IE Domain Registry CLG

trading as .ie

Policy Advisory Committee – PAC #38
Minutes – 29 February 2024 Meeting

Table of Contents

Minutes of the PAC #38 Meeting held on 29 February 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:

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

1. Memberships Matters

Apologies – Members not present:

- **.ie Accredited Registrar (EuroDNS)**

- **HEAnet**

- **Small Firms Association**

2. Minutes from the PAC #37 meeting

The Chair confirmed that the Minutes from the 37th 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

3.1 Miscellaneous Amendments to the .ie Policy Suite

- The PAC Secretariat reported that the proposal presented at PAC 37 to make minor, non-substantive amendments to the policy suite had received approval from the Board, and that the policies on the .ie website had been updated to reflect the changes.

3.2 Legislative and Regulatory Updates

- The PAC Secretariat gave general information to PAC Members about emerging legislative and regulatory initiatives that may be of interest to the Irish domain name space. The PAC Secretariat stated that this was not to be interpreted as legal advice, and that the list was not exhaustive of legislative initiatives that might affect .ie.

- The followed Legislative and Regulatory initiatives were discussed:
    - *Digital Services Act 2024*
    - *Criminal Justice (Protection, Preservation of and Access to Data on Information Systems) Bill 2024*
    - *eEvidence Regulation*
    - *Regulations for Geographical Indications (GI) Protection (AGRI and CIGI)*
    - *Proposal for a Framework for Financial Data Access (FiDA)*

- The PAC Secretariat indicated that none of the above were likely to pose significant short-term risk for .ie but should still be actively monitored for developments.

4. Handling of illegality and criminal abuse in the .ie name space

4.1 CSAM & TLD Hopping

- The PAC Secretariat reported on a new program launched by the Public Interest Registry (PIR) and the Internet Watch Foundation (IWF) to combat child sexual abuse materials (CSAM).

- The PAC Secretariat explained that the program offered access to a list of domains engaged in a practice called "TLD Hopping," which in this context referred to the practice of CSAM dedicated websites jumping TLD registries after being shut down (for example, badsite-dot-com is shut down, so badsite-dot-biz becomes operational).

- The PAC Secretariat gave a high-level summary of how the program worked: if IWF analysts confirmed that a domain name was dedicated to the distribution of CSAM, and TLD hopped 3 times (each time being dedicated to the distribution of CSAM), then the domain name would be added to a list for up to a year. The IWF also offered a service for real time alerts of confirmed CSAM within the domain namespace.

- PAC Members agreed that the program seemed like a proactive and positive approach to combat CSAM. Some PAC members wanted further logistic details, and had questions about the prevalence of false positives, potential legal implications, and resource requirements.

- The PAC Secretariat committed to obtaining more information for the next PAC Meeting. The PAC Secretariat also stated that they felt a legal assessment would be necessary before opting into the program due to the severity of the subject matter.

4.2 Tour de Table on the *Digital Services Act (DSA) 2024*

- The PAC Secretariat reported that the .ie Registry had been engaged by the new digital services commission (Coimisiún na Meán) to complete a survey on their DSA compliance posture. The PAC Secretariat asked PAC Members if they had similar experiences with the Coimisiún na Meán, and for any other insights they were willing to share on the DSA.

- The representative from CyberSafeKids reported that they frequently engaged with Coimisiún na

Meán in relation to the proposed Online Safety Code. The representative from Team.Blue also indicated they received the same survey as the .ie Registry.

- PAC Members speculated if this was a signal that the Coimisiún na Meán would be looking into smaller entities beyond the Very Large Online Platforms. The representative from Blacknight also noted that there may be an increase in abuse reporting at the Registrar level arising from the DSA.

4.3 Handling of technical abuse - Netcraft service

- The Registry's Chief Information Officer (CIO) provided an update of statistics from the Netcraft Monitoring Service from January 1 – February 28, 2024. The service, which launched in March 2021, notifies Registrars and .ie domain holders of online technical abuse issues (such as .ie websites hosting malware, phishing or botnets).

- It was reported that there had been a surge in authorized takedowns after Christmas, which was not an uncommon phenomenon. The number of attacks per week ranged between 14 to 117. The number of attacks by group per week ranged from 4 to 17. The majority of attacks were related to Phishing URLs.

- The CIO gave a brief talk for the benefit of new members on how NetCraft worked. The Chair also asked if there was data on how .ie compared to other domains in terms of technical abuse. The CIO reported that data from the DNS Abuse Institute suggests that technical abuse is not as prevalent in country-code Top Level Domains, compared to generic Top Level Domains.

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

5.1 NIS2 Tracker and Roadmap

- The PAC Secretariat 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 on NIS2.

- The PAC Secretariat reported on activities done on NIS2 since the last PAC Meeting:
  - The NIS2 Working Group had met on February 15th, and .ie staff had participated in the CENTR Legal & Regulatory Working Group.
  - The CEO of .ie had the opportunity to engage with the Minister of State for Business, Employment and Retail and voiced their concerns over NIS2. The CEO also discussed NIS2 on the Irish Tech News podcast.
  - An article on NIS2 authored by .ie staff was published in Eolas Magazine.
  - A webinar on the NIST Cybersecurity Framework was planned for March 2024.

5.2 Key Emerging Updates

- The PAC Secretariat reported the following updates:
  - The Heads of Bill for the *National Cyber Security Bill* had been delayed to Q1 2024.
  - The NIS Cooperation Group based out of Brussels was expected to publish guidelines for TLD Registries and Entities Providing Domain Name Registration Services by early April.
  - ComReg was expected to be the national competent authority for .ie under NIS2. ComReg also had a new commissioner, Helen Dixon.
  - Many ccTLD registries indicated at the latest CENTR working group in February 2024 that they were looking to develop or improve their current compliance monitoring programs for registrars.

- The representative from DECC reported that it was unfortunate that the Christmas deadline for the Heads of Bill was not reached, but noted the Department was working in earnest on the Bill. They further noted that while October is the deadline for the transposition, there would likely be lead-in time for the implementation as well.

5.3 Updates from NIS2 Working Group

- The PAC Secretariat reported on the meeting of the NIS2 Working Group (NIS2 WG) held on February 15th, 2024. It was reported that the conversation mainly revolved around Registrar Compliance, and that the NIS2WG emphasized the importance of having a collaborative approach to Registrar Compliance.

- The NIS2 WG also suggested that enforcement methods had to be applied equally and fairly but should avoid tactics such as public shaming.

5.4 Tour de Table – Updates from Participants

- The PAC Secretariat asked general PAC members if they had any updates related to NIS2 on their ends. There were no updates from members.

- The representative from Blacknight brought attention to a blogpost that had been posted on the .ie website about .ie efforts to analyse the accuracy of RANT addresses and Eircodes. The CIO of .ie confirmed that this was a research exercise, and that there was no policy initiative planned to mandate the collection of postal addresses and Eircodes. The PAC Secretariat also noted that any policy initiative related to NIS2 would need to go through the NIS2 WG and the broader PAC.

5.5 Upcoming NIST Webinar

- The PAC Secretariat also reported that webinars for .ie registrars were planned for March 12 and March 25th. The webinar would be hosted by consultants from Grant Thornton and would focus on the NIST Cyber Security Framework.

6. Discussion – 2024 Priorities for the PAC

- The PAC Secretariat led a discussion on potential priorities items for the PAC in 2024. The PAC Secretariat presented the following ideas:
    - Amending the .ie policy suite further for consistency in formatting, and definitions used.
    - Making public-facing privacy related policies (Privacy Policy, Document & Data Retention, etc.). more plain language and easier to navigate for the public.
    - Drafting a voluntary GDPR Code of Conduct that can be accredited by the Data Protection Commission (DPC) under Article 40 of the GDPR.
    - Amending the eligible organizations in the PAC Terms of Reference to allow for digital regulators (Coimisiún na Meán, ComReg, DPC, and the Consumer Protection Commission) to sit on the PAC.

- The representative from Blacknight also suggested that the Registry examine its policy for how domain names for insolvent companies are handled. They also suggested seeking internal input from .ie staff members.

- The representative from Team.Blue also suggested examining the domain locking service to see if the process could be improved and noted that the offline manual steps made it cumbersome.

7. Any Other Business

- The PAC Secretariat provided a brief overview of the World Summit on the Information Society (WSIS) and the WSIS+20 Review, and strongly suggested that PAC Members follow its development.

8. Next Meeting

The date for the PAC #38 meeting has been provisionally set for **25 April 2024** at **11:00AM**. Members were asked to indicate to the PAC Secretariat their availability.