

DNS Abuse Mitigation

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ICANN | G A C

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Agenda

1. **Enforcement of DNS Abuse Amendments** (30 min)
Presentation by ICANN Compliance and Discussion

2. **GAC Plenary Discussion** (75 min)
 - **Introduction and Overview**
U.S. Federal Trade Commission, 2023 Fraud Trends
 - **Measurement of DNS Abuse**
Presentation by CleanDNS
 - **Possible Future Developments**
 - **Q&A**
 - **Communiqué Discussion**

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Enforcement of DNS Abuse Amendments

Background

- In its Public Comment on the DNS Abuse Amendments, the GAC highlighted two areas of interest related to Compliance: Consequences and the Ability to Monitor Enforcement.
 - **Consequences.** The proposed amendments do not expressly include consequences for non-compliance. A priori, these consequences depend on compliance action by ICANN org, and should be based on the provisions found within the Agreements. To ensure that the aims of the contract negotiations are ultimately met, the GAC encourages ICANN org and the CPH NT to specify, at a minimum, in the Advisory, what the consequences might be in the event of non-compliance.

Enforcement of DNS Abuse Amendments

Background

- In its Public Comment on the DNS Abuse Amendments, the GAC highlighted two areas of interest: Consequences and the Ability to Monitor Enforcement.
 - **Ability to Monitor Enforcement.** The data collected by ICANN org from the Contracted Parties pursuant to the reporting obligations provided for within the Agreements will be instrumental to enforcement, as well as understanding the overall effectiveness of the new regime. The GAC encourages ICANN org in particular to provide the community with the ability to monitor how compliance is enforced, and to link future work on DNS Abuse with the review of such data.

Enforcement of DNS Abuse Amendments

Presentation by ICANN Compliance

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U.S. Federal Trade Commission, 2023 Fraud Trends

Presentation by U.S. FTC

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Measurement of DNS Abuse

Introduction

- In its Public Comment on the DNS Abuse Amendments, the GAC noted that:
 - Enhanced transparency through reporting supports accountability. The GAC therefore suggests the parties consider how to enhance the proposed reporting requirements with a view to promoting transparency of the Contracted Parties' policies and how they respond to DNS Abuse reports.

There is strong GAC precedent on requesting work by ICANN for data collection and reporting on DNS Abuse.

Measurement of DNS Abuse

Presentation by CleanDNS

Possible Future Developments 1/2

- From the [GAC Public Comments](#) (17 July 2023)
 - Proactive monitoring and enhanced transparency
 - The inevitable evolution of DNS Abuse (and possible need for periodic review of the definition of DNS Abuse)
 - Recognizing the need to address DNS Abuse inside and outside of ICANN
 - Policy Development Processes
 - Guidance on Key Terms
 - Due process considerations
 - Setting thresholds to trigger policy responses
 - Training

Possible Future Developments 2/2

- Question for GAC Discussion:
 - In practical terms, by when should the GAC expect to be briefed by Compliance on progress made under the DNS abuse amendments?
 - What are the thoughts of the GAC on any prospective Policy Development Processes pertaining to DNS abuse which build upon the foundation created by the new contract obligations, and in advance of the next round of new gTLD applications?

ICANN79 San Juan Communiqué Discussion

- Advice?
- Issues of Importance
 - Compliance presentation
 - GAC expectations and future work
 - Strategic plan