

CCWG-Accountability Work Stream 2
Jurisdiction Subgroup, Meeting #48
September 27, 2017, 19:00 – 20:30 UTC
AGENDA

- 1. Welcome**
- 2. Review of Agenda (2 minutes)**
- 3. Administration (1 minute)**
 - a. Changes to SOIs
 - b. Identify Audio Only and Phone Number Participants
- 4. Complete Discussion of “OFAC Recommendation” (30 minutes)**
- 5. Discussion of “Applicable Law and Choice of Venue Recommendation” (40 minutes)**
 - a. Choice of law provision in registry agreements – does the Subgroup endorse an option?
 - i. **“Status Quo” option** (no choice of law)
 - ii. **“Menu” option** – a limited number of choices (e.g., one per region)
 - iii. **“California” option** – California and US law is the governing law
 - iv. **“Carve out” option** – specified provisions are governed by a uniform law (e.g., California) while the rest are governed by the governing law of the Registry
 - v. **“Bespoke” option** – the governing law of the Registry is the governing law of the document
 - b. Choice of law provision in registrar accreditation agreements
 - i. Same choices as above? Same result?
 - c. Choice of venue provision in registry agreements
 - i. **“Status Quo”** (Los Angeles, California (or for governments and IGOs, Geneva, Switzerland))
 - ii. **“Venue Menu” option** – a limited number of choices (e.g., one per region) of arbitration venues (all applying ICC rules)
 - d. How should these recommendations be framed?
 - i. Are these only negotiating points between ICANN and the contracted party?
- 6. Review of Revised “Proposed Issues” List (5 minutes)**
- 7. Review of Schedule and Timeline (5 minutes)**
- 8. AOB (5 minutes)**
- 9. Adjourn (next meeting 27 September 1900UTC)**