

## CCWG-ACCOUNTABILITY WORK STREAM 2, JURISDICTION SUBGROUP QUESTIONNAIRE

### PREAMBLE

The newly-adopted ICANN bylaws created several Work Stream 2 accountability subgroups. One of these subgroups, the Jurisdiction Subgroup, is seeking responses to this questionnaire for the community to participate in the Subgroup's deliberations.

According to [Section 27.1\(b\)\(vi\) of the Bylaws](#), and to the extent set forth in the CCWG-Accountability [Final Report](#)<sup>1\*</sup>, including how choice of jurisdiction and applicable laws for dispute settlement impact ICANN's accountability and the actual operation of ICANN's policies.

To help the Subgroup in these endeavors, we are asking you to consider and respond to the following specific questions. The Subgroup is asking for concrete, factual submissions (positive, negative, or neutral) that will help ensure that the Subgroup's deliberations are informed, fact-based, and address real issues. The Subgroup is interested in all types of jurisdiction-related factual experiences responsive to these questions, not just those involving actual disputes/court cases.

1. Has your business, your privacy or your ability to use or purchase domain name-related services been affected by ICANN's jurisdiction\* in any way?

*Domain name services have not been affected by ICANN's jurisdiction.*

2. Has ICANN's jurisdiction\* affected any dispute resolution process or litigation related to domain names you have been involved in?

*For the .co ccTLD, dispute resolution is carried out pursuant to the UDRP policies and no impacts have been observed.*

3. Do you have copies of and/or links to any verifiable reports of experiences of other parties that would be responsive to the questions above? *If the answer is yes, please provide these copies and/or links.*

*We do not have any links or copies.*

4.
  - a. Are you aware of any material, documented instance(s) where ICANN has been unable to pursue its Mission because of its jurisdiction?\* *If so, please provide documentation.*

*We do not have any documented material of instances where ICANN has been unable to comply with its mission.*

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<sup>1</sup> See CCWG-Accountability Main Report, paragraphs 6 and 234, and Annex 12, paragraphs 25-31.

\* A los fines del presente Cuestionario, "jurisdicción de la ICANN" se refiere a: (a) la ICANN está sujeta a las leyes de los Estados Unidos de América y de California, como resultado de su constitución y ubicación en el Estado de California; (b) la ICANN está sujeta a las leyes de cualquier otro país como resultado de su ubicación dentro de o en contacto con ese país; o (c) cualquier disposición de "elección del derecho aplicable" o lugar en los acuerdos con la ICANN.

**b.** Are you aware of and able to document the existence of an alternative jurisdiction where ICANN would not be so prevented from pursuing its Mission? *If so, please provide documentation.*

*From our experience, we do not have any confirmation of any alternative jurisdiction for ICANN to pursue its mission.*