

FURTHER DISCUSSIONS OF JURISDICTION-RELATED CONCERNS

There were a number of concerns raised in the Subgroup where the Subgroup had substantive discussions, but did not get to a point of conclusion. As an example, there were discussions of limited or partial immunity for ICANN that did not come to conclusion.

These concerns were put on the table by different stakeholders, and for these stakeholders, these are legitimate concerns. As these concerns were not discussed to the end, there should be a path forward for these concerns beyond the CCWG-Accountability, which was tasked to look into a limited number of issues within a limited period of time and with a limited budget.

Therefore, the Subgroup suggests that a further other multistakeholder process of some kind should be considered to allow for further consideration, and potentially resolution, of these concerns. We believe that this Report, with its annexes, can be a very useful tool for further debates which will surely take place – whether in another cross-constituency effort or in a future ATRT Review, or in some other ICANN context. The appropriate forum for such discussions is beyond the mandate of the CCWG; however, we encourage the community to build on the work of the Subgroup and prior work in this area.