

Messaging, Malware and Mobile Anti-Abuse Working Group

Comments on The Competition, Consumer Trust and Consumer Choice Review Team – New Sections Draft Report of Recommendations

Submitted January 8, 2018

M³AAWG, the Messaging, Malware and Mobile Anti-Abuse Working Group, appreciates this opportunity to comment on the data and recommendations of The Competition, Consumer Trust and Consumer Choice Review Team – New Section Draft Report of Recommendations (<https://www.icann.org/public-comments/cct-recs-2017-11-27-en> - CCT). We make these comments in our capacities as cybersecurity professionals and researchers who are committed to ensuring the security and stability of the internet, including the domain name ecosystem. M³AAWG recognizes the CCT report’s novel contributions toward quantifying the extent to which the introduction or expansion of gTLDs has promoted competition, consumer trust and consumer choice. However, M³AAWG wishes to draw attention to several areas of concerns surrounding recommendations A, B, C and D^[1].

The data presented in the CCT^[2], the Statistical Analysis of DNS Abuse in gTLDs (SADAG) report^[3], and further supported by the industry,^{[4][5][6]} clearly highlight that a disproportional concentration of domain abuse resides in a handful of registries and registrars. Of note, the SADAG report highlights five new gTLDs that suffer from the highest concentration of domain names used in phishing attacks, accounting for 58.7% of all blacklisted new gTLD names^[7]. With a clear mandate to provide data-driven recommendations^[8], the overly prescriptive introduction of new policies and incentive/disincentive programs provided in the CCT report^[1] do not address the clearly-identified “few bad apples.” We urge ICANN and ICANN’s Contractual Compliance office to remediate these widely-diagnosed problems at hand and urge the CCT to refocus the direction of their recommendations to address any shortcomings in existing ICANN policies before they recommend creating broad and complex programs, such as DADRP (DNS Abuse Dispute Resolution Procedure), or create new understudied and unquantified financial incentive programs to mitigate domain abuse.

As written, recommendations A through D^[1] attempt to alter the state of domain abuse from “reactive” to a more “proactive” state; however, the data presented in the CCT and SADAG report clearly do not support this fundamental paradigm shift. The reports provide no data that showcase what the implications of altering the economic underpinnings of a highly competitive market may entail, including inadvertent side effects such as registries that already sell low price domains being rewarded with lower ICANN fees. In fact, it may ultimately result in a race to the bottom and higher rates of domain abuse. The reports do not provide any correlation or causation of actions taken by registry or registrars that significantly influence abuse rates.

Until proven anti-abuse safeguards are identified, programs such as the DADRP would only further introduce more complexity and expense to combat abuse and should not be considered. To this end, we support the continued study of community identified safeguards and the further study of DNS abuse at registries and registrars via programs such as ICANN’s Domain Abuse Activity Reporting (DAAR), but would encourage ICANN to make these efforts open, transparent and reproducible. The data reported in the SADAG^[9] clearly shows how bias or variances can be quickly introduced by the inclusion or exclusion of sources that ultimately influence measurements and conclusions drawn from systems such as DAAR.

Sincerely,

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Citations

- [1] Page 6: <https://www.icann.org/en/system/files/files/cct-rt-draft-recs-new-sections-27nov17-en.pdf>
- [2] Page 24: <https://www.icann.org/en/system/files/files/cct-rt-draft-recs-new-sections-27nov17-en.pdf>
- [3] Page 2: <https://www.icann.org/en/system/files/files/sadag-final-09aug17-en.pdf>
- [4] https://www.theregister.co.uk/2017/05/23/malicious_gtld_hotspot_study/
- [5] http://docs.apwg.org/reports/APWG_Global_Phishing_Report_2015-2016.pdf
- [6] <https://www.spamhaus.org/statistics/tlds/>
- [7] Page 11: <https://www.icann.org/en/system/files/files/sadag-final-09aug17-en.pdf>
- [8] Page 25: <https://www.icann.org/en/system/files/files/cct-rt-draft-report-07mar17-en.pdf>
- [9] Page 4: <https://www.icann.org/en/system/files/files/sadag-final-09aug17-en.pdf>