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AL-ALAC-ST-0721-01-00-EN
ORIGINAL: English
DATE: 7 July 2021
STATUS: Pending Ratification

AT-LARGE ADVISORY COMMITTEE

ALAC Statement on RrSG Draft White Paper: Registrant Protections in DNS Abuse Mitigation

Introduction

On 5 June 2021, Ashley Heineman, Chair of the RrSG, reached out to Maureen Hilyard, ALAC Chair to request comment on the [RrSG Draft White Paper: Registrant Protections in DNS Abuse Mitigation](#). On the same day, an [At-Large workspace](#) was created for the statement, and the ALAC Chair forwarded the request to the At-Large Consolidated Policy Working Group (CPWG) for discussion. The CPWG decided it would be in the interest of end users to develop an ALAC statement on the Draft White Paper.

On [23 June 2021](#), Jonathan Zuck, ALAC Vice Chair for Policy and Co-Chair of the CPWG, volunteered to draft the ALAC statement.

On [30 June 2021](#), Jonathan Zuck presented to the CPWG a draft statement. The CPWG provided input on the At-Large points of consensus, and ICANN Policy staff in support of the At-Large community posted the draft statement to its [workspace](#) and circulated a final call for comments on the CPWG and ALAC mailing lists.

On 6 July 2021, comments from the community were incorporated into the final statement.

On 7 July 2021, Jonathan Zuck finalized the ALAC statement. The ALAC Chair, Maureen Hilyard, requested that the statement be ratified by the ALAC before submission to the RrSG.

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The At-Large community welcomes both the initiative by the Registrar Stakeholder Group (RrSG), to address Registrant Protections in DNS Abuse Mitigation, as well as the opportunity to comment. The occasionally conflicting interests of registrant and non-registrant individual end users demands we find the right balance in the fight against DNS Abuse.

Overall, the paper represents an excellent collection of redress mechanisms that ought to be available to registrants, in the case of mistaken take-down. The At-Large would like to proffer just a few points.

1. Evidence

The topic of poorly constructed and poorly supported complaints is ongoing and the At-Large would like the RrSG to consider more fully exploring this topic with examples, even if hypothetical. Giving registrars a checklist or framework, with which to evaluate a complaint, would help standardize both the formulation and resolution of complaints. Perhaps some criteria for identifying a pattern of abuse would be helpful in separating the spurious from the systemic.

2. 3rd Party Abuse

The white paper makes two references to 3rd party responsibility for abusive conduct. In the second case, it is mentioned in the context of a reversal of an action taken by a registrar, based on an abuse report. This seems wholly appropriate. However, in the first instance, there is a suggestion that "a domain name should not be labelled as abusive when the abusive usage results from the action of a third party." This would seem to imply that determination of responsibility should happen *prior* to any action, taken by the Registrar and that seems inappropriate. If the domain hosts verifiable abuse, particularly as its primary function, it should be taken down immediately and restored after a fix has been applied. The fact that the abuse was not the result of malice by the domain holder should not deter action taken to mitigate that abuse.

3. Proportion of domain use

It is also often mentioned that random abuse, in an otherwise non-abusive domain, needs to be handled differently. If, for example, a comment, on a news site, contains a phishing link, it's not appropriate to take down the entire domain. Perhaps a framework for alternative mitigation, involving the domain owner or website host, is appropriate. Again, the more that can be laid out, with examples, the better.

We of the At-Large community appreciate the opportunity to comment and welcome any ongoing dialog on the issue of DNS Abuse mitigation. We hope these comments are helpful.