



**2018/0110(COD)**

27.9.2018

# **AMENDMENTS**

## **24 - 82**

**Draft report**

**Fredrick Federley**

(PE626.994v01-00)

Implementation and functioning of the .eu top level domain name

Proposal for a regulation

(COM(2018)0231 – C8-0170/2018 – 2018/0110(COD))



**Amendment 24**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) The .eu TLD should provide a clearly identified link with the Union and the European market place. It should enable undertakings, organisations and natural persons within the Union to register a domain name under the .eu TLD. Union citizens should be allowed to register a .eu domain name, regardless of their place of residence.

*Amendment*

(4) The .eu TLD should provide a clearly identified link with the Union and the European market place. It should enable undertakings, organisations and natural persons within the Union to register a domain name under the .eu TLD. Union citizens should be allowed to register a .eu domain name, regardless of their place of residence. ***It should ensure that companies, organisations and natural persons with a .eu domain adhere to the Union's principles, particularly those concerning human rights, gender equality, non-discrimination as regards ethnicity, culture and religion, and peaceful coexistence.*** ***The existence of a domain of that kind, under a common identifiable label, is an important part of European identity and implies that users are responsible for using it properly.***

Or. es

**Amendment 25**  
**Csaba Molnár, Carlos Zorrinho**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) Domain names in the .eu TLD should be allocated to the eligible parties subject to availability.

*Amendment*

(5) Domain names in the .eu TLD should be allocated to the eligible parties subject to availability. ***The European Union Intellectual Property Office (EUIPO) could also be granted to offer applicants of the European Union Trade Marks (EUTMs) and/or the registered Community Designs (RCDs), an***

*allocation of the .eu TLDs applicable to their trademarks or design, subject to availability, while ensuring that they do not alter distort the competition with registrars. The Commission may offer this possibly to other EU agencies after an assessing the synergies that could be attained.*

Or. en

### *Justification*

*Domain names intersect with EUTMs/RCDs and other aspects of work of EUIPO. Therefore, the EUIPO is well-placed to provide the services of .eu TLD registration for its ETM and/or RCD applicants/owners. EUIPO should have a limited mandate that would allow offering to EUTM and/or CDR applicants the registration of a corresponding .eu TLD, subject to availability. This should help both to promote the .eu TLD, and reduce the practice of “cybersquatting”.*

#### **Amendment 26**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 8**

###### *Text proposed by the Commission*

(8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission to adopt the lists of reserved and blocked domain names by Member States, to establish the criteria and the procedure for the designation of the Registry and to designate the Registry on duly justified grounds *of urgency*. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers. Such lists should be compiled subject to the domain names’ availability taking into account domain names at

###### *Amendment*

(8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission to adopt the lists of reserved and blocked domain names by Member States, to establish the criteria and the procedure for the designation of the Registry and to designate the Registry on duly justified grounds. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers. Such lists should be compiled subject to the domain names’ availability taking into account domain names at second level

second level already reserved or registered by the Member States.

already reserved or registered by the Member States.

Or. en

### *Justification*

*The notion of duly justified grounds may include the urgency, but mentioning it as such would only restrict those grounds to one.*

## **Amendment 27**

**Paloma López Bermejo**

### **Proposal for a regulation**

#### **Recital 9**

#### *Text proposed by the Commission*

(9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, designate a Registry for the .eu TLD. The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures applying to the Registry for the organisation, administration and management of the .eu TLD. The contract should be limited in time and renewable.

#### *Amendment*

(9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, designate a Registry for the .eu TLD. The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures applying to the Registry for the organisation, administration and management of the .eu TLD. The contract should be limited in time and renewable. ***The reasons that the Commission may give when terminating or not renewing a contract should include: management which goes against the EU's principles; evidence of inadequate management with regard to the security and protection of data, or the failure to prevent any of the companies, organisations or persons authorised to use the .eu domain from sharing content which goes against the EU's principles.*** ***With a view to fulfilling that objective, it is important that the Commission carries out consultations in the preparatory stage and that it provides Parliament and the experts consulted with the same relevant information.***

Or. es

**Amendment 28**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, designate a Registry for the .eu TLD. The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures applying to the Registry for the organisation, administration and management of the .eu TLD. The contract should be limited in time and renewable.

*Amendment*

(9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, ***taking into considerations variables related to cost-efficiency and administrative simplicity***, designate a Registry for the .eu TLD. The Commission should enter into a contract with the selected Registry which should include, ***where appropriate and in line with the provisions laid down in this Regulation***, the detailed principles and procedures applying to the Registry for the organisation, administration and management of the .eu TLD. The contract should be limited in time and renewable.

Or. en

**Amendment 29**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) Alternative Dispute Resolution (ADR) procedures should take into account the international best practices in this area ***and in particular the relevant World Intellectual Property Organization (WIPO) recommendations***, to ensure that speculative and abusive registrations are avoided as far as possible. ADR should respect a minimum of uniform procedural rules, in line with the ones set out in the Uniform Dispute Resolution Policy adopted by ICANN.

*Amendment*

(14) Alternative Dispute Resolution (ADR) procedures should take into account the international best practices in this area to ensure that speculative and abusive registrations are avoided as far as possible. ADR should respect a minimum of uniform procedural rules, in line with the ones set out in the Uniform Dispute Resolution Policy adopted by ICANN.

*Justification*

*As ICANN rules are already given as model, the addition of other sources was misleading*

**Amendment 30****Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a regulation****Recital 15***Text proposed by the Commission*

(15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future registration of domain names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should undertake utmost care to ensure the correctness of the data it receives and holds.

*Amendment*

(15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future registration of domain names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should undertake utmost care to ensure the correctness of the data it receives and holds, ***taking into account the fact that domain registration can be done through registrars and mechanisms should be in place to ensure as much as possible the accuracy of data.***

Or. en

*Justification*

*Absolute accuracy of data in an environment based on online interactions is not a feasible target. As a consequence, correctness of data should be encouraged but liability should be proportional to the reality.*

**Amendment 31****Paloma López Bermejo****Proposal for a regulation****Recital 15**

*Text proposed by the Commission*

(15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future registration of domain names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should ***undertake utmost care to ensure*** the correctness of the data it receives and holds.

*Amendment*

(15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future registration of domain names considered by a final decision of a Member State court to be defamatory, racist, ***sexist*** or otherwise contrary to the law of the Member State ***or the principles of the European Union***. The Registry should ***take extra security measures with a view to guaranteeing*** the correctness of the data it receives and holds.

Or. es

**Amendment 32**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Recital 16**

*Text proposed by the Commission*

(16) The Registry should support law enforcement agencies in the fight against crime by implementing technical and organisational measures aimed at enabling competent authorities to have access to the data in the Registry for purposes of prevention, detection, investigation and prosecution of crimes, as provided by Union or national law.

*Amendment*

(16) The Registry should support law enforcement agencies in the fight against crime by implementing technical and organisational measures aimed at enabling competent authorities to have access to the data in the Registry for purposes of prevention, detection, investigation and prosecution of crimes, as provided by Union or national law ***and after securing the appropriate checks and balances***.

Or. en

*Justification*

*"As provided by Union or national law" is a catchall phrase that needs further details. A guiding principle of all the legislation is ensuring that checks and balances are in place, therefore at least this should be included.*



**Amendment 33**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) In order to ensure effective periodic supervision, the Registry should be audited at its own expense at least every two years by an independent body with the purpose of confirming that the Registry complies with the requirements laid down in this Regulation. The Registry should submit the resulting conformity assessment report to the Commission in accordance with the procedure laid down in the contract with the Registry.

*Amendment*

(18) In order to ensure effective periodic supervision, the Registry should be audited at its own expense at least every two years by an independent body with the purpose of confirming that the Registry complies with the requirements laid down in this Regulation. The Registry should submit the resulting conformity assessment report to the Commission in accordance with the procedure laid down in the contract with the Registry. ***The Commission shall be informed of the body chosen by the Registry to carry out the audit and may express its opposition to the auditor chosen, in which case its opinion should be respected.***

Or. es

**Amendment 34**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) The Commission should carry out an evaluation on the effectiveness and functioning of the .eu TLD. The evaluation should have regard to the designated Registry working practices and the relevance of its tasks.

*Amendment*

(22) The Commission should carry out an evaluation on the effectiveness and functioning of the .eu TLD. The evaluation should have regard to the designated Registry working practices and the relevance of its tasks. ***The Commission shall present a biannual report on the functioning of the .eu TLD.***

Or. es

**Amendment 35**

**Paloma López Bermejo**

**Proposal for a regulation  
Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation implements the .eu country code Top Level Domain ('ccTLD') and lays down the conditions for its implementation, including the designation and characteristics of the Registry. This Regulation also establishes the legal and general policy framework within which the designated Registry will function.

*Amendment*

1. This Regulation implements the .eu country code Top Level Domain ('ccTLD') and lays down the conditions for its implementation, including the designation and characteristics of the Registry. ***The purpose of this Regulation is to support digital progress in the EU while upholding its principles and protecting the privacy and security of its citizens.*** This Regulation also establishes the legal and general policy framework within which the designated Registry will function.

Or. es

**Amendment 36  
Gunnar Hökmark**

**Proposal for a regulation  
Article 1 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. This Regulation aims to enhance online cross-border activities in Europe, the online European identity and support the Digital Single Market, by promoting the competitiveness of the .eu TLD name.***

Or. en

**Amendment 37  
Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a regulation  
Article 2 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) "Registry" means the entity entrusted with the organisation, administration and management of the.eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and dissemination of TLD zone files;

(a) "Registry" means the entity entrusted with the organisation, administration and management of the.eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and dissemination of TLD zone files *where appropriate*;

Or. en

*Justification*

*Restrictions on the dissemination of TLD zone files have been used by TLDs as a security measure and this flexibility needs to be preserved by not creating an obligation.*

**Amendment 38**

**Paloma López Bermejo**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) a natural person who is not a Union citizen and who is resident of a Member State; or**

**deleted**

Or. es

*Justification*

*The reasons why the .eu TLD may be used by a natural person who has not become a citizen of one of the Member States have not been explained.*

**Amendment 39**

**Gunnar Hökmark**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) a natural person who is not a Union citizen and who is resident of a Member**

**(ii) a natural person who is not a Union citizen and who is resident of a Member**

State; or

State *or within the EEA*; or

Or. en

**Amendment 40**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point iii**

*Text proposed by the Commission*

(iii) an undertaking established within the Union; or

*Amendment*

(iii) an undertaking established within the Union *or within the EEA*; or

Or. en

**Amendment 41**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point iii a (new)**

*Text proposed by the Commission*

*Amendment*

***(iii a) an undertaking to which the Union constitutes a principal market; or***

Or. en

**Amendment 42**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point iv**

*Text proposed by the Commission*

(iv) an organisation established within the Union without prejudice to the application of national law.

*Amendment*

(iv) an organisation established within the Union *or within the EEA* without prejudice to the application of national law.

Or. en

**Amendment 43**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 4 – paragraph 3 – introductory part**

*Text proposed by the Commission*

3. The Registry may revoke a domain name at its own initiative and without submitting the dispute to any extrajudicial settlement of conflicts, on the following grounds:

*Amendment*

3. The Registry may revoke ***or suspend*** a domain name at its own initiative and without submitting the dispute to any extrajudicial settlement of conflicts, on the following grounds:

Or. es

**Amendment 44**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 4 – paragraph 4 – introductory part**

*Text proposed by the Commission*

4. A domain name may also be revoked, and where necessary subsequently transferred to another party, subject to an appropriate alternative dispute resolution ('ADR') or judicial procedure, where that name is identical or confusingly similar to a name in respect of which a right is established by national or Union law, ***and*** where it:

*Amendment*

4. A domain name may also be revoked, and where necessary subsequently transferred to another party, subject to an appropriate alternative dispute resolution ('ADR') or judicial procedure, where that name is identical or confusingly similar to a name in respect of which a right is established by national or Union law. ***Furthermore, a domain name shall be revoked*** where it:

Or. en

**Amendment 45**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 4 – paragraph 4 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***The Registry shall, in consultations with the Commission and the Multistakeholder***

*Council pursuant to Article 14, paragraph 3, point c a, adopt transparent and predictable policies in order to ensure a timely identification of any potential registrations referred to in (a) or (b) under this subparagraph. To this end, the Registry shall, where necessary, cooperate with law enforcement agencies, including national Computer Emergency Response Teams (CERTs).*

Or. en

**Amendment 46**  
**Dobromir Sośnierz**

**Proposal for a regulation**  
**Article 4 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. Where a domain name is considered by a court of a Member State to be defamatory, racist or contrary to public policy, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.**

**deleted**

Or. pl

**Amendment 47**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 4 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. Where a domain name is considered by a court of a Member State to be defamatory, racist or contrary to public policy, it shall be blocked by the Registry**

**5. Where a domain name is considered by a court of a Member State to be defamatory, racist or contrary to public policy *and security*, it shall be blocked by**

upon notification of a court decision and shall be revoked upon notification of a final court decision. The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.

the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.

Or. en

**Amendment 48**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 4 – paragraph 5**

*Text proposed by the Commission*

5. Where a domain name is considered by a court of a Member State to be defamatory, racist or contrary to public policy, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.

*Amendment*

5. Where a domain name is considered by a court of a Member State to be defamatory, racist, **sexist** or contrary to public policy, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.

Or. es

**Amendment 49**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 4 – paragraph 5**

*Text proposed by the Commission*

5. Where a domain name is considered by a court of a Member State to be **defamatory, racist or** contrary to **public policy**, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a

*Amendment*

5. Where a domain name is considered by a court of a Member State to be contrary to **the law**, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. The

final court decision. The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.

Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid.

Or. en

#### *Justification*

*A public policy that has not been codified in a law cannot be the base of a court decision therefore the correct term is "contrary to the law". Domain names can contain references that are banned by law, but we should not mistake blocking the name and its future registrations with blocking a website hosting illegal content.*

#### **Amendment 50** **Paloma López Bermejo**

#### **Proposal for a regulation** **Article 5 – paragraph 1**

##### *Text proposed by the Commission*

1. The registration of domain names shall be performed in all the alphabetic characters of the official languages of the Union in accordance with the available international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols.

##### *Amendment*

1. The registration of domain names shall be performed in all the alphabetic characters of the official languages of the Union in accordance with the available international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols. ***That practice will guarantee the application of the principle of multilingualism, which is important to European identity.***

Or. es

#### **Amendment 51** **Gunnar Hökmark**

#### **Proposal for a regulation** **Article 5 – paragraph 1**

##### *Text proposed by the Commission*

1. The registration of domain names shall be performed in all the ***alphabetic*** characters of the official languages of the Union in accordance with the available

##### *Amendment*

1. The registration of domain names shall be performed in all the characters of the official languages of the Union ***and/or*** in accordance with the available



international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols.

international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols.

Or. en

**Amendment 52**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 6 – paragraph 3 – introductory part**

*Text proposed by the Commission*

3. Member States, without prejudice to domain names already reserved or registered, **may** notify to the Commission a list of domain names which:

*Amendment*

3. Member States, without prejudice to domain names already reserved or registered, **shall** notify to the Commission a list of domain names which:

Or. es

**Amendment 53**  
**Csaba Molnár, Carlos Zorrinho**

**Proposal for a regulation**  
**Article 7 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2 a. By way of derogation from paragraph 2, the Commission may entrust The European Union Intellectual Property Office to act as a registrar of domain names in the .eu TLD exclusively for applicants of European Union Trademarks (EUTM) and/or Registered Community Designs (RCD). Only applicants that are eligible pursuant to Article 3 may request to register .eu TLD.***

***When acting as a registrar EUIPO, shall operate in the same conditions as other registrars and shall charge additional fees for registering domain names that will cover at least the cost incurred.***

***The Commission may entrust other EU agencies to act as registrar by means of a***

*Justification*

*The proposed amendment introduces a legal basis for the EUIPO to act as registrar to provide registration services of domain names in .eu TLD upon request of EUTM and/or RCD applicants that are eligible to apply for a .eu TLD, but not limited to the scope of names for which they can request domain names. The amendment also aims to ensure that EUIPO's role does not distort the competition of registrars.*

**Amendment 54**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 8 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall establish the criteria and the procedure for the designation of the Registry by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2).

*Amendment*

1. The Commission shall establish the criteria and the procedure for the designation of the Registry by means of implementing acts. ***The criteria shall notably cover variables related to cost-efficiency and administrative simplicity, marketing of the .eu TLD name and aspects of cybersecurity. To promote the use of the .eu TLD name, the criteria shall include measures to facilitate effective transfers of domain names registered under the .eu TLD to parties meeting the eligibility criteria as referred to in Article 3.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2).

**Amendment 55**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 8 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall **establish** the criteria and the procedure for the designation of the Registry **by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2).**

*Amendment*

1. The Commission shall **adopt delegated acts with a view to complementing this Regulation as regards the establishment of** the criteria and the procedure for the designation of the Registry. **It shall also adopt delegated acts on behalf of the Registry when it sees fit, blocking, suspending and withdrawing a domain name with a view to protecting the Union's values and principles.**

Or. es

**Amendment 56**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 8 – paragraph 3**

*Text proposed by the Commission*

3. 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 and shall include the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11.

*Amendment*

3. 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, **where relevant and to the extent necessary to ensure that the objectives of this Regulation are met,** 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 and shall include the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11. **Any change in the contract referred to in this paragraph shall be open and transparent and in accordance with relevant competition policy and guidelines.**

Or. en

**Amendment 57**  
**Evžen Tošenovský, Amjad Bashir**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The Registry may impose fees directly related to costs incurred, in so far as authorised by the contract concluded pursuant to Article 8 (3).

*Amendment*

2. ***The registry shall operate on a non-profit basis.*** The Registry may impose fees directly related to costs incurred, in so far as authorised by the contract concluded pursuant to Article 8 (3).

Or. en

**Amendment 58**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) observe the rules, policies and procedures laid down in this Regulation and the contract referred to in Article 8 (3);

*Amendment*

(a) observe the rules, policies and procedures laid down in this Regulation and the contract referred to in Article 8 (3), ***as well as with relevant Union data protection law.***

Or. en

**Amendment 59**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) organise, administer and manage the .eu TLD in the general interest ***and on the basis of principles of quality, efficiency, reliability, transparency, accessibility and non-discrimination and by ensuring fair conditions of competition;***

*Amendment*

(b) organise, administer and manage the .eu TLD in the general interest;

Or. en

**Amendment 60**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) in all aspects of administrating and managing the .eu TLD, ensure high quality, transparency, predictability, reliability, accessibility and fair conditions of competition;***

Or. en

**Amendment 61**  
**Dobromir Sośnierz**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point i**

*Text proposed by the Commission*

*Amendment*

***(i) promote the objectives of the Union in the field of internet governance;***

*deleted*

Or. pl

**Amendment 62**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(ia) It shall promote the quality and commercial attractiveness of the .eu TLD and help to disseminate the Union's values on the internet.***

***It shall take particular care to protect users' security and privacy, human rights and consumers, and in monitoring any improper uses of the .eu TLD.***

**Amendment 63**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point k**

*Text proposed by the Commission*

(k) undertake an audit by an independent body at its own expense and at least every two years to certify compliance with the present Regulation and send the outcome to the Commission;

*Amendment*

(k) undertake an audit by an independent body at its own expense and at least every two years to certify compliance with the present Regulation and send the outcome to the Commission; ***the Commission shall be informed in advance which independent body the Registry has chosen to carry out the audit and may express its opposition, in which case its opinion should be respected.***

Or. es

*Justification*

*This amendment will ensure that the independent body hired to carry out the audit is impartial and high-calibre.*

**Amendment 64**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 11 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) requirements and procedures for registration requests, policy on verification of registrants data and speculative registration of domain names;

*Amendment*

(b) requirements and procedures for registration requests, policy on verification of ***the identity of*** registrants, data and speculative registration of domain names;

Or. en

**Amendment 65**  
**Dobromir Sośnierz**

**Proposal for a regulation**  
**Article 11 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) treatment of intellectual property rights;** **deleted**

Or. pl

**Amendment 66**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 11 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) measures** aimed at enabling competent authorities to have access to the data in the Registry for the purposes of prevention, detection, investigation and prosecution of crime, as provided by Union or national law;

**(f) policies** aimed at enabling competent authorities to have access to the data in the Registry for the purposes of prevention, detection, investigation and prosecution of crime, as provided by Union or national law **and with the appropriate checks and balances;**

Or. en

*Justification*

*The term measures induces the idea that access is an automated process, however automation can only come if Union and national law foresees it and under the checks and balances provided by the law. As a consequence the obligation for the Registry should provide for the appropriate policies leading to granting access under the law.*

**Amendment 67**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 12 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Registry shall set up and manage a WHOIS database facility for the purpose of providing accurate and up to  
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1. The Registry shall set up and manage **with due diligence** a WHOIS database facility for the purpose of  
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date registration information about the domain names under the .eu TLD.

providing accurate and up to date registration information about the domain names under the .eu TLD.

Or. en

*Justification*

*Measures should be put in place to ensure WHOIS database is accurate, but as suggested in art. 4 errors and corrections can only be limited and not entirely prevented.*

**Amendment 68**

**Csaba Molnár, Carlos Zorrinho, Edouard Martin**

**Proposal for a regulation**

**Article 12 – paragraph 2**

*Text proposed by the Commission*

2. The WHOIS database shall contain relevant information, **which is not** excessive in relation to the purpose of the database, about the points of contact administering the domain names under the .eu TLD and the holders of the domain names. Where the domain name holder is a natural person, the information that is to be made publicly available shall be subject to the domain name holder's consent within the meaning of Regulation 2016/679.

*Amendment*

2. The WHOIS database shall contain relevant information, **within the limits set by Regulation 2016/679. In particular, the information collected shall not be** excessive in relation to the purpose of the database, about the points of contact administering the domain names under the .eu TLD and the holders of the domain names. Where the domain name holder is a natural person, the information that is to be made publicly available shall be subject to the domain name holder's consent within the meaning of Regulation 2016/679.

Or. en

*Justification*

*It is justified to make clear that the range of information collected for the WHOIS database has to comply with the relevant EU legislation.*

**Amendment 69**

**Evžen Tošenovský, Amjad Bashir**

**Proposal for a regulation**

**Article 13 – paragraph 4**

*Text proposed by the Commission*

*Amendment*



4. The Commission may, as appropriate, consult stakeholders and seek expert advice on the results of the supervisory activities provided in this Article and on ways to improve the organisation, administration and management of the .eu TLD by the Registry.

4. The Commission may, as appropriate, consult **members of .eu Multistakeholder Advisory Group or, where necessary, other** stakeholders and seek expert advice on the results of the supervisory activities provided in this Article and on ways to improve the organisation, administration and management of the .eu TLD by the Registry.

Or. en

#### **Amendment 70**

**Evžen Tošenovský, Amjad Bashir**

#### **Proposal for a regulation**

##### **Article 14 – title**

*Text proposed by the Commission*

14 .eu Multistakeholder **Council**

*Amendment*

14 .eu Multistakeholder **Advisory Group**

Or. en

#### **Amendment 71**

**Gunnar Hökmark**

#### **Proposal for a regulation**

##### **Article 14 – paragraph 1**

*Text proposed by the Commission*

1. A .eu Multistakeholder Council shall be established to advise the Commission on the implementation of the present Regulation.

*Amendment*

1. A .eu Multistakeholder Council shall be established to advise the Commission on the implementation of the present Regulation. **The Commission shall take due account of any advice and recommendations provided by the .eu Multistakeholder Council in implementing all aspects of this Regulation.**

Or. en

**Amendment 72**  
**Evžen Tošenovský, Amjad Bashir**

**Proposal for a regulation**  
**Article 14 – paragraph 1**

*Text proposed by the Commission*

1. A .eu Multistakeholder **Council** shall be established to advise the Commission on the implementation of the present Regulation.

*Amendment*

1. A .eu Multistakeholder **Advisory Group** shall be established to advise the Commission on the implementation of the present Regulation.

Or. en

**Amendment 73**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

2. 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.

*Amendment*

2. 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. ***The principle of gender equality should be followed as much as possible in establishing the membership in the group.***

Or. en

*Justification*

*Gender mainstreaming is a EU policy, therefore it should be included here too.*

**Amendment 74**  
**Evžen Tošenovský, Amjad Bashir**

**Proposal for a regulation**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

2. 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.

*Amendment*

2. The .eu Multistakeholder **Advisory Group** shall be composed of **representatives appointed by all Member States and** of representatives drawn from the private sector, the technical community, **relevant** international organisations, civil society and academia, appointed by the Commission on the basis of an open and transparent procedure.

Or. en

**Amendment 75**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

2. 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.

*Amendment*

2. The .eu Multistakeholder Council shall be composed of representatives drawn from the private sector, the technical community, Member States, **the European Parliament** and international organisations, civil society and academia and appointed by the Commission on the basis of an open and transparent procedure.

Or. es

**Amendment 76**  
**Evžen Tošenovský, Amjad Bashir**

**Proposal for a regulation**  
**Article 14 – paragraph 3 – introductory part**

*Text proposed by the Commission*

3. The .eu Multistakeholder **Council** shall have the following tasks:

*Amendment*

3. The .eu Multistakeholder **Advisory Group** shall have the following tasks:

Or. en

**Amendment 77**

**Evžen Tošenovský, Amjad Bashir**

**Proposal for a regulation**

**Article 14 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) ***assist and*** advise the Commission in the implementation of the present Regulation;

*Amendment*

(a) advise the Commission in the implementation of the present Regulation;

Or. en

**Amendment 78**

**Gunnar Hökmark**

**Proposal for a regulation**

**Article 14 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) issue opinions on matters of management, organisation and administration of the .eu TLD;

*Amendment*

(b) issue opinions on matters of management, organisation and administration of the .eu TLD, ***including, but not limited to, issues related to cybersecurity and data protection;***

Or. en

**Amendment 79**

**Gunnar Hökmark**

**Proposal for a regulation**

**Article 14 – paragraph 3 – point c**

*Text proposed by the Commission*

(c) advise the Commission on matters of monitoring and supervision of the Registry.

*Amendment*

(c) advise the Commission on matters of monitoring and supervision of the Registry, ***in particular pursuant to Article 10(k).***

Or. en

**Amendment 80**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 14 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) Advise the Commission on best practice as regards policies and measures to identify and, where necessary, take actions against domain names registered by its holder without rights or legitimate interest in the name, domain names being used in bad faith, including cooperation with law enforcement agencies and CERTs.***

Or. en

**Amendment 81**  
**Gunnar Hökmark**

**Proposal for a regulation**  
**Article 16 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. No later than five years after the date of application of this Regulation, and each three years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD.

1. No later than five years after the date of application of this Regulation, and each three years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD, ***based notably on the information provided by the Registry pursuant to Article 10(k).***

Or. en

**Amendment 82**  
**Paloma López Bermejo**

**Proposal for a regulation**  
**Article 16 – paragraph 1**

*Text proposed by the Commission*

1. No later than five years after the date of application of this Regulation, and each **three** years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD.

*Amendment*

1. No later than five years after the date of application of this Regulation, and each **two** years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD.

Or. es