Implementation and functioning of the .eu top level domain name

2018/0110(COD) - 29/03/2019 - Final act

PURPOSE: to revise rules on the governance of the .eu top-level domain, which is the internet domain name for the European Union and its citizens.

LEGISLATIVE ACT: Regulation (EU) 2019/517 of the European Parliament and of the Council on the implementation and functioning of the .eu top-level domain name and amending and repealing Regulation (EC) No 733/2002 and repealing Commission Regulation (EC) No 874/2004.

CONTENT: the .eu top-level domain is one of the largest international country code top-level domains (ccTLDs). It is used by the Union's institutions, bodies, offices and agencies, including for European projects and initiatives. The.eu TLD, which is a clear and easily recognisable label, provides a clearly identifiable link with the Union and the European market.

Objectives

The new Regulation aims to implement a pan-European TLD, in addition to national ccTLDs, in the light of the considerable changes in the EU's political and legislative context, online environment and market since the first Regulation on the.eu top level domain was adopted 16 years ago.

This Regulation:

- implements the .eu country code top-level domain (‘ccTLD’) and its available variants in other scripts, in order to support the digital single market, to build an online Union identity and to encourage cross-border online activities;

- lays down the conditions for its implementation, including the designation and characteristics of the Registry ;

- establishes the legal and general policy framework within which the designated Registry is to function.

Eligible criteria

Under the new Regulation, registration of one or more domain names under the .eu TLD can be requested by any of the following:

- a Union citizen, independently of their place of residence; or

- a natural person who is not a Union citizen and who is resident of a Member State; or

- an undertaking established within the Union; or

- an organisation established within the Union without prejudice to the application of national law.

Registration and revocation of domain names

A domain name shall be assigned to the eligible party who was first received by the Registry (i.e. the entity responsible for the organisation, administration and management of the.eu TLD) in the technically correct manner as laid down in the registration application procedures.

The Registry may revoke a domain name on its own initiative, without going through judicial or alternative dispute resolution (ADR) proceedings, if there are outstanding unpaid debts owed to the Registry or the domain name holder does not meet the eligibility criteria.

A domain name may also be revoked and, if necessary, subsequently transferred to another party following an OER procedure or judicial procedure where the name in question is identical or likely to be confused with a name on which a right is established by Union or national law and where the domain name: (i) has been registered by its holder without the latter having a right or legitimate interest to claim it; or (ii) has been registered or used in bad faith.

Where a domain name is found by a decision of a court of a Member State to be defamatory, racist or contrary to public policy or public security under Union law, or national law that complies with Union law, that domain name shall be blocked by the Registry upon notification of the court's decision and shall be revoked upon notification of the final court decision.

Designation and obligations of the register

The Registry shall accredit registrars in accordance with reasonable, transparent and non-discriminatory accreditation procedures previously approved by the Commission. It will make accreditation procedures available to the public in an easily accessible form.

The Commission shall adopt delegated acts by defining the eligibility and selection criteria and the procedure for the designation of the register. It shall enter into a contract with the designated Registry setting out the rules, policies and procedures governing the provision of services by the Registry and the conditions under which the Commission shall supervise the organisation, administration and management of the.eu TLD by the Registry.

The contract shall be of a fixed duration and should be renewable once without the need for a new selection procedure.

The register shall be kept in particular:

- to promote the.eu TLD in the Union and in third countries;

- to organise, administer and manage the.eu TLD in the general interest and to ensure, in all aspects of the administration and management of the.eu TLD, high quality, transparency, security, stability, predictability, reliability, accessibility, efficiency, non-discrimination and a level playing field and consumer protection;

- to register domain names in the.eu TLD at the request of any eligible party and to ensure the availability and integrity of the domain name databases.

.eu Multi-Stakeholder Advisory Group

The new Regulation makes the governance of the.eu domain more transparent by setting up a multi-stakeholder group to advise the Commission on the implementation of the rules, which will be composed of representatives of stakeholders established in the Union.

Lastly, the Regulation shall be implemented in accordance with the principles of privacy and personal data protection.

ENTRY INTO FORCE: 18.4.2019.

APPLICATION: from 13.10.2022.