Jurisdiction Questionnaire

CCWG-Accountability Work Stream 2 Issues Jurisdiction Questionnaire

https://www.icann.org/news/announcement-2-2017-02-09-en

INTRODUCTION

The newly-adopted ICANN bylaws created several Work Stream 2 accountability subgroups. These subgroups are part of the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability).

One of these subgroups, the Jurisdiction Subgroup, is seeking responses to this questionnaire for use 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,[1] the Jurisdiction Subgroup is addressing questions related to ICANN's jurisdiction,* 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.

The questionnaire is available in each of the 6 languages supported by ICANN (see below). You may respond to the questionnaire in any of these languages.

Responses must be transmitted via email to; ccwg-acctws2.jurisdiction.questionnaire@icann.org. Responses must clearly identify the individual responding and, where applicable, the organization for which the response is being submitted. Responses may be submitted at any point during the response period.

The subgroup will accept responses until **23:59 UTC 17 April 2017**.

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[1] See CCWG-Accountability Main Report, paragraphs 6 and 234, and Annex 12, paragraphs 25-31.
* For this Questionnaire, "ICANN's jurisdiction" refers to (a) ICANN being subject to U.S. and California law as a result of its incorporation and location in California, (b) ICANN being subject to the laws of any other country as a result of its location within or contacts with that country, or (c) any "choice of law" or venue provisions in agreements with ICANN.

QUESTIONNAIRE

Responses must be transmitted via email to; ccwg-acctws2.jurisdiction.questionnaire@icann.org (no longer valid email address)

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?

If the answer is Yes, please describe specific cases, situations or incidents, including the date, the parties involved, and links to any relevant documents. Please note that "affected" may refer to positive and/or negative effects.

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

If the answer is Yes, please describe specific cases, situations or incidents, including the date, the parties involved, and links to any relevant documents. Please note that "affected" may refer to positive and/or negative effects.

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.*

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.*

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.*

Translations

For translations of the questionnaire please see the following:

Language	Word Doc	PDF
English	EN	EN

Arabic	AR	AR
Spanish	ES	ES
French	FR	FR
Russian	RU	RU
Chinese	ZH	ZH

Responses

Jurisdiction Questionnaire List Archives: http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/

	Date	Response from	Archive link	Attachment
1	10 Feb 2017	Vanda Scartezini	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-February/000002.html	
2	21 Feb 2017	Brian J. Winterfeldt	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-February/000005.html	
3	21 Feb 2017	Luis R. Furlan	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-February/000006.html	
4	22 Feb 2017	Karina Cortes	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-February/000007.html	
5	04 Apr 2017	Shin Takamura	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000008.html	PDF
6	06 Apr 2017	Just Net Coalition	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000009.html	PDF
7	07 Apr 2017	Carlos Vera	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000010.html	
8	12 Apr 2017	Michael Graham	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000011.html	
9	17 Apr 2017	Cristina Monti	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000013.html	
10	17 Apr 2017	Mohammad Reza Mousavi Information Technology Organization of Iran	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000012.html	PDF
11	17 Apr 2017	Jorge Cancio | .swiss Registry	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000015.html • EN Translation	EN PDF revision
12	17 Apr 2017	Queh Ser Pheng	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000017.html	
13	17 Apr 2017	Yulia Elanskaya	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000016.html • EN Translation	EN PDF
14	17 Apr 2017	Internet Governance Project | Farzanah Badii	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000018.html	PDF
15	17 Apr 2017	Ministry of ICT of Colombia | Jaifa Margarita Mezher Arango	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000019.html • EN Translation	EN PDF
16	17 Apr 2017	Rita Forsi	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000021.html	PDF
17	17 Apr 2017	Jesús Rivera	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000020.html	
18	18 Apr 2017	Mzia Gogilashvili	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000022.html	
19	19 Apr 2017	Matthieu Aubert	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000023.html	

20	20 Apr 2017	Government of Guyana | Lance Hinds	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-April/000024.html	PDF
21	17 Apr 2017	Internet Governance Research Center, Chinese Academy of Information Communications and Technology	http://mm.icann.org/pipermail/ccwg-acctws2.jurisdiction.questionnaire/2017-May/000026.html	EN PDF ZH PDF
--	02 May 2017	Response of the Ministry of Telecom and Mass Communications of the Russian Federation	CCWG-Accountability-WS2-Jurisdiction-Questionnaire-Ministry Telecom Russian Federation-	
--	02 May 2017	Response of the Ministry ICT Columbia	CCWG-Accountability-WS2-Jurisdiction-Questionnaire - Ministry ICT Columbia	
--	15 May 2017	Summary of Responses	CCWG-Accountability-WS2-Jurisdiction-Questionnaire-SummaryofResponsesV1.6BT.pdf	

Jurisdiction Questionnaire Subgroup Team

Questionnaire Subgroup Team Archives: http://mm.icann.org/pipermail/ws2-jurisdiction-questionnaire/

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