Basic information

2018/0110(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Implementation and functioning of the .eu top level domain name Repealing Regulation (EC) No 733/2002 2000/0328(COD) **Subject** 3.30.25 International information networks and society, internet	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ITRE Industry, Research and Energy	FEDERLEY Fredrick (ALDE)	30/05/2018
	Shadow rapporteur HÖKMARK Gunnar (PPE) MOLNÁR Csaba (S&D) BASHIR Amjad (ECR) LÓPEZ BERMEJO Paloma (GUE/NGL) JÁVOR Benedek (Verts/ALE) CIOCCA Angelo (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
JURI Legal Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	3672	2019-02-18

European Commission	**Commission DG**	**Commissioner**
	Communications Networks, Content and Technology	GABRIEL Mariya
European Economic and Social Committee		
European Committee of the Regions		

Key events

Date	Event	Reference	Summary
27/04/2018	Legislative proposal published	COM(2018)0231	Summary
28/05/2018	Committee referral announced in Parliament, 1st reading		
21/11/2018	Vote in committee, 1st reading		
21/11/2018	Committee decision to open interinstitutional negotiations with report adopted in committee		
26/11/2018	Committee report tabled for plenary, 1st reading	A8-0394/2018	Summary
28/11/2018	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
10/12/2018	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
14/01/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE632.903 GEDA/A/(2019)000400	
30/01/2019	Debate in Parliament		
31/01/2019	Decision by Parliament, 1st reading	T8-0055/2019	Summary
31/01/2019	Results of vote in Parliament		
18/02/2019	Act adopted by Council after Parliament's 1st reading		
19/03/2019	Final act signed		
19/03/2019	End of procedure in Parliament		
29/03/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/0110(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 733/2002 2000/0328(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 172
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions

Stage reached in procedure	Procedure completed
Committee dossier	ITRE/8/13015

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE626.994	30/08/2018	
Amendments tabled in committee		PE628.421	27/09/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0394/2018	26/11/2018	Summary
Text agreed during interinstitutional negotiations		PE632.903	19/12/2018	
Text adopted by Parliament, 1st reading/single reading		T8-0055/2019	31/01/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2019)000400	19/12/2018	
Draft final act	00084/2018/LEX	13/03/2019	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2018)0231	27/04/2018	Summary
Document attached to the procedure	SWD(2018)0120	27/04/2018	
Document attached to the procedure	SWD(2018)0121	27/04/2018	
Document attached to the procedure	SWD(2018)0122	27/04/2018	
Commission response to text adopted in plenary	SP(2019)150	27/02/2019	
Follow-up document	COM(2020)0775	02/12/2020	
Follow-up document	COM(2022)0001	11/01/2022	
Follow-up document	COM(2023)0485	11/08/2023	
Follow-up document	SWD(2024)0277	22/11/2024	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2019/0517 OJ L 091 29.03.2019, p. 0025	Summary

Delegated acts	
Reference	Subject
2020/2655(DEA)	Examination of delegated act

Implementation and functioning of the .eu top level domain name

2018/0110(COD) - 26/11/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Industry, Research and Energy adopted the report by Fredrick FEDERLEY (ALDE, SE) on the proposal for a regulation of the European Parliament and of the Council on the implementation and functioning of the .eu Top Level Domain name and repealing Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004.

The new proposal for the.eu Top Level Domain (.eu TLD) aims to repeal existing legislation in order to ensure that the.eu TLD continues to function properly and to adapt its legal framework to the changing online environment and market. Members recalled that the .eu TLD is the eighth largest country code Top Level Domain (ccTLD) and had over **3.8 million registrations in 2017**.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal.

Objective: this Regulation aims to support the digital single market, building an **online European identity** and encouraging online cross-border activities, by promoting the competitiveness of the .eu TLD name.

According to Members, the purpose of the .eu TLD is, through good management, to help enhance the Union identity and **promote Union values**, such as multilingualism, respect for users' privacy and security and respect for human rights, as well as online priorities.

Eligibility criteria: the registration of one or more domain names under the .eu TLD may be requested by:

- a Union citizen, regardless of their place of residence; or
- a third-country national residing in a Member State or in a third country which is a member of the European Economic Area (EEA);
- an undertaking established in a Member State or a third country member of the EEA;
- an organisation established in a Member State or an EEA third country, without prejudice to the applicable national law.

Registration and revocation of domain names: the Registry shall, after consulting the Commission and the .eu Multistakeholder Advisory Group adopt **transparent and predictable policies** in order to ensure the timely identification of any registrations. To that end, the Registry shall, where necessary, cooperate with law enforcement agencies and national computer emergency response teams (CERTs).

Where a domain name is considered by a court of a Member State, and under Union or national law, to be defamatory, racist or contrary to public policy or public security, it shall be **blocked** by the Registry upon notification of a court decision. The Registry shall, upon notification of such a court decision, revoke the domain name.

Domain names registered under the .eu TLD shall be transferable only to parties eligible for registration of .eu TLD names.

Registry obligations: Members specified that the registry shall:

- promote the .eu TLD across the Union and in third countries in order to ensure its competitiveness;
- comply with EU **data protection** legislation;
- organise, administer and manage the .eu TLD in the general public interest;
- ensure a high level quality, transparency, predictability, reliability, accessibility, efficiency and non-discrimination, as well as a level playing field and the application of consumer protection measures for .eu TLDs;

- promote the Union's objectives in Internet governance, in particular by participating in debates in international fora.

The Commission shall enter into a **contract** with the designated Registry. The contract shall specify the rules, policies and procedures for the provision of services by the Registry and the conditions according to which the Commission supervises the organisation, administration and management of the. eu TLD by the Registry. The contract shall be limited in time and renewable. The Commission shall also submit every three years a report on the functioning of .eu TLD name.

Members also proposed to give Parliament better control over the establishment of the criteria and procedure for designating the Register by means of **delegated acts**.

Implementation and functioning of the .eu top level domain name

2018/0110(COD) - 27/04/2018 - Legislative proposal

PURPOSE: to implement a pan-European Top Level Domain (TLD) in addition to national ccTLDs.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: **the .eu Top Level Domain (.eu TLD)** is the domain name of the European Union and its citizens. The existence of a specific domain name for the Union under a clear and recognisable common label is an important and **valuable building block for a Union online identity**.

The .eu top-level domain (TLD) was set up by Regulation (EC) No 733/2002 of the European Parliament and of the Council. It is further governed by the rules provided in Commission Regulation (EC) No 874/2004. Since the adoption of the .eu Regulations, the political and legislative context in the Union and the online environment and market have changed considerably.

The review of the.eu TLD regulations under the Regulatory Fitness and Performance Programme (REFIT) has shown that although the.eu TLD continues to function properly, the **legal framework governing it is outdated and rigid**:

- some signs indicate a relative decline in performance of the.eu TLD;
- due to the **degree of complexity and detail of its provisions**, the.eu TLD does not allow the implementation of operational or technical changes as swiftly as the market demands;
- the current framework does not reflect the Union's current priorities, such as the digital single market, and the.eu TLD regulations do not reflect international best practice in multi-stakeholder governance.

In line with the objectives of the Digital Single Market Strategy, the present initiative seeks to ensure that a TLD that has worked relatively well continues to do so in the future in order to ensure that the benefits linked to it can reach as many Union citizens as possible in the near future.

IMPACT ASSESSMENT: the preferred option is the '**separate governance**' option together with lifting strict requirements for direct registration, a citizenship criterion for natural persons and a residency criterion for organisations and companies.

This option would provide the necessary flexibility for the .eu TLD to adapt to rapidly changing technical improvements to the Domain Name System and improve the functioning of the .eu TLD and therefore increase its attractiveness in the Top Level Domain market.

CONTENT: the aim of this proposal to repeal Regulation (EC) No 733/2002 of the European Parliament and of the Council and Commission Regulation (EC) No 874/2004 is to implement the .eu country code Top Level Domain ('ccTLD') and lay down the conditions for its implementation.

The implementation of the .eu Top Level Domain name: the proposal lays out the **general principles of registration** of a .eu Top Level Domain name: it outlines the eligibility criteria, the general conditions of registration and revocation of domain names, the languages, the applicable law and the jurisdiction, the procedures for the reservation of domain names by the Registry, the Commission and Member States, and the accreditation procedures for Registrar.

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.

Registry: the provisions span from its **designation** by the Commission and characteristics to its key obligations. The proposal also lays down a list of principles and procedures on the functioning of the .eu TLD to be included in the contract with the Registry, including the following:

- an alternative dispute resolution policy;
- requirements and procedures for registration requests, policy on verification of registrants data and speculative registration of domain names;
- policy on abusive registration of domain names and on revocation of domain names;
- treatment of intellectual property rights.

The oversight of the Registry operator: the provisions on the **supervisory powers** of the Commission and establishment of a **.eu Multistakeholder Council** provide the basis for this group to advise the Commission on strengthening and widening input into the good governance of the .eu Registry and increase the transparency of its functioning. The .eu Multistakeholder Council shall be composed of representatives drawn from the private sector, the technical community, Member States and international organisations, civil society and academia and appointed by the Commission on the basis of an open and transparent procedure.

In order to limit any risks of disruption of services of the .eu TLD in the shifting between the old and new regulatory framework, a maximum period of three years from the date of entry into force of the Regulation is foreseen for its entry into application.

BUDGETARY IMPACT: the .eu Multistakeholder Council needs to be appropriately resourced. The cost is estimated around **EUR 50 000 per year**. The new body will be financially sustained by the Commission.

Implementation and functioning of the .eu top level domain name

2018/0110(COD) - 31/01/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 568 votes to 53, with 25 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the implementation and functioning of the.eu Top Level Domain name and repealing Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004.

The position of the European Parliament adopted at first reading under the ordinary legislative procedure has amended the Commission proposal as follows:

Objectives

The regulation would implement 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 EU identity and to encourage cross-border online activities. Members stressed that the .eu TLD is one of the world's most important national top level domains and that the rapid evolution of the TLD market and the dynamism of the digital landscape require a flexible and sustainable regulatory environment in the long term.

Eligibility criteria for registration

The registration of one or more domain names in the .eu TLD may be requested by: (a) a Union citizen, regardless of where he or she resides in the EU; (b) a natural person who is not a Union citizen and who resides in a Member State; (c) a company established in the Union; and (d) an organisation established in the Union, without prejudice to applicable national law.

Promoting and safeguarding the Union's values

The amended text specifies that the purpose of the .eu TLD, as a clear and easily recognisable label should be to contribute to strengthening the Union's identity and promoting online the Union's values, such as multilingualism, respect for users' privacy and security and respect for human rights, as well as specific online priorities.

Thus, a domain name deemed defamatory, racist or contrary to public policy or public security should be blocked by the registry as soon as the court decision is notified and revoked as soon as the final court decision is notified.

A domain name that is identical or confusingly similar to a name for which a right is established by Union or national law and which has been registered without rights or in the absence of a legitimate interest in the name should, in principle, be revoked and, where appropriate, transferred to the legitimate holder. When it has been found that such a domain name has been used in bad faith, it should always be revoked.

Registry

The registry would be a non-profit organization and could impose fees directly related to the costs incurred.

The register would be kept:

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

- to comply with the rules, policies and procedures laid down in the regulation and the contract concluded with the Commission and, in particular, Union law on data protection;

- 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, as well as a level playing field and consumer protection.

The registry should adopt clear measures to ensure the timely identification of abusive domain name registrations and, if necessary, cooperate with the competent authorities and other public bodies responsible for cybersecurity and information security, such as national computer emergency response teams (CERTS), involved in combating such registrations.

.eu Multi-Stakeholder Advisory Group

This group would be responsible for (i) advising the Commission on the implementation of the regulation; (ii) advising the Commission on strategic issues relating to the management, organisation and administration of the .eu TLD, including issues relating to cyber-protection and data protection; (iii) advising the Commission on good practices in regard to policies and measures against abusive domain name registration.

The .eu multi-stakeholder advisory group would be composed of representatives of stakeholders based in the Union. A representative of stakeholders from outside the Union could also participate in the Advisory Group. It would be chaired by a representative of the Commission or a person designated by the Commission.

Evaluation and review

By 13 October 2027 at the latest, and every three years thereafter, the Commission is to evaluate the effectiveness and functioning of the .eu TLD. By June 2020 at the latest, it should determine whether it is appropriate for the registry to cooperate with the European Union Intellectual Property Office (EUIPO) and other EU agencies to combat speculative and abusive registration of domain names, and how simple administrative procedures are to be provided for, in particular with regard to SMEs.

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.