disable hosting, Registry could remove the domain from the zone file, Gardaí could request deletion)



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## 8. Any Other Business

a) Policy change conclusion on the proposal to alter the operation of the DNS technical check

- **Proposal related to:-**
  - altering the operation of the DNS technical check
  - this ensured that incorrectly configured DNS won't delay the completion of ticket requests
- **Technical changes were needed to support this**
  - These changes were introduced on 28 November 2018 (following other higher-priority, resource-demanding changes to support liberalisation and GDPR-compliance preparations)
- **PAC acknowledged the implementation and completion at PAC#18**

| POLICY CHANGE CONCLUSION   |  |
|--|--|
| Policy Proposal Name:-   | To alter the operation of the DNS technical check process to ensure that incorrectly configured DNS records do not delay the completion of ticket requests   |
| Policy Originator:-  | Blacknight Solutions   |
| Date of Submission:-   | 21 April 2017  |
| Policy Change Type:-   | Modification   |
| Working Group Created? (Yes / No):-  | Yes  |
| Working Group Members:-  | <ul style="list-style-type: none"> <li>• Accredited .ie Registrar – Blacknight Solutions</li> <li>• PAC Secretariat</li> </ul>   |
| Consultation Completed? (Yes / No):-   | Yes – consultation held with relevant Stakeholders (Registrar channel)   |
| IEDR Board Approval? (Yes/No):-  | Yes  |
| Policy Request Status:-  | Completed  |
| Policy Implementation Status:-   | Implemented on 28 November 2018  |
| Date of Policy Change Conclusion:-   | The completed implementation of the policy change was acknowledged at the PAC#18 meeting on 5 December 2018. The PAC is expected to formally conclude the policy change at the PAC #19 meeting. Meeting Minutes are available at: - <a href="https://www.iedr.ie/p30/policy-development/">https://www.iedr.ie/p30/policy-development/</a>  |
| PAC Comments and Acknowledgements:-  | <p>The implementation of the change was welcomed by the PAC and it was acknowledged that the change resulted in immediate benefit to Registrars and Registrants, particularly reducing potential friction arising from DNS issues when processing billing transfer requests, or new registration applications.</p> <p>IEDR will continue to monitor the quality of the .ie zone to ensure that no zone deterioration occurs.</p> <p>The delay in the implementation of the change following its approval by PAC was acknowledged. The delay had arisen due to the need to prioritise other development work arising from policy liberalisation and the Registry's GDPR preparations, amongst other factors. The Registry advised that it would work to minimise implementation timeframes in future, where possible.</p> |
| With the consensus of the PAC, this policy change has been concluded as of 28 March 2019 |  |
| Signed: PAC Chairman   |  |



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# PAC # 20 Meeting

Expected to be held late June – early July 2019

**Proposed date:  
4 July 2019**