

IE Domain Registry CLG

trading as .ie

Policy Advisory Committee – PAC #41
Minutes – 31 October 2024 Meeting



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Minutes of the 41st Policy Advisory Committee (PAC) Meeting held on 31 October 2024

Meeting Location: Hybrid meeting: on Microsoft Teams and at .ie Headquarters.

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

Members and representatives (non .ie staff) present:

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| Chair |
| Association of Patent and Trade Mark Attorneys (APTMA) |
| CyberSafeKids |
| Department of Enterprise, Trade and Employment (DETE) |
| Department of Environment, Climate and Communications (DECC) |
| .ie Board Representative |
| .ie Accredited Registrar (Blacknight) |
| .ie Accredited Registrar (EuroDNS) |
| .ie Accredited Registrar (Hosting Ireland) |
| .ie Accredited Registrar (MarkMonitor) |
| Irish Reporting & Information Security Service (IRISS) |

1. Introduction & Memberships Matters

Minutes from PAC 40

- The Chair confirmed that the Minutes from PAC 40 were taken as read and published online following the meeting (available at <https://www.weare.ie/policy-development-process/>).

2. Matters arising

2.1 PAC Elections & Membership

- The PAC Secretariat informed the PAC that the terms for the .ie accredited Registrar Representatives (with the exception of EuroDNS) would conclude at the end of 2024.
- The Chair and Secretariat informed the PAC that elections would be held in Q1 2025 before PAC 43. Current members could run for re-election.
- The Secretariat also informed the PAC that the non-elected members would be contacted to confirm if they wish to renew their membership on the PAC in 2025.

2.2 PAC Policy Proposals Updates – Eligible Organisations

- The PAC Secretariat informed the PAC that the proposal to expand the Eligible Organisations for PAC membership was approved by the Board of Directors.
- The PAC Secretariat committed to reaching out to the new eligible organisations (ComReg, Data Protection Commission, Competition and Consumer Protection Commission, and Coimisiún na Meán) to offer them membership on the PAC as observers.

2.3 PAC Policy Proposals Updates – Policy Development Process (PDP)

- The PAC Secretariat gave an update on the proposal to update the PAC's PDP and gave a summary of the proposed stages of the PDP:
 - **Identification:** A policy gap or change requested is identified and introduced to the PAC.
 - **Scoping:** The PAC Secretariat investigates the identified issue and recommends if it is in the PAC's scope, and if the issue requires a dedicated WG or consultation.
 - **Consultation:** If necessary, dedicated Working Groups are established and consulted on the issue. Policy papers, or public consultations may be organised.
 - **Drafting:** When there is enough evidence of consultation to make informed recommendations, the Secretariat or dedicated Working Group begins drafting policy changes.
 - **Consensus:** The proposal would be discussed by the PAC at large, and consensus would be sought. The PAC could accept, reject, or request revisions to the proposal. Accepted proposals would be sent to the Board of Directors for approval.
- The new PDP would also include a new process for *de minimis* proposals, which would allow small issues like typos or corrections to be addressed quickly.
- The PAC Secretariat reported that PAC Members had been previously invited to provide comments or feedback on the new process.
- There was general support from the PAC for the amendments, and no strong objections.

2.3 PAC Policy Proposals: New Issue Introduced

- A potential policy gap was identified to the PAC. One registrar pointed out that there was no policy restricting transfers from occurring when a domain is in redemption period, and flagged this as an a potential policy gap.
- The PAC Secretariat committed to investigating the issue and making a scoping recommendation for PAC 42.

3. Disputes and Abuse in the .ie name space

3.1 Disputes

- The PAC Secretariat introduced a new segment to the PAC meetings and provided Year-to-Date statistics about the number of WIPO complaints and Alternative Dispute Resolution complaints that .ie had received over the year (8 ADRP complaints and 5 WIPO complaints).

3.2 NetCraft Update

- The CEO of .ie presented on the Year-to-Date figures from NetCraft. Weekly figures ranged between **1** and **17** attacks by group. Phishing URLs were the most detected attack type.

3.3 Internet Watch Foundation Update

- The PAC Secretariat provided an update on the partnership with the Internet Watch Foundation.
- .ie had opted to sign up for the real-time domain alert service but had decided not to register for the TLD Hopping List service at this time. The PAC Secretariat noted that an internal process to handle any alerts was developed with consultation from Hotline.ie
- The PAC Secretariat reported that enrolling in the TLD Hopping List would require technical changes, and that the TLD Hopping List was not proportionate to .ie's current level of risk. It was noted that Hotline.ie reported that they had not received any CSAM reports for a .ie domain name in the last 10 years.
- The PAC Secretariat said that enrolling in the TLD Hopping List could be revisited if there was a need for more aggressive preventive measures.

4. NIS2 – Directive on Security of Network & Information Systems (NIS2)

4.1 NIS2 Tracker and Roadmap

- The PAC Secretariat reported on activities that had been done since PAC 40 (July 2024):
 - **Awareness:** An NIST webinar for registrars was held in July. A registrar survey on NIS2 was also launched.
 - **Advocacy:** Officials from .ie met with ComReg in late July to discuss their role as regulator. .ie had also contributed to Pre-Legislative Scrutiny through IBEC.
 - **Alignment:** The NIS2 WG met and discussed possible policy approaches to Article 28.

4.2 Key Legislative Updates

- The PAC Secretariat reported several key legislative updates:
 - The 17 October 2024 transposition deadline was missed in Ireland.
 - The *National Cyber Security Bill* was undergoing Pre-Legislative Scrutiny.
 - The Implementing Acts for Article 21 had been adopted but would not be in force in Ireland until the Directive had been transposed.
 - The NIS Cooperation Group released recommendations on registration verification and legitimate access seekers. The recommendations were non-binding but could potentially be adopted into law.
- PAC members expressed their concerns and objections about the recommendations put forth by the NIS Cooperation Group:
 - The recommendations were not feasible or practical for Registrars to implement, especially the provisions about verification at renewal, and verifying using phones *and* emails. These concerns were echoed by the latest Registrar Survey.

- The PAC Secretariat raised questions about data minimisation and argued that these recommendations may be excessive processing for .ie's exposure to risk.

4.3 Updates from NIS2 Working Group

- The PAC Secretariat reported that the NIS2 Working Group met on 29 October 2024 to discuss two topics:
 - The definition of TLD Registry under NIS2; and,
 - Potential policy approaches to registration verification.
- The PAC Secretariat reported that the definition of "TLD Registry" in NIS2 required an entity to have the delegation for a top-level domain. This presented a potential issue, as the delegation for the ".ie" TLD is with University College Dublin. It was reported that this issue had been flagged to DECC and the NCSC.
- The PAC Secretariat also reported that .ie intends to adopt an **outcomes-based approach** to registration verification. This approach would give Registrars the flexibility to verify information in a way that is most appropriate for them.
- The **outcomes-based approach** would set a desired outcome (i.e., verify registration data), however, the specific processes would be up to the Registrar to decide.
- The PAC Secretariat reasoned that this would be a more effective approach than prescribing strict processes and controls that would make harmonization difficult for registrars.
- The PAC Secretariat stated that this approach is dependent on how NIS2 is transposed and could change in the future.

4.4 Probable Areas of Change

- The PAC Secretariat reported that following an impact analysis with the Heads of Bill, they identified documents that will likely need amendments post-transposition:
 - The .ie Accredited Registrar Agreement
 - The Registration & Naming Policy
 - The .ie Privacy Policy
 - The Regulatory Authority Protocol

5. Any Other Business & Next Meetings

- The PAC Secretariat reported that there would be a Registrar event following PAC 42 in Dublin on **30 November 2024**.