

Cologne, Germany, 20 July 2023

Comment on: Amendments to the Base gTLD RA and RAA to Modify DNS Abuse Contract Obligations

The members of [eco – Association of the Internet Industry](#) and its [topDNS initiative](#) appreciate the opportunity to comment on the Proposed Amendments to the Base gTLD RA and RAA to Modify DNS Abuse Contract Obligations.

With over 1,000 member companies, eco is the largest Internet industry association in Europe. Since 1995 eco has been highly instrumental in shaping the Internet, fostering new technologies, forming framework conditions, and representing the interests of members in politics and international committees. eco's key topics are the reliability and strengthening of digital infrastructure, IT security and trust, as well as ethically-oriented digitalisation. eco advocates for a free, technologically-neutral, and high-performance Internet.

More than 130 eco member companies are part of the [eco Names & Numbers Forum community](#), managing more than 75% of the world's domain names. This makes the eco Names & Numbers Forum one of the largest advocacy groups for registries, registrars, resellers, resolvers, secondary market operators and consultants in the domain industry.

The eco association and topDNS express their **full support for the proposed amendments**, emphasising the need for a clear definition of DNS abuse and the importance of confirming abuse reports. They appreciate the threshold of "**meaningful evidence**" for taking appropriate mitigation action, given the limited scope for action at the DNS level. Adoption of these amendments will send a strong signal that contracted parties are ready to take on additional responsibilities and show that ICANN and its stakeholders can make progress on contentious issues.

The proposed amendments aim to address the long-standing debate about the meaning of "DNS abuse" within the ICANN community and provide **clear guidelines** on when and how to **take appropriate action at the level of the DNS** to fight online abuses.

DNS abuse is now defined as encompassing malware, botnets, phishing, pharming, and spam (when used as a delivery mechanism), thus distinguishing these from content-related issues, which fall outside of the remit of ICANN's Bylaws. This refined scope allows for targeted and justified action against DNS abuse.

The amendments also introduce an essential obligation for gTLD registries to **confirm receipt of abuse reports**, thereby promoting transparency and building trust with those who report abuse. Emphasising the notion of "**actionable evidence**", the amendments demonstrate the importance of providing sufficient information in abuse reports for DNS operators to be able to evaluate and select appropriate actions efficiently.

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Recognising the different options available to DNS operators when acting on a domain name under their jurisdiction, the amendments acknowledge that **appropriate action** may vary depending on the severity of the harm and potential collateral damage. This strikes a **balance between necessity and proportionality**, ensuring that measures taken to address DNS abuse are appropriate and effective.

In addition, the changes underscore the importance of **prompt mitigation action** when actionable evidence is provided, providing a solid foundation for ICANN's compliance mechanisms. To streamline the reporting and mitigation workflow and to reduce the risk of abusive reporting often associated with email-based systems, the **adoption of web forms** for abuse reporting is encouraged.

Finally, the amendments clarify the respective responsibilities of registries and registrars to ensure proper referral and response to reported abuse.

By addressing these issues, the proposed amendments represent a significant step forward in the ongoing fight against DNS abuse, and it is imperative that the community adopts them to demonstrate its commitment to effectively fighting online abuse.