



Public Interest Registry (PIR) Public Comment Submission on the Preliminary Issues Report on a Policy Development Process on DNS Abuse Mitigation

17 October 2025

Public Interest Registry (PIR) appreciates the opportunity to provide comments on the Preliminary Issue Report on a Policy Development Process on DNS Abuse Mitigation. We believe that policy development on DNS Abuse is an important step forward for the ICANN Community and we look forward to doing all we can to support it. At the outset, we note that, consistent with prior calls from the GAC and the GNSO Small Team on DNS Abuse, we believe that policy development on DNS Abuse is best positioned for success when each respective PDP is “narrowly scoped.”

That is why we believe it is essential that each of the two topics identified by the Preliminary Issues Report as PDP topics be handled in its own distinct PDP. Combining two tenuously connected issues into one PDP immediately fails the “narrowly scoped” criteria that the Community has called for. Conducting these as two separate PDPs allows the issues addressed, and resulting recommendations, to be targeted and implementable.

1. Gaps and issues identified by the Preliminary Issues Report

PIR welcomes the detailed Preliminary Issues Report that has been produced by ICANN staff. In particular, we appreciate the identification of gaps through the lens of the phases of the DNS Abuse mitigation lifecycle. This evidence-based approach provides important considerations for addressing specific types of abuses by looking at the provenance of abuse and the impact of mitigation efforts. The gaps also provide a starting point for work within ICANN on DNS Abuse mitigation.

In particular, we reaffirm the distinction between malicious vs. compromised domains, and the deterrent effect of reactive measures and the need to evaluate the use of limited proactive measures. It is important to note that proactive measures need to be considered and evaluated in their role to identify patterns and trends in abusive domains. This clarification contributes to efficient scoping and deliberation of issues.

Finally, we support the Preliminary Issues Report highlighting the importance of due process and registrant protections. The lack of standard dispute/recourse mechanisms for Registrants is a gap and a reasonable topic for future policy work following the conclusion of work on Unrestricted API Access and Associated Domain Checks.

2. PDP structure and objectives

PIR appreciates the three topics identified for community work. We agree that with the distinction between Unrestricted API Access and Associated Domain Checks as appropriate for PDP work, and Coordinated Mitigation of DGA-Based Botnet Domains being suited to further work outside policy development via best practices or other coordinated Community work.

While we support the Issue Report's recommendation to launch PDPs on Unrestricted API Access and Associated Domain Checks, we strongly believe that to ensure efficient consideration of issues and targeted implementable recommendations, these should be two distinct PDPs and not Phases of a single PDP. While both of these topics touch on the issue of "bulk" registrations associated with DNS Abuse, that is where the similarities end. Associated Domain Check is a reactive mechanism that requires registrars to check registrant accounts for other abusive names. Implementing this check would likely fall to a registrar's existing operations or abuse teams. Whereas, for API Access, introducing friction before a registrant has access to APIs to allow for bulk registrations is an entirely separate preventative step that requires changes to business/sales flows. So while there is admittedly a tenuous relationship between these two issues, we think combining them into one PDP is all but certain to lead to confusion, inefficient discussion, and unclear recommendations. We strongly advocate for two distinct PDPs for each of these issues given the lack of interdependence of the two issues.

As noted in Section 3.2.3 of the Preliminary Issues Report, the topics are distinct. They do not build on one another or address the same processes, so combining the work doesn't offer benefit. The PDP structure should mirror the objectives. Two separate PDPs ensures that the work remains focussed on the key deliverables as well as demonstrates that ICANN's multistakeholder model of governance can deliver results within reasonable timeframes. By conducting two separate PDPs, the ICANN community can demonstrate clear progress on two distinct issues which is much more understandable to those outside ICANN than completing a 'Phase'. If both of these issues are combined into one PDP, we believe that the PDP will have failed to achieve the "narrowly scoped" PDP that the ICANN Community has clearly signaled its support for.

Past PDPs have shown that those with too broad a scope, or structured with phases or teams, resulted in unclear, unfinished, and unimplementable recommendations, prompting litigation of recommendations and delayed Board adoption. Two distinct PDPs with well scoped Charter questions encourage clear, adoptable, and implementable recommendations.

If the rationale of combining these two issues into one PDP is simply saving costs or staff resource concerns, we believe that this approach is "penny wise, pound foolish." These PDPs are clearly one of the Community's key priorities, and completing the work on one of these topics should be supported and celebrated. Inviting delay in action on recommendations by completing the work on one topic to then wait on implementation for the work on a barely related topic invites criticism of ICANN processes moving too slowly. The Community's broad and active support for quick policy development on both

topics, more than justifies prioritizing resources for two PDPs. Tying these two topics together in one PDP would be an entirely avoidable and damaging mistake for ICANN and the Community.

3. Comments on the Draft Charter

We strongly recommend two distinct PDPs, one each for the topics Unrestricted API Access and Associated Domain Checks, and suggest that the scope and objectives for consideration by the GNSO be updated to reflect the same.

We support the recommended representative model for the PDPs as this would ensure efficiency in the management of the PDP and ensure structured input from all SOs and ACs. We strongly recommend that the expertise that has been taken into account within the Preliminary Issues Report be invited into the PDP process as expert contributors. The topics identified have a technical and operational impact on how Registries and Registrars would be expected to mitigate such abuses. Experts that support data driven work and technical knowledge will be critical to recommendations that are implementable and provide an evidence-based approach policy development.

PIR appreciates the time and expertise that Staff has put into crafting a well evidenced, thorough report that supports moving forward with two separate, tightly scoped PDPs. We look forward to actively supporting this important work.