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JURISDICTION SUBGROUP

Thursday, January 18, 2018 – 19:00-20:00 UTC

>> Hi, this is Greg, welcome back to the jurisdiction subgroup, we'll get started in just a minute.

It's a couple minutes after. Why don't we begin and start the recording.

>> This meeting is now being recorded.

>> This is Greg and welcome to the accountability jurisdiction subgroup meeting number 51. The first one for the 2018 year [off microphone]. Welcome to all who are able to join us. We have a short agenda, as you can see. There's one major feature. The administration, we'll be spending the bulk of the time handling the comments received so far on the jurisdiction on the jurisdiction subgroup proposal. Our next meeting will be the 24th of January.

I'm running this meeting off my tablet, which does not prioritize hands. So please let me know who is first if there are multiple hands up.

Let us go directly into the administration. First, I'll ask if there are any changes to statements of interest? Kavouss, please go ahead.

>> Can you hear me? Hello?

>> Yes, I can hear you.

>> Yes, we can hear you

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>> [off microphone] did you say you were running the meeting to half past 5:00? Because we planned for 60 minutes. [inaudible] I have no problem, but I have another meeting and I cannot stay more than one hour. So let's decide as much.

>> I have this call booked for 60 minutes. This is a good time on the review of comments. Maybe we can keep future meetings to 60 minutes, if not, we'll have to make them longer.

Right now, I'm on 60 minutes.

>> Thank you very much, 60 minutes. I have no problem with 90 minutes, but just announcing the time, I have no problem at all. But unfortunately, I have another meeting and I don't want to miss this meeting, thank you very much for your attention. Thank you.

>> Thank you, Kavouss. I don't see any hands for changes of statement of interest. I, however, do have a change to statement of interest. Which is I have joined a new employer of the law firm of Moses and Singer [sounds like] in New York City. So that is one change of my statement of interest

Also, I have been elected to the New York chapter of ISA. And I'm joining Doria [sounds like] there. So that's another change to my statement of interest also. I'm no longer the president of the IPC. That's not even on my statement of interest.

That covers my changes of interest. Do we have audio only or one person listed as a phone number? I have one phone number person.

I guess we have no audio only. Who is the phone number ending in 1643?

>> Hello, can you hear me? This is Louisa from Canada, good afternoon, everyone.

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>> Good afternoon. And welcome. Why don't we go directly to the main event. And we can start with the table prepared by staff, which adjusts or arranges the answers in and the comments we received. If we can put that up in Adobe Connect. I saw it there before. So as people should know, but just in case, Bernie, if you could give a brief description of how this table was put together, [off microphone] anything and that will help us as we move through it.

>> Thank you, Greg. Basically, staff went through all of the comments. If there are any errors in here, they are mine because I did the jurisdiction. And we tried to isolate the comments per meaningful categories to the work of the subgroup. In addition to that, we used a tool we used in the past, which is the color coding, which is dark green means unqualified support, light green means support. But there may be a few suggestions or comments. Yellow ish orange is, you know, iffy at best, whether it's support, there's certainly significant suggests suggestions. And pink-ish red means disagreement. If there is no color, it's because there are no reference to something in the recommendation and staff did not classify as one of those colors.

Now, the colors are a best effort by staff. I think we have done a decent job of it. But we are certainly open to changing these, which is simply a tool that is to facilitate your job. If we have some of these wrong, don't hesitate, we'll be glad to fix those. Two further points before we get going, the strategy we've been using in the other subgroups and we used in the past, which seems to make sense is for the group to take these per category, as presented on the screen right now.

Basically, the subgroup can go through all the comments on one topic and then decide what they want to respond to these comments. And then move on to the next one. That seems to work well. And then my final comment, as noted in the transmittal email, we

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are working to [inaudible]. The final date is in March when we have the next face-to-face meeting. If the subgroup has not provided the plenary recommendations approved by the plenary, they cannot be included in the final report, which goes out for public consultation.

The reason for that, as has been explained numerous times by the co chairs, is that there are fixed timelines for public consultations. And we are bound to finish by the June meeting. That means the reality of the situation is that 9 March, the plenary has to approve the final recommendation, staff has to package those up into a final report. That creates all the recommendations and get that out for public consultation. That's it for me. Thank you.

>> Thank you, very much, Bernie. I think that's very helpful. So let us jump right in to the first topic, which is choice of law. And we have a comment. We start with from the business constituency of the bottom line is the comment is on principle, the BC favors maintaining the status quo to maintain predictability for businesses. We don't need to read these out in their entirety unless people would like that. So I will ask if someone saw an approach. We also have at least Del Bianca from the DBC. If there's anything further you would like to say. I see Steve says in the chat, we also number the disagreement with a minority position. So that's dealt with later in the grid here. But if it's not, when we take it into account. In any event, Kavouss, I see your hand is up. Please go ahead.

>> I ask, what does it mean the status quo? That means whatever we have agreed before the public comments is the status quo? Could there have been some distinction? Thank you.

>> Thank you, Kavouss, that's a good question. Good point of clarification. By status quo, I assume what is meant, and I think this is referred to in our report, the status quo is

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the current situation, which is where the choice of law is left unstated in the contract. But since Steve has his hand up next, or did, I'll ask Steve to confirm that's the case. And make any other remarks about his submission of his constituency. Steve.

>> Thank you, Greg, can you hear me?

>> I can hear you well.

>> All right. Thank you. Just wanted to check. Bernie answered the answer in the chat, which is why I wanted to know why the BC comment was noted. Bernie clarified while we had unqualified support of the sanctions relief, actually the invitation to recommend one of the methods with regard to arbitrary contract disputes and selected status quo. I was asked why that wasn't unqualified support. Bernie clarified anyone who picked one of the options out there is the light green.

I won't argue with it, I want to understand how you came about to that. Those who are unqualified, that would mean what? The unqualified support didn't pick any of the options on contract dispute? Or they picked one particular one?

>> Basically, the support is the recommendation for choice of law. And it didn't go any further than that, we put that as dark green. Like I said, I don't want to get hooked up in this, this is meant to be helpful and [inaudible] in any way.

>> Thank you, Bernie. If I could [off microphone] clarification, I would be interested in knowing whether there's a tally on the choice of law, the menu versus status quo, and whether we can discuss that on the call. The second point is the BC noted a disagreement in the minority report. We did so only because the minority report is a sufficient part of this submission and it wasn't requested but we added that as well. Thank you all.

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>> Thank you Steve, any other comments or questions on the BC position? I think we should keep a tally for the responses of option. It's worth knowing. The next comment we received was from the noncommercial stakeholders group in CSG. The expert is brief. The NC believes the recommendation on the choice of law should be discussed with the organization, the GSO and the contracted party. That is dark green because it didn't make a choice, but just recommended continued work within the community, essentially on certain parts of the community on this question.

If there are any comments on that point? The next thing is a joint response from the registry stakeholder group and the registrar stakeholder group. Also known as the contract parties house. The registry recommends the choice of law [off microphone] contracts with ICANN presented the suggestions for consideration by ICANN and the contracted parties. And acknowledge the particular importance of allowing the registrars to have direct influence to introduce broad changes to their contractual framework. That is general support for our support but not for any particular approach at this time.

Any comments on that? And then move on to the government of Denmark, which is supports the proposals contained in the document. Attaches specific recommendation also for the chosen law and venue. They indicate favoring a menu approach with a favoring a small number of countries from each ICANN geographic region. That would be a benefit including contracts with ICANN. And should be in accountability and ICANN can build a internet community with the same choice of venue and registry agreement. And the document on page 24 is the method of choosing from the menu needs to be considered. And they suggest the registry should be able to make a choice from the menu or actually this is from the quote. So there could be a choice from the menu that could be part of the registry negotiation. It's Denmark's view if the venue is implemented, it's important the leak party, the registrar can choose the venue and it's not left to the

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party [off microphone]. ICANN is the only one the registry and registrar is entered into contract with. They suggest that's reflected in the final recommendation. Any thoughts on that? The short summary of that is a support of menu for a small number of countries and support for having the contracted party or to the contracted party to be able to choose from the menu without having to engage in negotiation.

Italy comes to I see a hand from Kavouss. Go ahead.

>> [off microphone] agree with the work here. We have to reflect on that. We can't make any [off microphone] all views of the people. So I'm happy to resend that again [off microphone]. Agree with what was proposed in either of these. We want to reflect that, thank you.

>> Kavouss, we can't hear you, if you have trouble hearing Kavouss, he sounds far away. We were mentioning no comment at this time does not mean we were supporting the comment that was made, but simply we have no comments on it for now. And we'll have to see all the comments before the group can make [off microphone]. Sorry, Greg.

[overlapping speakers]

>> Do you want me to repeat?

>> Did Bernie capture what your point was?

>> What I said, I'll repeat that. We are happy to listen to the discussions tonight that we do not make any event decisions. If we don't comment on what you said, then [off microphone] we agree with that, we just listen to that for the time being. Let us to make any decisions saying there is no comment that we people agree. We just listen to the comments, that's all. We don't make any decisions at this very meeting. Thank you.

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>> Thank you, Kavouss. That's correct. This is just the first reading. And whether we make any changes based on these comments is something we'll have to specifically discuss and affirmatively come to consensus on. So I will interpret silence as just being in listening mode and not being any expression of an any of any kind. So next, we have the government of Italy. Which comments the status quo option will not be a proper solution for the future given the past experiences with regard to the new GTLE program. I don't know if that further elucidated in the Italy comment and what they are talking about and how that relates to the jurisdiction question choice of law. But perhaps we'll see if we need any further information on that. They also suggest implementing the California approach could eventually create a undesirable hierarchy among jurisdiction. And the other options to, the system is clearly needed to implement them, which is not defined properly yet.

Also, note a special reference needs to be made to child protection. There is a concern any move away from the present arrangement could possibly permit future registries to engage in venue shopping in search of a jurisdiction with lower standards of child protection laws or regulations and weaker mechanisms to enforce compliance. [inaudible] felt to standard. ICANN should make it clear the respect of jurisdiction and all relevant circumstances, the term of the UN convention of the rights of the child must be met or exceeded.

I don't know if we have any comments on that point. I see a comment in the chat from Kavouss I could favorably consider a proposal from Italy. This is a preliminary reaction.

I think the question of forum shopping probably could be applied more broadly than the issue of child protection. And I think that also goes to perhaps raises the question of what the real affect is of the choice of law provision. I don't think we necessarily need to get

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into that discussion today. But I think the Italy position assumes that the choice of law in the agreement could materially affect the business obligations of the registrar. So that is an assumption that may need to be tested. Seeing no hands, moving on to the government of Russia. Russia comments, first of all, we would like to notice the support of recommendations related to the choice of law and venue, which provides flexibilities of law and provisions of registry and registrar contracts. After that, we have the any comments on that?

Seeing none, move on to the I2 coalition, which agrees the subgroup cannot commend changes to the RAA. That's for properly framing the conversation. Agreements need to be revised. I2 is making a [off microphone] address venue. It does agree addressing venue would enhance ICANN accountability and decrease business [inaudible] for contracted parties.

That's somewhat the logical underpinning the DC sites for the state of [inaudible] approach. And the question on how to decrease uncertainty. Any comments on the I2 comment? Seeing none, the comments from the ICANN board, which agrees to the CCWG clarification [off microphone] [reading comments] outside the required contract process. They look forward to the broader participation of the contracted parties in the recommendation. And need to understand their views on the issue.

The board goes on to say there's not yet been an impact of feasibility of impact assessment by any approaches presented by us. And appreciates the broad range of approaches presented. In addition, the recognition there's a portion [inaudible] is an important concept that provides for a level of predictability. I think this harks back to our discussion of having certain portions perhaps or one of the possibilities is to have certain

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portions of the agreement suggest to a single choice of law and others sub to a choice of law. That is only one part of one suggestion.

The board wraps up saying any potential studies need to assess the impact as the scenarios could raise concern of potential loss of predictability in enforcement or increase enforcement costs.

Any comments on it? Seeing none, I'll note again this is the second comment at least that goes to the question of the impact study or to understanding what the effect of a particular choice of law choice would be. Next is the international trademark association. And there's a note here to see the original response for the complete text. I guess this comment was more wordy. Be this is the heart of it, there is a significant risk for [reading comment) to promote fair and effective commerce. [reading comment]

RA section 2.8 with respect to 711 and RAA section 3.77 and 3181, those provisions do not mean the same thing for every contract. The regime of 8181 means one thing for one registrar and something else for a different one because the provisions are interpreted differently you aren't different laws. The [off microphone] policy in the first place. That reason agrees with the subgroup that the outcome will require having a relatively limited number of choices on the menu.

That is a couple of cautions and ultimately a support for digging out a specific choice and the choices that have a relatively limited number of choice. Any comment on this? Kavouss, I see your hand is up, please go ahead.

>> Yes, [off microphone] I am much in favor of the second policy of the board's comments. Thank you.

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>> Thank you, Kavouss. Seeing no other hands, move on to comment from John Poole. I totally disagree with the choice of law and recommendation. It's a recipe for disaster for ICANN. I doubt any lawyer worth their salt would find merit to the forum shopping, most are [off microphone] [reading comment]. Or ICANN being subject to split decision by legal authorities in multiple jurisdiction. [reading comments] ICANN jurisdiction for choice of law and choice of venues and is should remain Los Angeles, California, U.S., until such time as ICANN is removed to another jurisdiction. Any comments on this comment?

From John Poole?

Kavouss, please go ahead.

>> Yes. I'm not quite sure of the statement ICANN should not move to any other jurisdiction. The [off microphone] saying that ICANN can move to any other [off microphone]. I don't think we have a lack of right on any recommendation that ICANN can move to any particular jurisdiction. There's a approach to do that. And the options, so it depends on which option you take apart from the [inaudible]. So I don't really understand the meaning of the conclusion of this comment. Perhaps you may clarify that. Thank you.

>> Thank you, Kavouss. As I read it, this comment suggests the disagrees with the menu approach in particular or any menu approaches and support any support and although they say it's the status quo the choice of law and venue is Los Angeles, California. That's not the case. The status quo is silent on the choice of law. And their approach really is Mr. Poole's support could be seen as support for the California approach as long as ICANN is in fact located in California. If ICANN is moved somewhere else, then presumably that venue or rather that choice of law should follow if it were moved to a Fortuna, ICANN's law should be that law, which is I believe is French law. I digress. I

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think this is where that comment comes out, especially when you disregard the vivid way in which it is expressed.

Yes. And file 13 is as known as the bin or the rubbish bin. So also, good to have at least one closing comment in interest. Any comments on this or the choice of law grouping generally as we now have gone full circle and come to the choice of venue collection?

I see no hands. On this. So let's roll over to choice of venue, which brings us back to the business constituency. Which states the recommendations identified appropriate jurisdiction to that ought to be addressed in items's contract and the item of registry and registrars is a possible change of the RA and RAA for study and considers by ICANN of the consideration and the [inaudible] and the contracted party.

So that's support for the process. The way I see it. Any comments on that. Kavouss, I see your hand is up. Please go ahead

>> Yes, not only on the venue choice of law [off microphone] region I think that maybe too quick to have that conclusion. We have [off microphone] good choice, perhaps it might be a combination of where this undertaking is perhaps the answer. [off microphone] might have a combination of the venue and the status quo. One does not exceed the status quo and one does not directly exclude the venue because the venue gives you some choice.

Thank you.

>> If you're speaking, we are not hearing

>> Sorry, I am speaking through the mute button. What I was saying is asking I thanked Kavouss and asked if there were other comments on choice of law or comments on the

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comments made in this call on the comments on the choice of law? And seeing no hands, I'll take that as no and move on to the next comment and choice of venue. From the contracted parties, registries and registrar appreciate the [reading comment] suggestions for consideration. This is the same comment, just repeated that was in choice of law.

And appreciate having the particular importance of allowing them to have direct influence over changes, that change the contractual framework. The government of Denmark supports the proposals and the document and attaches specific importance to the recommendation of the interest of law and venue. Also it's basically the same comments repeated here. Notice in support of recommendations relating to choice of law is venues which is provide flexibilities of law and provision and registry and registrar contract.

I2 comment is basically also the same. To point out here, they say we are making 2340 no statement on preference [inaudible] should be taken in address the venue. We agree addressing the venue increases ICANN accountability and decreases the business [off microphone]. That is addressed directly to the venue question. The comment to the ICANN board is the same as before.

And INTA is a bit different. The legal issue a different one and the position is the same on the merits of the venue approach of the RA as well. ICANN cannot assess the venue options without knowing the [inaudible]. And ultimately, the judgment error for any venue menu. Those are the options on the menu tend to promote uniformity of the understanding of relevant terms of the RA and RAA. The answer is yes or the choice of law questions are settled in such a manner the venue questions are not as relevant to the contractual concerns, then we concern the menu approach for the venue as well.

There is a thread of predictability, hopeful predictability in the answers or comments but not necessarily always pointing to the same choice. But it's worth noting the desire for

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predictability. We heard John Poole's once, no need to read it again. It's the same comment. It discusses choice of law and choice of venue.

Then we have a grouping here on continued discussion from jurisdictional issues before that. Any questions or comments on the treatment of choice of venue?

Seeing none, we can move on. The NCSG commenting on continued discussion of these issues. Given the jurisdiction subgroup has indicated there's no support from moving ICANN place of incorporation out of California, the NCSG supports further discussion of jurisdiction related concerns as the recommendation propose. We acknowledge the remit of the subgroup is limited and could not address all the possible issues due to time constraints.

For example, ICANN jurisdiction might have actual implication on the operation of [inaudible], yet the subgroup did not discuss these within work stream 2. The community saw such discussions as an if agreement. Others argue recent court cases resolve some jurisdiction issues that were raised or certain CCTLDs, there may be a need to further elaborate on further jurisdiction comments not only in this community by the ICANN community as a whole.

Any comments on the NCSG views on this point? Seeing none, we'll move on to the contracted parties and which state for the suggestion of a multi stakeholder process [reading] do not support such a proposal. Jurisdiction has been a topic of discussion within the CCWG for over 3 years [reading] that have the potential for getting positive results for the overall ICANN community. Further discussions resulting jurisdiction in an ICANN context is unwise. 3 years is more than enough time to develop proposals that have a reasonable chance of getting community support and yet, this is exactly what has happened.

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Sufficient time, and community resources have been given to the top. Any comments on this? Seeing none, we'll move on to government of Italy says in conclusion, Italy believes further consideration are required before the approval of any options. That's going to a slightly different point than it was. It should be the jurisdictional discussion. But rather this round has posed questions without necessarily coming all the way to answers.

So that needs to be wrapped up. Government of Russia states the Russian federation would like to subgroup to continue to engage with the development of relevant recommendations, including broader types of immunity from U.S. jurisdiction that could subject ICANN from interference.

So here we have a mention of community and IC comment. In the chat there seems to be misunderstandings of what the discussion of jurisdictional immunity really are.

Last in this section, we have a new section rather, called general. OLAC agrees with all the recommendations by the subgroup and wants to highlight the following recommendations which are this document, the format is to chop up and reform.

David asked if we could save a few minutes to discuss process. Yes, we can do that. Let's go through the general comments here. Denmark supports the proposal contained in the document and attaches specific importance to the choice of law and venue recommendation.

France as noted submitted a document in French. And that is still being translated. I offer the wonders of machine translation, perhaps a little cleaned up. By Bernie. Although the proposals in the report on ICANN's jurisdiction are moving in the right direction, the French government believes they will not be sufficient to provide a solution by the issues raised by the exercise unilateral exercise of a particular jurisdiction over an organization,

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the mandated is mandated to the global common good. However, ICANN is a U.S. entity, which is implications for ICANN's accountability and quality between stakeholders. The statute, I'm not which statute, the statute reduces ICANN's [off microphone], that of the United States, and the American courts have jurisdiction over the law. However, the goal of improving items's accountability to the entire internet community induces a legal responsibility to all stakeholders without a advantage over another and no other country may intervene directly or indirectly with the ICANN of the full global mission.

In the [off microphone] sub working group, the French government proposed to introduce immunity, including partial immunity of the jurisdiction of ICANN to ensure the accountability of the entire global internet community. Kavouss, please go ahead.

>> Yes, with respect to the [off microphone] comment in the chat [off microphone]. Thank you.

>> Thank you. Moving on to Italy. Italy believes all governments should have a equal role for all internet governance and the security and continuity of the internet, starting to the article 58 of the [inaudible] agenda. The conflict of the jurisdiction on the internet might have implications on the [inaudible] eg, with regard to data protection and geographical implication. ICANN is the admin stray store of the global resource and we support any [inaudible] that the function is not biased by the jurisdiction of the hosting country. Furthermore, the future of the jurisdiction and applicable law [inaudible] the international convention and privateer international and procedural law.

Kavouss, is that a new hand?

>> [off microphone] yeah, this is a new hand, yeah.

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>> Thank you, Kavouss. Next and second to last of the general comments is from the ICANN board which notes several recommendations are actionable and implementable and in some instances codify the current practices by the ICANN organization. There are other recommendations which may prove problematic if fully addressed and provide input on those for full consideration. This input is not intended to interfere with this work but rather provide information. And the subgroup and the CCWG effort with the full report. Any comments on this?

Kavouss, I see your hand is up.

That may be an old hand. That sometimes happens. Last the ISCPC, the internet service providers and connectivity providers they the group has done a excellent job of dealing with the challenges that come from U.S. jurisdiction. ICANN must maintain the global mission above all else. U.S. law makes that difficult in some circumstances by placing sanctions on foreign government, which ICANN is forced to obey. We have offered a set of recommendation that is a a sensible way to approach those difficult sense of circumstances and we support them. [off microphone] actively engaging in the assisting contracted parties and seeking waivers from the U.S. treasury and office of [inaudible] control, this is a way to uphold their mission, despite the requirements of the U.S. government.

The second part of the comment provides a segue into OPEC requirement which takes up the next several pages and is broken to sub parts. I think we should stop now, since this is a good natural stopping place. And David suggested we should talk about process between here and March 9. Which is about 6 or 7 weeks. And the idea I think is to, correct me if I'm mistaken, but the idea is to revise, if necessary, any part of the subgroups report, whether it's for clarity or for change in view. And get that back to the plenary for

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further consideration. And as indicated earlier, this is essentially a first reading of these comments. And as this point, no absolute nothing is being taken from silence. It's all we're all in midstream at this point. So I see hand up. I'll take the firsthand is from David. Apologies if that's incorrect.

David, please go ahead.

>> Thank you, Greg, David speaking for the record. And I'm interested in the process because as we go through the comments, we recognize there's variance amongst the comments and I'm wondering where we need to get to. And I'll ask Bernie, if you could be more specific what you said at the outset. What exactly do we need to have in hand when we walk into the face to face meeting on March the 9th? Thank you.

>> March 9 is the latest date. And actually, one week decor to allow everyone to read it. So March 2 is the latest date possible for the [inaudible] subgroup to submit the final report to the plenary. If there are no revisions based on the comments, at that time, we should work on making sure we have answers to all the comments that have been provided. But that's a secondary activity, if you will, which staff can help with once we finish with discussions.

But the all the mat and primary goals that we have right now is 2 March, this subgroup wants to have its recommendations included in the final report must be sent to the plenary. Thank you.

>> Thank you, Bernie. I think what we need to do is decide if these comments create any changes. That we want to make in our report moving it from the first phase to the final phase, which I think I noted there was some comments about clarity of language that wouldn't change what we were saying. Those perhaps would be less controversial.

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Obviously, there's some comments that will push us in one direction or another in terms of recommendations we're making that we need to decide whether we want our report to change, which would require the consensus of this group.

That's my view of what we need to do. Kavouss, why don't you go ahead, please.

>> Yes. Sorry, I did not [off microphone] Bernie said, did he say we need to approve this in the plenary of the CCWG face to face ICANN 61? Or will we need to do the second reading by that time with the working group still? I think there's no way to hurry because the scope of some comments and some colors is very difficult to grasp.

>> Bernie, do you want to clarify?

>> Bernie, do you want to clarify?

>> I'll give it another shot, thank you, Greg. Kavouss, what I said was this we have to provide final recommendations to the CCWG plenary by 2 March. So they can be read at least once at the ICANN 61 face to face meeting on 9 March. So this group has closure on its recommendations by 2 March, latest, and send them into the plenary.

>> Basically it sounds like our work needs to be done, essentially for before the plenary. Which given that we made it fairly far through this, almost halfway, I think, is hopeful. David? Please go ahead.

>> Thanks, Greg, it's David again. One thing in response to what Bernie said earlier, we could as a secondary activity, I think I heard this, answer these comments. Any suggestion would be if it's appropriate in this process and I recognize Bernie is more of an expert than I am. But my recommendation is we have considered the comments if we had gotten through it and had a fair chance to consider them. As a consequence of these

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consideration, we recommend these changes or those changes or whatever we come to, but not answer comments.

>> Bernie notes we are required to do so. Can you clarify what we're required to do, Bernie? Sorry about that.

>> [inaudible] exactly what David has said. Many of the other subgroups have decided to answer each comment individually. Although often those answers are just copy pasted from one comment to another and end up being to the work David was talking about. If you will, there can be a happy medium, but the subgroup can decide. The minimum position after a public comment is that, yes, we have to say that we have considered these comments and list which comments those are, meaning who commented and say which changes we have decided to bring after considering those. I hope that's clear, thank you.

Thank you, Bernie, I think that's clear. We're now 1 minute before the hour. Our next meeting, as noted is 24th January. At 1900UTC. And so I recommend reading on to the second part of to the remainder, really, of this chart and for some of the more context comments, perhaps, INTA has one, there may be others as well. It's definitely worthwhile to go back and read the full comment and not rely on the summary, especially those who might have some reasons to possibly take further action, I think we'll need to understand the underlying comment. So with that, it's now the top of the hour. And we adjourn momentarily. I'll see if there's any other business. Kavouss, is that a new hand? Not hearing Kavouss, so I'll assume that's an old hand. He says I have no phone connection present. And we need to be prudent and not hurry in any conclusion. Certainly agree, we have ample time to come to conclusions on what we have received so far and possibly there'll be more comments trickling in. but hopefully we'll be done with that very shortly.

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So I thank you all. We'll reconvene on the 24th. And pick up with the review of the essentially the OFAC comments and hopefully make it to all of those and make it to the end on next week's call. Thank you, good bye. This call is now adjourned.