Privacy and Proxy Service Provider Accreditation Program

IRT Meeting | 4 April 2017

Agenda

➢ IRT feedback on draft Policy document

➢ Abuse report criteria

➢ Relay criteria

IRT Feedback: Draft Policy Document

➢ As of Monday, 3 April, no IRT feedback submitted to IRT mailing list

➢ Any feedback?

Abuse Reporting Criteria

➤ Discussed at ICANN58; IRT feedback also solicited in last week's poll

➤ Criteria to finalize:
  ➤ Definition of "abuse"
  ➤ Criteria for submitting abuse report
  ➤ Required Provider actions upon receiving abuse report

Topic 1: What is "Abuse"?

- Final Report:
    - Lists of "abusive activity" in Section 3 Public Interest Commitment Specification of New gTLD Registry Agreement or Safeguard 2, Annex 1 of GAC Beijing Communique could serve as starting point for developing list
- Lists nearly identical
- Discussed using list in PICs Spec at ICANN58, asked in poll
- Some IRT members support using list; many requested more discussion

What is "Abuse"?

Beijing Communique: distribution of malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.

PICs Specification: distributing malware, **abusively operating** botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.

Topic 2: Abuse Report Process/Contents

➢ "A uniform set of minimum mandatory criteria that must be followed for the purpose of reporting abuse and submitting requests (including requests for the Disclosure of customer information) should be developed." Final Report (p. 13)

➢ Implementation should consider abuse report options other than publishing an email address on website and in WHOIS output (Final Report p. 62)

➢ **Proposal discussed at ICANN58 and in poll**: Permit Providers flexibility to decide how they will receive reports of abuse

  ➢ Mechanism must be easy to find on the Provider's website (should we be more specific?)

  ➢ Abuse reporting mechanism (email address, form, or other easy-to-find mechanism) will be the "designated" point of contact to receive claims of abuse

  ➢ Most IRT members supported this approach

➢ **Does anyone disagree with this approach?**

➢ Should any additional criteria be developed for contents of an abuse report? (excluding IP and LEA requests, which will have additional criteria)

➢ Suggestions made to date:

  ➢ Abuse reporters should be able to submit evidence to designated point of contact
  ➢ Providers should have flexibility to decide what information is required to process request

Topic 3: Required Provider Actions

➢ "The designated point of contact for a P/P service provider should be capable and authorized to investigate and handle abuse reports and information requests received."

➢ **Question**: What should a Provider be required to do when it receives an abuse report?
  ➢ RAA requires that, "Registrar shall take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse" (Sect. 3.18.1)

➢ Final Report requires Providers to Relay all communications required by the RAA and ICANN Consensus Policies; and either:
  ➢ Relay all electronic requests; or
  ➢ Relay all electronic requests received from LEA and third parties **containing allegations of domain name abuse.**

➢ **Question:** Should "abuse" be defined consistently with abuse report requirement?
  ➢ 50% of poll respondents requested more discussion (50% said "yes")

➢ **Question:** Should Providers be required to test that their email forwarding systems are functioning properly?
  ➢ 50% poll said no; 50% said additional discussion needed

➢ **Question:** Should there be a required timeframe for mandatory Relay?
  ➢ 60% poll said no; 90% said that if there is a required timeframe, it should be general reasonableness standard

Thank you!

Thank You and Questions

Reach me at: amy.bivins@icann.org

Email IRT list at: gdd-gnso-ppsai-impl@icann.org

IRT community wiki space:
https://community.icann.org/display/IRT/Privacy+and+Proxy+Services+Accreditation+Implementation

Implementation Status Page:
https://www.icann.org/resources/pages/ppsai-2016-08-18-en