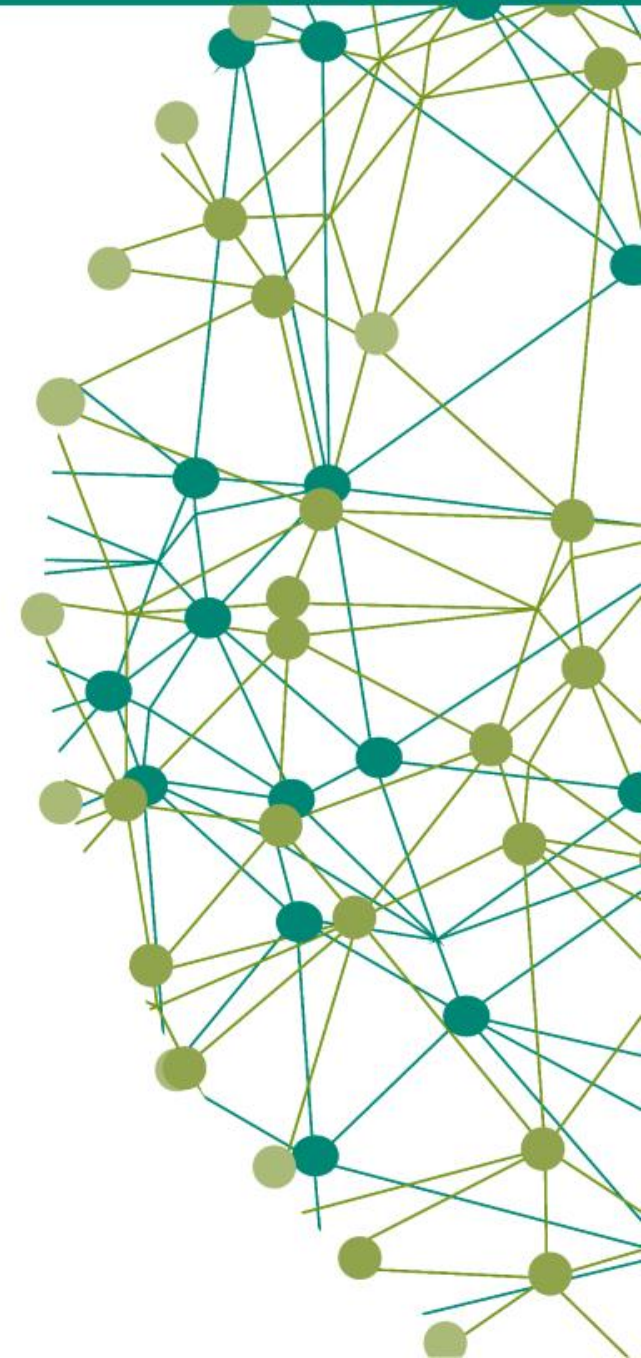# Policy Advisory Committee

3 September 2020

Meeting - PAC#25

Policy Advisory Committee - Agenda

1. **Membership Matters**

    1.1. House Keeping

    1.2. Apologies

2. Minutes from the PAC#24 meeting

3. Update on the policy change request relating to the handling of reserved/blocked names

4. Update on the on-going discussion relating to the handling of online abuse

5. Fast-Track Policy Change Request – WHOIS Services Policy

6. Any Other Business

7. Next Meeting

1. Membership Matters

House-keeping matters

➢ Please keep **microphones muted** throughout the call

➢ Please **"raise a hand"** to ask a question or **add comments** in the chat box

➢ Request to allow the meeting be **recorded** to assist with minute drafting

   ▪ No objections raised on mailing list
   ▪ Recording will deleted once the Minutes are approved by PAC

Policy Advisory Committee - Agenda

1. Membership Matters

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2. **Minutes from the PAC#24 meeting**

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2. Minutes of the PAC #24 Meeting – 11 June 2020

➢ Meeting minutes are circulated to the membership within one week 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

➢ Published online at http://www.iedr.ie/policy-development-process/

Policy Advisory Committee - Agenda

1. Membership Matters

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3. Update on the policy change request relating to the handling of reserved / blocked names

Recap:

- ❖ Discussion topic raised to address the need for enhanced determinism, consistency and clarity

- ❖ A number of potential, **suitable policy responses** were identified

- ❖ Discovery Group was **setup** to review and discuss these options

- ❖ Discovery Group developed **consensus** on a suitable approach

- ❖ Related policy change request was submitted at #PAC 23

- ❖ Broad consensus established for the identified policy approach
  - ▪ which involve making minor edits to the "availability" provisions in the Registration & Naming Policy

3. Update on the policy change request relating to the handling of reserved / blocked names

Consensus that an appropriate response should:-

❖ be based on the principles of **transparency**, **quality of information** and **a mechanism to "apply"** for a reserved domain name

❖ adopt the "EURid (.eu) approach"

- Address "reserved"/"blocked" names in the "availability" provisions within .ie Registration & Naming Policy
- Publish a non-exhaustive list of "blocked"/"reserved" names
- Publish user-friendly materials, such as leaflets, with guidance on why/how such names are handled
- Introduce a defined, transparent procedure for facilitating requests to "apply" for "blocked"/"reserved" names

3. Update on the policy change request relating to the handling of reserved / blocked names

<u>Outstanding Actions and Updates:</u>

1. Minor edits required to the Registration & Naming Policy have been drafted, and shared with PAC Registrars
   - Feedback on word-crafting requested by 11 September 2020

2. User-friendly guidance materials, including helpful on-site content and a leaflet are being drafted

3. Domains intended for potential future commercial use by IEDR have been re-classified as normal registrations

4. Transparent procedure for facilitating requests to "apply" for reserved names drafted in November 2019

5. WHOIS response messages for lookup requests for blocked/reserved names:
   - Being designed as part of the new TITAN registry platform development
   - These will be introduced with the launch of that platform in November 2020

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4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

Discussion Recap:

The topic was raised for discussion at the PAC#19 meeting:-

➢ In light of increased concerns of online abuse amongst all internet users

➢ National / International response focusing on **appropriate, effective, efficient abuse handling:-**

- EU legislation (e.g. NIS, ENISA, Cybersecurity Act, CPC Regulation), "Notice & Action" etc.

- Dept. of Communications - recent press release regarding social media and takedown legislation

➢ to identify the issues involved in developing an appropriate abuse handling strategy

➢ PAC split discussions into two work streams – **Technical Abuse** and **Criminal Abuse**

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

Recap continued

- 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 **suspension/deletion**
- ➤ Historically, ccTLD operators have taken action as **last resort** (in emergency/Court Order/Law Enforcement)

- Challenges faced by Registry-level action:-

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

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

4.1. Technical abuse

❖ Discussions have focused on:-

- how other ccTLDs handle tech abuse

- when action should be taken / who should take it etc.

- the potential introduction of a free informational 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

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

PAC#24 – Recommendation

IEDR and PAC acknowledged:

- noted increases in registration and technical abuse in other EU ccTLDs

    ❖ particularly in light of the current Covid-19 situation, and the rise in e-commerce etc.

- need to ensure the **continued safety** of the .ie namespace for the Irish internet community

- intention to progress this work stream to **support the Registrar community** in its response to abuse

- PAC consensus to issue a recommendation to the IEDR Board for the Registry to:

    ➢ introduce a Netcraft-style, free, informational service for Registrars

    ➢ publish guidelines for Registrars outlining suggested actions to be taken

    (with the Registry working with PAC Registrar reps on word-crafting)

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

Updates and Next Steps:

- Helpful guidelines for Registrars have been drafted and circulated to PAC Registrar reps for input

- IEDR is working with NetCraft to:-

    ✓ review the practical considerations related to the implementation of the service

    ✓ agree costings/contracting

- Service expected to launch in Q4 2020. Further updates will be provided in due course

4. Update on the on-going discussion relating to the handling of abuse in the .ie namespace

4.2. Criminal Abuse

- Discussions have focused on potential introduction of a cooperative arrangement with the Garda National Cyber Crime Bureau (GNCCB)

- GNCCB contacted IEDR prior to PAC discussion requesting the introduction of such an arrangement

- IEDR raised suggestion for PAC input:
  - Some members commented that they felt IEDR should be prepared to act responsibly and have a protocol in place to address serious, criminal abuse, if/when it arises.
  - Other members questioned whether there was a genuine need for such an arrangement

- Representatives from GNCCB and Economic Crime Bureau (GNECB) presented at PAC#23 on:
  - what problems they are having with tackling online abuse (particularly with .ie names)
  - which crimes they wish to tackle via a cooperative arrangement
  - what frictions they're experiencing with "normal" channels for suspension/takedown

4. Update on the on-going discussion relating to the handling of abuse in the .ie namespace

4.2. Criminal Abuse

The GNCCB/GNECB representatives also noted that **<u>reactive</u> policing** efforts operate relatively effective:

- no notable abuse concerns within the .ie namespace
- no notable friction with existing takedown and suspension procedures
- ISPs typically act responsively and responsibly in response to requests from the GNCCB and GNECB

They commented on a shift to **<u>proactive</u>, preventative** policing:

- to combat the tech-savvy nature of criminals (adapting promptly to site takedowns)
- to protect legitimate internet users from becoming victims of serious, life-altering crime

Regarding a potential **Cooperative Arrangement:**

- They acknowledged the important value of a potential arrangement
- Noted that it should be a structured process with appropriate **safeguards** that meet the needs of all stakeholders, and operate in a manner which is mutually beneficial
- Would potentially be used where hosts had failed to address the issue

4. Update on the on-going discussion relating to the handling of online abuse in the .ie namespace

PAC#24 – Recommendation

PAC agreed that there was consensus:-

- to re-visit the draft protocol arrangement, and to revise this to ensure the safeguards identified are included

- 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

Updates and Next Steps:

- Edits to the previously drafted protocol arrangement are in progress

- These will be shared with the GNCCB when finalised, for discussion purposes

- Further updates will be provided in due course

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5. Fast-track policy change requests relating to the
WHOIS Services Policy (formerly WHOIS Policy)

- **Proposed Policy edits relate to:**

  - Introducing new terminology to mirror that used in the new Registry systems (e.g. Registrant instead of Domain Holder)
  - Accommodating RDAP functionality
  - Providing clarification on field names, including those containing personal data, published via WHOIS Services
  - Providing clarification on the data formats for the Registrar abuse contact role (now a defined contact role)

- **Guiding principles** within the Policy will remain in place, for example:

  - Registrant name will be published on the WHOIS where the domain is registered to a legal entity (e.g. company/charity)
  - These Registrants **cannot opt-out of the publication** of their legal name (required within Registrant T&Cs)

  - Other Registrant names (non-legal entities, such as individuals or sole traders), will **not be published by default**
  - These Registrants will retain the right to publish their name, if desired
                                        (based on their explicit consent, which can be revoked at any time)

- Proposed policy **text edits** have been circulated to PAC Registrars for input

6. Any Other Business

6.1   Updates on the fast-track policy change requests submitted at the PAC#24 meeting

6.2   Update on industry related developments/legislative changes to be outlined by PAC members

6.3   Industry's actions in response to Covid-19 pandemic

6. Fast-track policy change requests

Edits to the fast-track requests have been drafted and circulated to PAC Registrar representatives for input, as follows:

Policy	Nature of Changes
Data and Document Retention Policy	• Definitions have been added (this Policy previously hyperlinked to the Privacy Policy definitions) • Clarification provided on the retention of personal data associated with domain contacts (data kept for the lifetime of the contact being used in a contact role, plus two years, provided the contact isn't associated with another .ie domain)
Privacy Policy	• Clarification provided on the updated retention practices (as above), and the processing of personal data related to the 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
Registration and Naming Policy	**Provisions added relating to the:** • operation of the new lifecycle (Auto-Renewal and Deletion Processes) and Grace Periods • refund of the registration fee if a domain is deleted within 14 days of registration • blocked/reserved names • documentation of the Registry Lock service (this process has been in operation for many years, but not previously added to the Policy) • introduction of new Contact roles/responsibilities for the Registrant • secondary market transactions and domain reassignments – a new Procedure for the Registrant Transfer process will accommodate all requests to change the Registrant granted the right to use a .ie domain. (This will be a single-ticket process, retaining the requirement for the validation of the new Registrant's connection to Ireland)
WHOIS Services Policy	• Expanded to accommodate 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 other registrant types (individuals, sole traders etc.) • Clarification on the data formats for the Registrar abuse contact role (previously a single, open-text field in the .ie database, it is now a defined contact role)

6. Any Other Business

6.1   Updates on the fast-track policy change requests submitted at the PAC#24 meeting

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Next Meeting

PAC # 26

3 December 2020