

From: Tijani Ben Jemaa

Date: Thursday, July 1, 2021

To: Teresa Elias, Cassia Oliveira, ICANN Board Ops, Tina Shelebian, Vinciane Koenigsfeld, Mary Wong

Subject: ME Space Statement on DNS Abuse

Dear wonderful team,

Please find attached the final statement of the ME Space about "DNS Abuse" that has been approved by the ME Community during the virtual session held on 24 June 2021.

This statement is addressed to the whole ICANN Board including Maarten (the Chair), Göran (the CEO) and Ihab (the board director from the ME region).

Thank you for your support. I do appreciate working with you.

Best

Tijani BENJEMAA
Executive Director
Mediterranean Federation of Internet Associations (FMAI)
Telephone: +216 52 385 114

The Middle East Space
Online Virtual Meeting on Thursday 24 June 2021

DNS Abuse
Draft Statement

We, the Middle East (ME) community members, participating in the Internet Corporation for Assigned Names and Numbers (ICANN71) Middle East Space session, addressed the issue of DNS Abuse that has been raised in previous discussions several times in ICANN meetings and other gatherings, and came up with this statement.

The Domain Name System (DNS) is a critical part of the Internet, including mapping domain names to IP addresses. The safe and secure operation of the DNS has provided a firm foundation for the growth of the Internet as a global public resource, but much like the Internet as a whole, it is not immune to abuse.

DNS Abuse is today one of the most important concerns for the Internet community and especially the End Users. Malware, Botnets, Phishing, Pharming and Spam (when it serves as a delivery mechanism for the other forms of abuse) constitute threats for the Internet security, affecting the trust of the users in this wonderful tool for communication and transactions.

While we believe that the relevant stakeholders on the Internet should mitigate DNS abuse vigilantly and support their work, ICANN should be cautious about its role in mitigating DNS abuse and keep it limited and technical in accordance with its bylaws.

ICANN is best suited to help address the abuse of DNS protocol in its technical sense by cooperating and helping through collective actions and this cannot be tackled without the cooperation of DNS actors and not limited to ICANN and its stakeholders.

While ICANN should fully enforce its contracts with registries and registrars regarding DNS abuse, we shouldn't "bundle" all the abuse issues together and assume that ICANN and registries and registrars can resolve the issues on their own.

Content and service abuse is not DNS abuse. ICANN is not a suitable venue to discuss and tackle these issues because not all the stakeholders that can tackle those issues are present and ICANN should not get involved with content and service regulation. By imposing policies on registries and registrars, ICANN cannot and should not get involved with regulating content and service.

Domain name take-down is not on its own sufficient to mitigate DNS abuse and it is not an effective solution to content and service abuse. While DNS actors can effectively stop the technical abuse of the DNS, they cannot stop all illegal or harmful activities. ICANN is not in charge of regulating the Internet users' behavior except when it affects the domain name system normal work.

We invite ICANN and ICANN stakeholders to clarify their role in mitigating DNS abuse, considering the narrow mission of ICANN and meaningfully contribute to the collective actions among the DNS actors to mitigate DNS abuse.

Even Though the protection from the content abuse is out of ICANN mission, the Middle East Space community believes that the protection of the DNS infrastructure from any abuse is its absolute duty and proactive and reactive measures should be undertaken to mitigate such abuse.

We are aware that actions of registries/registrars affect the whole concerned domain name, not only the harmful website or e-mail address. That's why careful consideration of the proportionality of their actions should be taken to avoid any collateral unnecessary damage.

We do recommend that ICANN:

- ❖ conducts audits focusing on process, handling of DNS infrastructure abuse, reviewing security threat reports for completeness.
- ❖ works with its contacted parties to define a clear and step by step procedure for the registries and registrars to act to mitigate any abuse affecting the DNS and its infrastructure such as setting forth a set of practices for:
 - When Registries and/or Registrars
 - Must take action
 - Should take action
 - Shouldn't take any action
 - Performing technical analyses to assess security threats and produce statistical reports
 - Undertaking a periodic check of all registration through numerous reputation block lists
- ❖ Encourages TLD (Top Level Domain) registries to join the DAAR (Domain Abuse Activity Reporting) project helping to develop a robust, reliable, and reproducible methodology for analyzing security threat activity, which the ICANN community may use to make informed policy recommendations to the board.

Being vigilant in combating DNS Abuse is in our opinion one of the most important tasks for ICANN. We urge ICANN to collaborate with all parties to achieve this goal without entering into any kind of content regulation and with careful consideration of the ICANN narrow mission.