**Recommendation #2 – Bulk Registrations**
**Proposed Letter**

Dear Registrar Stakeholder Group, Registry Stakeholder Group, DNS Abuse Institute and ICANN org,

As you may be aware, the GNSO Council recently adopted the DNS Abuse small team report. The small team was formed to consider what policy efforts, if any, the GNSO Council should consider undertaking to support the efforts already underway in the different parts of the community to tackle DNS Abuse.

One of the topics the small team discussed as part of its deliberations related to bulk registrations. As noted in its report,

> "even though there may be evidence of bulk registrations being used for malicious activities, there are also examples in which bulk registrations are used for legitimate purposes (e.g., cybersecurity purposes, brand or governments). It may be difficult to identify objective factors that could flag when bulk registrations may be intended for abusive purposes and there is a risk of impeding bulk registrations for legitimate purposes".

To further assess if/how bulk registrations play a role in DNS Abuse, the Council is reaching out to you to request your input on the following questions:

- What information, evidence or complaint statistics can you share that can shed further light on the potential role of bulk registrations in DNS Abuse?
- Based on that information or evidence, Are you of the view that further work may be beneficial to address potential issues with bulk registrations in the context of DNS Abuse? If yes, please provide further details.
- What measures, if any, do registrars and/or registries have in place in relation to bulk registrations? Are these found to be effective? Would there be value in promoting the adoption of such measures on a voluntary basis, or should adoption through policy development be considered?

Based on your feedback, the Council intends to further assess what work, if any, should be considered in relation to bulk registrations. We would appreciate it if you could indicate how much time you need to provide the Council with a response so we can plan our next conversation accordingly.

Thank you for your cooperation.

**Recommendation #3 and #4 – DNS Abuse Reporting / Action & Enforcement**
**Proposed Letter**

Dear Registrar and Registry Stakeholder Group,

As you may be aware, the GNSO Council recently adopted the DNS Abuse small team report. The small team was formed to consider what policy efforts, if any, the GNSO Council should consider undertaking to support the efforts already underway in the different parts of the community to tackle DNS Abuse.

The Council has taken note of the correspondence from the RySG and RrSG to ICANN org suggesting targeted contractual amendments to the Registrar Accreditation Agreement (RAA) and the Base Registry Agreement (RA). The Council appreciates that the RySG and RrSG have duly taken into consideration the recommendations contained in the DNS Abuse small team report in suggesting that these targeted contractual amendments can help, "move effectively and expeditiously to create requirements that will have a meaningful impact on DNS Abuse mitigation."

The GNSO Council is hereby reaching out to draw attention to two possible gaps identified by the small team in the interpretation and/or enforcement of the current agreements, namely:

- For the Registry Agreement Specification 11, Section 3(a) it says "include a provision in their agreement with registrars,". This requirement is limited to the inclusion of the provision. However, further consideration may need to be given to what Registries are doing to ensure the text is indeed included in the Registration Agreement (ie Registries enforcing their own Registry-Registrar Agreements).
- For RAA Section 3.18.1 ("Registrar shall take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse"), it is unclear what "reasonable", "prompt", and "appropriately" mean, even though ICANN Compliance indicated that they enforce in the case of inaction. The ICANN Compliance response also indicated that "(t)he RAA does not require registrars to take any specific action on the domain names that are subject to abuse reports." And that "(t)he RAA does not prescribe the specific consequences that registrars must impose on domain names that are subject to abuse reports though". This interpretation may allow DNS abuse to remain unmitigated, depending upon the registrar's specific domain name use and abuse policies.

The Council is aware that there may be various approaches to addressing these potential gaps, for example, clarifying the existing requirements through the targeted contractual negotiations that may be initiated by Contracted Parties and ICANN org. We understand that contract negotiations between Contracted Parties and ICANN org will be bilateral, rather than a community process, and nothing in this communication is meant to disturb that status quo. Nevertheless, the Council would appreciate it if the RySG and RrSG could keep the Council abreast of expected next steps. The Council has committed to considering requesting the development of a Preliminary Issue Report on the topic of malicious registrations after the outreach and communication as foreseen under recommendations

#2, #3 and #4 of the small team report has taken place, and the Council has had an opportunity to consider the progress made from efforts related to that outreach.

In addition, the Council has taken note of the suggestion from the Registrar Stakeholder Group that "Contracted Parties in consultation with ICANN Compliance could draft a 'Suggested Standards' document outlining standards for compliance (e.g. standards for responses to abuse reports) in the context of existing requirements as well as situations in which Contracted Parties recommend that ICANN Compliance take enforcement action (e.g., consistent failure to address clear and actionable DNS Abuse)". The Council looks forward to hearing further about this suggestion and potential next steps if this path were to be pursued.

Last but not least, the GNSO Council would also like to encourage continued discussions between Contracted Parties and DNS Abuse reporters / potential reporters with the goal of further fine-tuning and promoting existing tools and initiatives, and/or those under development, to further work towards easier, better and actionable reporting of DNS Abuse. The Council recognizes the importance of ensuring that harmed parties, when reporting DNS Abuse, know how, to whom, and what information to provide; improving processes to effectively report DNS Abuse greatly aids parties that are in position to mitigate those harms. If the Council can further contribute to facilitating or promoting these discussions, we would like to encourage you to let us know.

We look forward to receiving your feedback.