

# ICANN | GAC

Governmental Advisory Committee

4 April 2022

Philippe Fouquart, GNSO Chair  
Sebastien Ducos, GNSO Council vice-chair  
Tomslin Samme-Nlar, GNSO Council vice-chair

**Subject: Response to GNSO Request for Community Input on DNS Abuse Policy Making**

Dear Philippe,

The GAC thanks the GNSO for the opportunity to provide input in response to questions put forward by the GNSO Small Team on DNS Abuse tasked in January 2022 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 GAC focuses its response on whether a Policy Development Process (PDP) is the right mechanism *at this time* to solve the problem of DNS Abuse. As discussed further below, we believe that as the current community efforts focused on DNS Abuse are progressing, a PDP may be premature as long as such efforts continue to be fruitful.

As the GAC has emphasized to the GNSO Council, curbing DNS Abuse is a long-standing issue of interest to the GAC, and the GAC is interested in advancing community discussions, driving progress and convergence of views prior to the launch of future New gTLDs.

The GAC has consistently called for appropriate measures to be taken by ICANN org and Contracted Parties to prevent and mitigate DNS Abuse, consistent with relevant findings by the ICANN community as documented in the recommendations of the Competition, Consumer Trust and Consumer Choice (CCT) Review Team, and the Security Stability and Resiliency (SSR2) Review Team. The New gTLD Subsequent PDP Working Group (SubPro PDP WG), the recipient of several CCT Review Recommendations, informed the GNSO Council of its determination not to make any recommendation on DNS Abuse because “*a holistic solution will be needed in all gTLDs as opposed to dealing with the CCT-RT’s DNS Abuse recommendations solely with respect to new TLDs introduced in subsequent rounds*”.<sup>1</sup>

In light of the SubPro PDP WG conclusion, the GAC highlighted in its ICANN70 Communiqué that “*DNS Abuse should be addressed in collaboration with the ICANN community and ICANN org prior to the*

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<sup>1</sup> <https://gnso.icann.org/sites/default/files/file/field-file-attach/neuman-langdon-orr-to-drazek-27apr20-en.pdf>

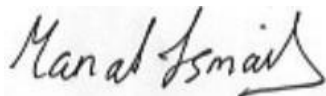
*launch of a second round of New gTLDs. The GAC supports the development of proposed contract provisions applicable to all gTLDs to improve responses to DNS Abuse.”*

Most recently, during ICANN73, the GAC considered a study on DNS Abuse provided by the European Commission and noted that it *“provides many valuable case studies, clarifies the different actors in the Internet ecosystem, and provides recommendations on how the different actors (e.g., registries, registrars, resellers, hosting providers, registrants, etc.) can respond to DNS abuse that takes place within the different layers of the DNS system.”* While not all harmful or illegal activities covered by this study fall into ICANN’s remit, the GAC encourages the GNSO Small Team on DNS Abuse to carefully consider the data, findings and recommendations included in this report. The GAC also notes the important and ongoing work of other stakeholder groups, including the ALAC, SSAC, ccNSO, Contracted Parties, Business and Intellectual Property Constituencies, and ICANN Org among others.

At this time, given the focused attention of various constituencies within ICANN to the matter of DNS Abuse, pursuing a PDP scoping exercise may be premature. So long as progress continues and can be effectively implemented, the GAC supports such efforts. The ongoing community efforts may produce beneficial initiatives and outcomes which may obviate the need for a PDP.

If the GNSO small group should decide to progress work in this area, including any initiation of a scoping exercise for a PDP on DNS Abuse, the GAC, of course would make itself available to contribute to its deliberations.

Best regards,

A handwritten signature in black ink that reads "Manal Ismail". The signature is written in a cursive style with a large, sweeping flourish at the end.

Manal Ismail  
Chair, Governmental Advisory Committee (GAC)  
ICANN