CCWG-Accountability-WS2 Plenary Meeting
11 October 2017 @ 13:00 UTC

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. 10-11-17   CCWG-Accountability WS2 Plenary.

>> Can we please have the recording started? Thank you everyone and welcome to the accountability number 23 on October 11 at 13 hours UTC. Today we have a pretty packed agenda and I would like to remind you all to [Off mic] if you haven't done so. As usual we will be having the roll call based upon the Adobe Connect. At this point I will ask if there is anyone that is in the phone bridge but is not in the Adobe Connect room so we can add you to the roll call.

>> Leon.

>> This is Kavouss. I am on audio bridge because I am leaving the area I am now for the airport. So please consider after sometime I have to leave and I asked the operator not to redial me. Having said that I have asked for a change of agenda. I understood it was not possible. I don't want to discuss that. However, I want to remind our distinguished cochair that there was a note sent to you and this note was asking for some invitation with respect to the preparation of a [Off mic] when you reach that point and I will not be here please kindly do not change the situation because that note was agreed unanimitily without difficulty. The invitation needs to be carried forward in order to allow us to maintain all consensus. Thank you.

>> Thank you very much Kavouss. It's noted, your attendance on the phone bridge and also noted the note you sent to the jurisdiction subgroup on the stress test. That is now on the record and if time allows we will of course address the issue accordingly and we'll follow up with both the subgroup and the plenary. So thank you very much Kavouss.

>> It was not my note anymore. Note was agreed by the subgroup. It is now subgroup note, not my note. Thank you.

>> Thank you, Kavouss. Is there anyone else on the phone bridge that is not in the Adobe Connect? Good. So hearing no one as I said earlier we have a pretty packed agenda. We will be going through the first readings for different topics and second readings for some others. And we would like to very much finalize those items for second reading that we are approaching our meeting at Abu Dhabi as we have discussed earlier it would be best to have as many reports published for public comment by when we reach Abu Dhabi. So I will now go to the next agenda item which is the administration issues. And for this I would like to have our esteemed colleague Bernard. So Bernie if you can help us out with the administrative issues.

>> Thank you, Leon. Can you hear me?

>> We hear you.

>> Thank you. All right. Just quickly a review of our time line which has not changed. Reminder to everyone that if a subgroup requires a public consultation the last possible date for submitting it is today, 23: Fifty-nine. So it can have a reading at the men reimbursement. The meeting after October is in Abu Dhabi, 27 October. There's a high interest session in Abu Dhabi and we'll be covering most of the topics and the rapporteurs should bare this in mind. The session is Monday after the open session and we would like to have the rapporteurs for all the subgroups available. Although we're talking about ICANN 60 which is Abu Dhabi we have to run our standard procedures for ICANN 61 which is scheduled for Puerto Rico in March before anyone asks a question, we have asked the question and currently there are no changes. We are still planning to head to Puerto Rico if viable. Of course, if we cannot, we will change the venue as we saw with the Zika, the ICANN conference is flip these around quickly. But for now there is no change. Because there is no change we would need a confirmation that we are to hold our usual preconference face-to-face on 9, March. So I guess we would like confirmation from the plenary if there are any objections to holding our usual face-to-face meeting one day prior to the ICANN meeting starting, please raise the red X now. Not seeing any, we'll consider the usual preconference face-to-face on 9 March is a go. The March meeting is always a little tricky for travel funding because we have to start very early. We're proposing to start accepting applications on Sunday 15 October, that's Sunday of this week. We will close applications on Sunday 19 November, 23: 59UTC. So that gives a little over a month but I think everyone is pretty much used to the procedure now and understands how that's going to work. So basically we will get a bit more in the month. We have to submit the final list to ICANN on Monday 27 November. Are there any objections to these dates? Seeing none that concludes the administrative items. Thank you. Leon, back to you.

>> Thank you very much Bernie. So, we kindly ask for you to send us your travel requests as soon as possible, as soon as it opens for receiving these applications which will be next Sunday 15 October. And we will be happy to as usual follow the regular process to accommodate those requests. So, our next item is the legal community update. We have pending some questions from the ombuds group that were sent to ICANN legal. We haven't got any reply of that request as well. So we're still pending to get a reply to the questions from ICANN legal. So there is really not much to update. So our next agenda item is the SOAC accountability subgroup for the final recommendations and for that I will hand the floor to Jordan. Jordan.

>> Thanks, Leon. I'm cochairing the work with Leon today and apologies for Thomas, he couldn't make it due to work commitments. So this is the second reading. SO/AC accountable final report for the group. And normally I would be very keen to hand directly over to Cheryl but she's not on the call so I will have a go to Steve and the other co--rapporteur in this group to take us through. Steve are you willing and available to do that for us.

>> Thank you jotter en. It's Steve and Parso is also on the call, the other co-rapporteur. Since our first reading on the SO/AC accountability we have received no comments or call from members of the plenary asking for clarifications or edits. And so this would be a good time to let us know if your cochairs have somehow missed questions that came from those of you in the

plenary. And if not, I would ask you Jordan, for the second reading. What is your desire? That we go through these slides very quickly?

>> I think so, Steve. Yes. Going through the slides briefly will just help people recap on where we're at.

>> Fantastic. So the first slide up here just recaps the milestones we've had. Recall in March you approved the initial draft. We put that out for public comment and consultation. We collected the 41 comments by 12 different people. We took all those into account and actually prepared a detailed response to every public comment. Then on the 14th of September, our subgroup approved our final recs for plenary consideration. And there was a red line that I issued on final recommendations versus that first draft that all of you approved in March. So, we hope that would make it very easy for you to see why we would recommend that our changes do not necessity another public consultation. The changes in that red line are ones that clarify and sharpen certain points and some debates and resolve to those debates in what I think is a decisive manner. So let me proceed to the second slide and I'll tell you how we arrived at that. The comments that came in, 41 different comments from 12 different respondents simply supported the draft as is. We addressed most comments by adding clarifications and there was no support in the public comments, if I can get you to go to slide -- the second slide. It's number 7 in the current deck. Thank you. Thank you very much. There was no support for adding a new task for the ATRT reviews. That's the accountability transparency reviews. There was no support to add a task to where those review teams comprised of community members would dive into the groups to determine the extent to which they implemented best practices or good practices as we call them now. And there was minimal support, one supporter for a mutual accountability roundtable. There was also minimal support, only one for applying the independent review process or IRP to acusifts, actions and inactions of SO and ACs. There was as usual several comments well outside the scope and we acted accordingly. Next slide, please. We have 3 tracks dictated by the Bylaws that came out of work stream 1. Track 1 was the assignment to review and develop recommendations so that SO and ACs could improve their processes for accountability, transparency and participation. So the main changes we made from our March report was changing the word best practices to good practices and this may seem trivial but it was intentional. Intentional so that good practices don't apply that we guarantee they are the very best ever since many SO and ACs may have practices that suit them very well given the way they are organized, given the community they represent. So what might be left for the ALAC might not be good for all. We have 29 recommendations for good practices. That's 4 more than we had in March and we clarified none of the groups, SO or ACs are required to implant good practices. It's specific these should be considered for implementation to the extent they are in improvement on the current practices used by SOs, ACs and groups and we clarify whether they're an improvement is up to the SO/AC group itself. We added the organizational reviews done every 5 years, these are ones that ICANN triggers for the Bylaws, they're done by outside consultants and we suggested they could include an assessment of good practice implementation by the SO or AC they happen to be studying in that cycle of review. Let's go to the next slide, please. With respect to the good practices that we sharpened or added, each empowered community digsal participant should publicly disclose any decision it submits. The

GNSO submits a digs to block a budget, that decision is published including any description of the process that it followed to reach the decision. This is to increase the accountability and transparency of those of us in the community that are represented on the EC. We also added number 7, that links to the S oh and AC, policies, procedures and document practices should be available from ICANN's main website. Today, every ACSO subgroup has some variety of website that it uses to maintain links to its policies, procedures, current officers and minutes and meeting records. But they're not accessible from a single place. This would remedy that by having ICANN staff put together another page under accountability and staff would keep those links current so they would point to the right place. Next slide, please. We also reworded in the area of transparency, again this is still in track 1. Under transparency many of you registry constituency and others indicated that we were very confusing in the wording we had on meeting records. So in the original we talk about notes, minutes or records should be made publicly available. In the final recommendation we said records of open meetings, open meetings, should be made publicly available. And the records include things like notes, minutes, recordings, transcripts and chat as applicable to whatever extent your group keeps those kinds of records. If it's an open meeting you should make those records publicly available. However, when you have a closed meeting your records for closed meeting should be made available to your members and you may if you wish make them publicly available at your discretion. And again records are defined here. So that was so clarify the difference between open and closed and you probably recall in our recommendation we have 5 specific examples of criteria that would be appropriate to close a meeting. Things like confidentiality provisions that we borrowed from Michael and the transparency group. Next slide, please. We suggested that there was an original recommendation 4 on participation, that members should be able to access meeting records. I clarified on the previous slide how we revolved that confusion. We added item 4 and this is new with respect to term limits we said an AC/SO group that elects its officers should consider term limits. Here the word is consider and all 28 of our other recommendations the good practices are operational. This one is different because it says you should consider term limits. That's as far as we were willing to go in a consensus fashion. Finally if ICANN was to expand the list of languages it supports then that support should be offered or made available to the SO/AC and groups. This would allow my group the business constituency for example to take advantage of ICANN staff resources to translate meeting records to any of those lists of language that is ICANN supports and this would make participation by speakers of languages other than English much more able to participate in the activities. So that's a new good practice. Next slide, please and I'm watching for hands. Track 2 was to evaluate a proposed mutual accountability roundtable. It was proposed in May of 2015, one of our outside experts. And this was to assess viability of a mutual accountability roundtable and undertake the action toss implement it. We are not recommending the mutual accountability roundtable implementation. We also clarified that ICANN's accountability is from the organization, the management and board to the community that the Bylaws designate represents the public interest with respect to the internet unique identifiers. We do not recommend limitation of horizontal accountability between and among the groups that are displayed on the screen. Thank you, Jordan. That's funny. Next slide, please. This is our final slide and our final track which was track 3. The bylaws that all of you approved charged us to assess whether the IRP should also be applied to the activities of

SOs and ACs. On this our consensus recommendation did not change at all. We still said it should not be made applicable to SOs and ACs. However, we did clarify the role of the ICANN ombuds office and how it can address some of the accountability concerns, the challenges that might arise about activities inside of an AC or SO. We did this after consultation with the board, the ombuds office itself and we said the appropriate mechanism for an individual to challenge it, AC or SO action or inaction is through the ombuds office. We clarified their Bylaws and charter are adequate to handle such complaints. We did want to note part of work stream 2 includes enhancements to the ombuds role and that is currently under way and the plenary will be considering those. It's hoped that those recommendations will further strengthen the ability of the ombuds office to address accountability, transparency and participation within ACs and SOs themselves. With that I completed the second reading and back to you Jordan.

>> Thank you. Thanks Steve and I'll welcome Cheryl who has now joined the Adobe room as well. Are there any questions or comments about this part of the agenda for this item? Any issues that anyone would like to raise or questions asked? Kavouss, please go ahead.

>> Please, I have to leave and I don't think that there will be any [Off mic] of such. I would like to make the following statement if you allow me. Takes about 1 minute only. I must -- in my many years of work I have never ever seen a expert or a participant with such dynamism, devotion, prudence, diligence as all attention as Steve. He was chief architect for these very important product which certainly would contribute to the SO and AC accountability. He deserves sincere appreciations. The appreciation equally goes to the cochairs that also devotedly assisted the team and contributed to the activities to achieve. So I think that the whole plenary should put on record sincere appreciation to these 3 persons and I thank you very much.

>> Thank you Kavouss. And I can endorse the sentiment and thank you very much for all the work you've done on this, navigating it through. Nicely spoken Kavouss, thank you. Steve, thank you for the run through. Pardon me, it's very early in the morning where I am. Cheryl, any points you want to add before we confirm the second reading of this? Okay. Well, thank you Steve for that run through and thank you to the co-rapporteurs and all the participants. We'll declare that second reading completed of these draft recommendations and we will move on to the next agenda item. Are there any objections to that declaration of the second reading? If there are put a red cross on your Adobe room.

>> I would just ask staff to [Off mic] for public comment.

>> Great, thanks. That is the next step. Okay. We will move on now to the first reading -- sorry, second reading of the staff accountability subgroup draft recommendation. And I'll cochair this one through as well. This was updated following the discussion at the last plenary in a couple of areas. But, we are heading towards the second reading if there are no objections at this call. So I would like to turn it over to the rapporteur for this area, Avri you are ready to take the floor and take us through the small updates that have been made? If you are speaking with us Avri at the moment we cannot hear you. Nope, we've got no audio from Avri. We'll just take another half minute and if we can't get Avri we'll move on to the ombuds topic and the first reading of the draft recommendations then we will come back. And in the meantime just remind

you, the agenda we'll do the staff accountability, ombuds first reading [Off mic] same documents of the 28 September plenary and overview of the jurisdictional draft recommendation after that. We will do that swap in the order now. So Sebastian let me hand it over to you to run through the Ombudsman report with Sebastian if that's okay.

>> Thank you very much Jordan. We have the first reading for the accommodation of the ombuds subgroup. I think we have gone through this topic exhaustively as the rest of the topics we have worked on and I would like to hand the floor to Sebastian to walk us through these first readings of the ombuds group recommendations. So Sebastian, you have the floor.

>> Thank you. We'll go to the change as we already discussed in the plenary's report of the ombuds subgroup that we will show here the changes made since the last call. And we tried to take into account the inputs from the participants of the plenary during the last call in the change we are suggesting here. You have received full document almost 2 days ago and if you have comments outside of the change made I am sure you can do it also during this call if needed. The first proposed change we add the situation of the Ombudsman, the current document as well not change the by law. We will not change either the framework of the ombuds office and therefore all the ways working today will stay. What we will do with our report and with taking into account the external review inputs, the role and the way of working of the ombuds office within ICANN. The first one, I don't know -- I will read through real quick. [Indiscernible] modified the charter of the office of the ombuds system section 5.2 of the ICANN bylaws or the jurisdiction of the office of the Ombudsman as documented in the ICANN Ombudsman framework. I just also want to remind you that you received in the new document we had questions from participants from the group and some inputs from the external reviewer after the review was completed. Thank you. If there's no comment on this one maybe we'll go to the next slide, please. Okay. Here we made some changes and we strike out KPIs in rem days 5 and we strike out in the recommendation 7 subject to practicality. This was discussed last time and I think it was agreed but it's time now if you want to discuss those points. Okay. If not let's go to the next slide. I guess the next slide is with recommendation number 8 and the recommendation could be seen with a lot of changes because there's a lot of red. In fact we tried to underline each part of what will be done. This is made up of 5 members to act as advisors, supporters and Weiss Councillor for the ombuds and should be made up of a minimum of at least 2 members with Ombudsman experience and the remainder with extensive ICANN experience. The panel should be responsible for contribute to the selection process for new ombuds which would meet the various requirements of the board and community including diversity. Recommending convenient dates for the position of ombuds to the board, recommending terms of probation to the board for the new ombuds, recommend to the board firing an ombuds for cause, contribute to an external evaluation of the ICANN ombuds office office every 5 years, making recommendations regarding any potential involvement of the ICANN office in non-complaint work based on the criteria listed in rem days number 11. The panel cannot be considered as being part of the ombuds office and cannot be considered additional ombuds. But rather, external advisors to the office. Any such advisory panel would require the ombuds to maintain its confidentiality engagements per the bylaws. I hope you were able to understand me. I saw some said my voice was fading and I hope it's a little bit better and I will try to speak into my

mic. Any comments from that recommendation number 8, proposed changes? There's one comment on the Adobe Connect -- it's difficult for me to do all at the same time. It can be done by talking? It would be easier for me.

>> If I want I can read the comment on the chat.

>> It's better if not just my voice is heard during this part of the call. I guess change of speaker would be great. I would appreciate that Leon, please.

>> Okay, so I will read the comment. He said the recommendation concerning a panel is better but okay -- he's okay with most of the points. I'm not going to list them but he's also making a remark that he seems to see no need for a panel acting as advisors, supporters or wise panel. [Indiscernible]. So that is Petersen's comment. Back to you.

>> Thank you. Sebastian speaking and thank you for your inputs. What we have to take into account is this review we take the review from the external reviewer with deep knowledge of the ombuds in different organization and they come to this proposal because of ICANN and because of the knowledge. Therefore, we think as a subgroup that this is a very important point to be taken into account and that we need to stick with the recommendation of the external reviewer. And this is not so say that the ombuds would be bad ombuds or the board will be a bad board or the community will be bad but to have this link and better work and the help from people with a good knowledge of what is ombuds work, this is why we have added this proposal and support this proposal.

[phone ringing]

I don't know if you want me to -- if you want me to add or you have anything to add on that. But I hope that my points will answer the question here. May I suggest that we go to the next slide and see the next changes? Okay. The last one. I will hand over the floor to Leon.

>> Thank you very much Sebastian. So I see they're reacting or following up to your comments. The problems are not solved in conflict organizations that by adding additional offices or panels to the organization and the tasks or panel is unclear. It is particularly problematic. And to that Finn I would like to point out as Jordan Carter has pointed in the chat, we do have an expert report suggesting that these do not undermine the function of independent in the ombuds and that the proposal is seen as an improvement and presumably this would add to the role of the Ombudsman and hopefully improve the overall work of the ombuds office. I see Jordan Carter's hand is up so I will hand the floor to Jordan. You have the floor.

>> Thanks Leon, Jordan Carter here speaking as a participant in the CCWG, not with any kind of cochair hat on. I think this is a different view about the panel and the clarity or otherwise. Where my head is at on this is that we've got an independent review that's been done and a report that does include in recommendation. What we're looking for in this first reading and hopefully second reading is to approve the content of the report for public comment. So my request I guess would be that whether you agree or disagree with the specific part of the recommendation, given it is recommended by the external review it would be most appropriate for us to give the whole community the chance to comment on it by including it in this report. And so, I don't think

anyone is going to take an approval at this point as meaning that issue can't be picked up in the public comments and as we come back to consider a final version later. But I really do think that we should include that proposal as its been amended in the report for first and second reading so we can ask for those community comments. And thanks, Leon.

>> Thank you very much Jordan. I know that they are agreeing in the Adobe Connect room chat and we have also some comments from Farzaneh in the sense it won't undermine and just bring oversight to the ombuds office. So I would like the suggestion you just made, Jordan. I would kindly ask that we conclude this first reading and leave the recommendation as they are so that we can have further participation from the community in the public comment and see how it goes with this recommendation. We received feedback on that from the wider community and we conclude with this first reading. So are there any objections to approve these as the first reading for these recommendations of the ombuds group? Good. So seeing none, this concludes the first reading and we will continue the process on these recommendations and we'll have the second reading in our next -- in our next meeting. So that concludes this agenda item and I will now hand the floor back to my cochair Jordan so we can see if we have solved the audio issue with Avri and jump to the accountability topic. Jordan, you have the floor.

>> Thank you. I'm just going to add thank you very much Sebastian and all of the participants in the ombuds group for bringing us to the end of this first reading. I know it's a little bit of a bumpy ride at the last call but I'm glad we're there today. Turning to item 6 on the agenda, the second reading of the draft recommendation of the staff accountability sub-group. I understand Avri that we now have some audio for you. So I will make another effort to hand over to you to take us through this update.

>> Okay. Thank you. This is Avri. Hopefully I am being heard now. Please confirm.

>> You are. Yep.

>> Okay. Thank you. And thanks for going back to the slides and for all the help I got getting put back online. So, should I be reading through the recommendations again or should I just be talking through the points where we had a few minor changes after the first reading in anticipation of the second reading? How would you prefer? I can basically look through the recommendations again and mention when it's changed since the last time or I can go directly to the changes.

>> Avri I think that it would be simpler to just focus on the areas that have changed and provide comments after that or the recommendations that haven't changed.

>> Fantastic. Thank you. So the first change was actually made in the roles and responsibilities on page 3. Let me see, is that the one showing? No, this is before the slide and it was just a minor one but I do want to mention it. In roles and responsibilities on page 3 there had been some discussion in point 7 in thinking about staff accountability the most important is staff collaboration is successful. The community needs to be sure and this is what was added, when appropriate, that ICANN staff will be congratulated and thanked when things are working well and also to be sure and this is also been added, when appropriate, that's held accountable through

the usual set of human resources. The rest remains unchanged. Basically there had been a discussion last time about the need to add when appropriate in these descriptions. That was done. Okay, now moving on to -- there was another one on page 5 and I'm sorry that I'm not in line with the slides. But I want to get all the changes that were made. On page 5 -- darn. Okay. That is the one that's on the slide, the pain and there's a change to recommendation 3. And towards the bottom of that basically there was an issue raised about whether it was an informal procedure or an ad hoc procedure. And, basically the agreement was that ad hoc was the term we should be using, not informal. So that change has been made. And that would be -- is that in this quote or is that further in this quote on 3? But anyhow, that was one change that was made there. The larger change that was made on this one and probably is on the next slide, it was the second change is that begins at the bottom there. While this panel should work transparently it will at its discretion be able to treat issues that require it as confidential. There was a request then that we give examples and the recommendation was made that the transparency team had already worked with the SO/AC team. I think this was a recommendation from Steve. We all congratulate. And basically had been the recommendation that I just pulled from there those things. So it's probably on the next slide then. Basically the list of transparency exceptions for basically treating issues as confidential. And so it was A, trade secrets or sensitive commercial information, B, internal strategic planning whose disclosure would likely compromise, C, information whose disclosure would constitute an invasion of personal privacy, D, one that would harm security and stability and E, information that is disclosed would endanger the life, health or safety of an individual or materially prejudice the administration of justice. These had been looked at several times before so hopefully there's no issue with those. Still looking forehands. Don't see any. The next change was on page 6 which is -- I don't know if it has a slide. But we had the discussion during the meeting on whether it should be service level guidelines or service level agreements. There had been -- and there had been basically both words listed in the text. And basically, the decision of this group, the consensus seemed to be to stick with guidelines and therefore that is what we have done on that one. That was the list of changes that were made. Basically the changes were made, the subgroup had, I think it was close to a week, maybe not quite that long given the deadline. And, there were no comments or disagreements with those changes in the work group. They are not substantive but they do reflect the issues and comments brought up by others during the meeting. And I think that's it. I don't know if there are anymore slides on this but I think that's pretty much where we're at. So hopefully that is an acceptable draft recommendation to send out for comment at this point. Thank you.

>> Thank you Avri for running us through those changes. Are there any questions on what Avri talked through? She did give a bit of a chance for people to ask questions. I'll just ask that again. We worked through the whole bulk of recommendations at the last call. And this is a second reading. So we'll be going out to public comment if you approve this at this meeting, if there are no objections. So in the interest of moving us along, thank you Avri for your work here and bringing us to this point. [Indiscernible] thank you to all the participants in the group. And unless there are any objections declared now I declare this completed second reading for the staff accountability work for public comment. Are there any objections? There are none. Thank you. Thanks Avri.

>> Thank you.

>> I will now hand back the cochairing to Leon. Leon will take us through the cochairing for the rest of the call because I need to leave the Adobe room and move around a bit. Leon, over to you.

>> Thank you very much Jordan. Now it's time for agenda item number 8 which is the first reading of the final recommendations of the Human Rights subgroup. And for that I would like to hand the floor to the rapporteur of the Human Rights group which is [Indiscernible] could you please walk us through this reading.

>> I would love to and luckily we can walk this time instead of run like we did last time because we got a bit more time to talk this through and I hope we can finalize a first reading of the work we've done here. So just quick recap we approved a draft recommendation for plenary considerations at the end of 2016. We did two readings of the document and then the document went to public comment. Next slide, please. In the public comment we had 11 respondents. Majority of them thought that the text was good as was and there were some suggestions and comments that were out of scope and some we haven't been able to address in the document and have extensively discussed them and also shared a summary of those discussions here with the list. And it was a decision by the subgroup to not take on comments from several governments and this generated a minority opinion which was shared. So we came to consensus which is not a full consensus but it was a consensus and therefore we have a minority opinion. Next slide, please. It should also be said that the text as we have it for us hardly is changed from the last time. We did two readings. There are two small changes. One is an addition to a footnote which now reads, including but not limited to. And where it was previously only saying including and there was a grammatical change. So there are no significant changes to it. Now if you will let me to go into the detail of the dissenting opinion and the dissenting opinion which has handed in by the UK, the governor of UK and Brazil and supported by the government of Peru and the government of Iran that they would like a larger more mention of the UN guiding principles for business and Human Rights. Currently the UN guiding principles on business and Human Rights are mentioned in the document but these governments would like to see more mention of them. Next slide, please. And that is currently where we are. So that leaves the discussion here to the plenary whether we want to seek to address the dissenting opinion or continue as is with the consensus in subgroup. So here I would like to hand it back to Leon. Leon, please go ahead.

>> Thank you very much Neil. I would now like to ask for any thoughts or comments upon what Neil has kindly stated and to see if there are any comments on the compromise that has been discussed in the mailing list. And I see Jorge's hand is up. So Jorge you have the floor.

>> Hello. Good afternoon. Can you hear me okay?

>> We do hear you.

>> Okay. Thank you so much. Switzerland for the record. I would like to make this story short and point you to the email I sent today as a reaction to a kind email from Greg where we have

been trying to workout the compromise solution based on the text I had circulated before the last plenary meeting. I don't know if it makes sense to go into the nitty-gritty detail of all the wording to be very succinct. I have said on this that I could accept the proposal made by Greg on the second sentence that I had proposed for the framework of interpretation where Greg proposes to change it somewhat and under the consideration part. And, in addition to that I have proposed and I'll go directly to my lesser alternative to include reference, a factual reference to the UN guiding principles on Human Rights. That is on page 6 of the PDF that was distributed where a list of relevant international Human Rights instruments are included. So in my opinion that would strike an accessible balance and of course as I said in my email speaking for myself I cannot represent the other governments. But I think [Indiscernible] we had achieved before the period in the subgroup and it would be certainly very helpful for me internally to explain to other ministries that we had achieved at least some [Indiscernible] main thrust that we have put into our public comment. So, I leave it by that for the moment and if you want me to read out what the text would exactly look like I can do that but as I said this is I think quite well explained in detail in the email I sent today as a response to Greg's compromised proposal. Thank you.

>> Thank you very much Jorge. Before going to David and Greg my feeling, my interpretation of what I read in the list is that we do have compromise agreement on this issue. But of course that is my interpretation and I would like to hand the floor to the people that are following up on this which are David and Greg. So David, you have the floor.

>> Thank you Leon it's David McAuley for the record. And I don't think -- well let me state that my opinion, my personal opinion is there isn't agreement yet but I do want to thank Jorge. I know I tried very hard to come up with compromise language. I don't support the compromise for a reason that I believe is very important and I think in the group there are others that have expressed our reasons for not agreement and I tend to agree with that. But my concern is there's a new IRP panel that could address these questions. Let me explain my concern. The compromise has had two phrases that are important. One saying that the principles are relevant to this bylaw and two, saying the phrase was they should be considered, should consider. I think we move to could consider which I think is a preferable language. But when we say the principles are relevant we are creating an opening for an IRP panel that would be chosen among people who are independent of ICANN who may not know about ICANN to go ahead and create -- to start creating precedent around this interpretation. The problem with that is in my opinion not all ruby principles are relevant. And I'll just give one example. Principle 13 requires business toss prevent or mitigate Human Rights problems whether they've caused them or not, coming from their business relationships. And that's not just people they have contracts with. That's people that are linked to them and in this case that would include registrants. To give the IRP panel the ability to make rulings with such a broad definition is an invitation to I think get to the content level. And so I think this is a big problem. It may turn out once the panel has been established for a couple years that this would be fine. But when the panel is just getting started and just creating precedent I think this would be unwise. So that's the reason for my nonagreement do this and thank you for the opportunity to state that.

>> Thank you very much, David. Next on the cue I have Greg.

>> Thanks, Greg for the record. And thank you Jorge for your response. I'll point out that the changes that I made to the second sentence are almost entirely made to harmonize it with the existing language in the considerations document as it was originally drafted. It was contradicting the existing language of the considerations document in several places which is why I made those changes. And the change of in so far to to the extent which according to -- was made for purposes of clarity according to my thesaurus in so far and to the extent are considered synonyms. In so far seemed ambiguous as it wasn't clear as whether it meant to the extent or somehow embraced it as an actuality. So in any case those were changes made for harmonization and clarity. With regard to the first sentence being put into the framework of interpretation, unfortunately I can't support that. It doesn't work. The footnote that's there is a footnote of core Human Rights treatise and the international labor organization documents and a footnote to the sentence that says there are a range of international Human Rights declarations and covenants that can be relevant to ICANN's core value. The guiding principles are neither -- this next sense is however they don't have an application to ICANN because they create obligations... That's not true of the guiding principles. Finally, the guiding principles don't create international Human Rights or define them. They are intended to provide guidance for conduct and implementation by businesses. So they're really different in kind. So those are my core objections and I think ultimately it just does not fit with the concept -- it still seems to be an attempt to use the guiding principles as a method of the interpretation of the bylaw which is the bottom line problem here. Thank you.

>> Thank you very much Greg and I think that Jorge has a follow up on this and he's next on the cue. So Jorge you have the f. You might be on mute. We can't hear you.

>> Can you hear me now?

>> Yes, we hear you now.

>> Okay. This is Jorge again for the record. So, let me try the following. We are talking about two aspects of the proposal that I already [Indiscernible]. So we have the second part of the proposal which has now the full that has been by Greg and has been located under the considerations document. So, I would understand that as that text now reflects and has incorporated with changes Greg's text, it would be compromised proposal except by all. I want to understand that the change from should to could means that this is also something that David although not absolutely happy, would be able to live with. And that's one piece of the proposal. And the other piece where it seems that we don't have an agreement is whether we mention under the framework of interpretation in my alternative proposal, the UN guiding principles on business and Human Rights has one relevant instrument of Human Rights. And here I just wanted to point out that in the footnote that I proposed in my email, there is no text anymore that says that these UNGPs are relevant for organizations. It's relevant for business organizations or it's relevant for ICANN, that was problematic to David. Would this appear in this? So I don't know if that makes a difference for David. And to Greg. I heard that he was saying that the UNGP don't fit well in the list of footnotes. I think that they do because in the end they are the international standard for business and Human Rights. And there are many aspects that [Indiscernible] business and the UNGP helps us in driving the other international human law

instruments to organizations like this. So I would think that just the factual listing of this these international standards in a footnote of the FOI should be [Indiscernible]. And I have to recall that this is a very important thing for many countries and it has been a very strong commitment from us to continue this in the framework of interpretation. And by including it just in a footnote without any obligation, without any strong commitment really, just factually at the reference that there is this instrument that might be relevant. That is subject to all the interpretation of material that is included in the FOI and in the consideration that this shouldn't be really a cause for any kind of concern from other members of this group. So, I would really urge you to consider this factual reference in a footnote. [Indiscernible] package and so that we could go with this compromise proposal including the text as I said before, formulated by Greg for the consideration which is really the substantive part and with a could and we can include the factual reference of the UNGP and this will [Indiscernible] the FOI. Thank you.

>> Thank you very much Jorge. I would like to remind all participants we do have a timer and it's set for 2 minutes. We gave Jorge 6 minutes. So that is extra consideration for Jorge, of course. And now I would like to hand the floor to David McAuley for a follow up on Jorge's comments.

>> Leon, thanks. David McAuley. I thought I should follow up since Jorge was basically asking me and I I think he's due a reply. The language we've been looking at in the last self days is the language I quoted before, the phrase, the principles are relevant and should consider. If I missed the impact of a footnote I apologize. But my concern is this. I would be -- my personal opinion is that we should not and I strongly would oppose adopting language that presents an opening to an IRP. I think the IRP should be kept out of applying the ruby principles to ICANN at least for now. And the concern I have is the one I expressed earlier. Not all the ruby principles apply to ICANN. The ruby principles basically tell a business if you have leverage, use it to stop these Human Rights abuse within your business relationships. And again that's a very large group of folks. The problem is ICANN is unique and it does have leverage including leverage of ridge vanities and I think the language should be clear that no -- there could be no chance this language would allow an IRP panel to assert its view of the ruby principles over ICANN's views of the application of the ruby principles. If ICANN's discretion is honored over that of what a panel reviewing it might later find, that would be fine with me. I think ICANN should have the discretion here with respect to the ruby principles and that discussion should be absolute. Future conduct and future experience with the IRP panel could change those considerations but for now I think it's just not right and I appreciate the efforts that Jorge has made but for that reason I'm opposed to this change right now. Thank you.

>> This is Avri. I am off line on the computer. Can I get stuck in the cue somewhere?

>> Yes, of course Avri. I'll go to Greg then I'll jump to you. So Greg, you're next on the cue. You have the floor.

>> Thank you. Greg Shaton for the record. I think my initial remarks explained why the footnote. Adding this to the footnote would be both inappropriate and problematic. Sticking it at the end of a list of core Human Rights treaties would elevate the guiding principles to the level of

core Human Rights treaties. It would also be factually inaccurate as the next sentence goes on to explain those things which are referred to in the text then further explained in the footnote are applicable only to states. It's not applicable to states. So it's just -- it's a case of one of these things is not like the other one or all the other ones. And, therefore it just doesn't fit in that place. It also implies that the guiding principles set Human Rights and define Human Rights and they don't. What I would suggest as a further compromise is taking that sentence that we've been talking about and adding it as a footnote in the considerations section so that it footnotes the first time the guiding principles are mentioned. So that it does serve as a factual explanation of what the guiding principles are. I think that would be useful and appropriate. Right now the guiding principles are introduced but there's no explanation of what they are and and the little one sentence explanation in the footnote I think could help eliminate things for the reader. But, unfortunately I can't support modifying the footnote in the FOI for the reasons I've now stated. Thank you.

>> Thank you very much Greg. So what I'm hearing is that you would agree to add the footnote in the considerations but not in the FOI. Is that right?

>> Well it would not be the same footnote. It would be a footnote that would essentially embody the first sentence of Jorge's explanation rather than just adding the name of the UN guiding principles. That wouldn't make sense. So it would be to add the sentence that describes the UN guiding principles. So that the footnote would say the first time the guiding principles are mentioned there would be a footnote that says the UN guiding principles are irrelevant for business organizations. That way the language would be there and it would be in a place where it makes more sense. Thank you.

>> Good. Thank you very much, Greg. Next on the cue I have Avri. So Avri you have the floor.

>> Thank you. Hopefully I can be heard. Okay, I want to speak to two points. One, I very much support the notion of arriving at a compromise on this so that this report can go forward without the dissenting view needing to be there. My mind is a little goggled at the moment at the back and forth on word Smithing. But I'm really hoping that Greg and Jorge and all can come up with a set of footnotes, a set of modified footnotes, whatever. What I would really like to speak about and I don't see my clock so I will speak quickly. What I really want to is take issue with David's point about the panel. The panel is constrained by the bylaws, the bylaws say nothing -- you know, the content may not be touched. That we don't deal any content. So to say that a panel with all the rules we're putting together for panels and the constraints, that a panel would go against, you know, the bylaws is something I can't imagine. So I think that the fear, that the fear of these things possibly being considered, all of us throwing this into content is specifically barred already by the bylaws and expect any panel would adhere to those. So thanks.

>> Thank you very much Avri. That does make sense, your reasoning in regard to the bylaws and the IRPs. But I think David wants to follow UCP on that. So David, you're next on the cue. I assume Greg is that an old hand or am I skipping you? Okay. That was an old hand. Next on the cue I have David. David, you have the floor.

>> Thank you Leon, David McAuley again. Just to respond to Avri I think her point is a good one and I could very easily envision an IRP panel saying we are bound by these bylaws and we cannot go to that content level. My concern is that when we expressly state that the ruby principles are wrapped into the Human Rights bylaw somehow we give them the option of finding something different and I've been -- I'm in a second career here. I used to be a corporate lawyer and I did litigation and I saw judges and panels make rulings that are surprising. I'm saying we're creating an opening that I think is unwise. But I take Avri's point, it's a good one and I agree the bylaws are good in this respect but I think when we mention ruby principles we're bringing them on to the table and that was my concern. Thank you.

>> Thank you very much, David. I see some notes on the chat by Jorge. He's stating the compromise would be composed by two elements. The first a footnote for the considerations part where the principles are mentioned [Indiscernible] saying UNGP are relevant for business. That is the first part which I think I heard that with certain wording could fit in this compromise. And the second part is that the text formulated by Greg for the considerations could be compromised [Indiscernible] and I quote the text formulated by Greg is this to the extent that ICANN the organization is a business, it could consider certain aspects of the guiding principles as a useful guide when applying the Human Rights core value to its business activities. So, what I'm reading is that this could be in fact a compromise that could take us to finalizing this report. And I would just like to ask if there are any objections to having these as a compromise for this issue. I'm seeing that Greg is typing something. And David is reiterating his concern on what he has expressed previously. And Julf is also agreeing with David's concern. So, what I take out of this is that there seems to be agreement to add a footnote in the considerations part. This would of course need to be worded and Greg is stating he's still concerned about what David and Julf have expressed. So Greg, would you like to take the floor? Two minutes, please.

>> Thanks, Greg Shatan again for the record. I guess I would like to perhaps hear from David or Julf if there is a way to work with the language suggested for the footnote in the consideration section where we've already mentioned the guiding principles and where we have specific language that kind of I think describes how the guiding principles should be looked at if at all. And does not I think -- sorry, let me begin with a new sentence. The way I look at the concern that David raised was that by adding the reference to the framework of interpretation and adding it along with core Human Rights treaties, it essentially invited the inclusion of the ruby for interpretation of the bylaw. My personal feeling is that moving -- that by having the footnote in the considerations document it doesn't raise the same concern. It doesn't kind of invite the opening of the bylaw and the insertion of the guiding principles that's kind of an unwritten method of implementing the bylaw. And so, you know, I had hoped to elay David's concerns with my suggestion. So perhaps if my explanation has been helpful or if the concern exists, if so if there's anything we can do to elay it. Thank you.

>> Thank you very much, Greg. And now I have David on the cue. So David, you're next. You have the floor.

>> Thank you Leon. David McAuley again. To respond to Greg. Thank you for that. If the language is in the considerations my concern would still exist. But to answer your question is

there anything we could do. If we could come up with language that does the stronger language that Jorge is asking but explains this is in ICANN's discretion, language like notwithstanding the foregoing, these will not be presented at IRP or some language along those lines. That would satisfy me because it leaves it at ICANN's discretion and would protect the bylaws pretty much like Avri was stating. And ICANN would then be exorted to see these as relevant and important. ICANN know its [Indiscernible] new people, independent, they will be educated about the DNS but they may not know about ICANN's remittor may not appreciate it until they've been there a white. That's the concern I was trying to address. I think, yes, adding new language is saying none of this will end up at IRP would probably work. I would have to take a look at it. Thank you.

>> Thank you very much, David. So I just put a comment on the chat that maybe adding something to the wording of that footnote in the sense of ICANN could at sole discretion, blah blah blah. Maybe we could bridge this gap and I think that could help us move on on this issue. Would that be some kind of language that could help us bridge this gap? And I am asking of course both sides. I mean, government and our friends in the private sectors. David.

>> Thanks Leon just to respond I think that kind of language would work but we have been wrestling with pretty precise language the last week. So, it may be hard to do it on the fly in this call. Thank you.

>> I agree. I'm not suggesting that we finalize the wording in this call. But, just to find a bridge that can lead us to building this last version in the language so we can of course finalize these recommendations. Jorge is typing. He's asking us if we can have the text from Greg on the Adobe Connect. I'm not sure that is possible. Bernie is telling us that this will take a minute. So if we could, please, hang in here for a minute and mean while I'll give the floor to Greg whose hand is up. Greg, you have the floor.

>> Thanks, Greg Shatan again. Just to respond to David's suggestion. While I would have no objection to language like that being added to the footnote, it's my view that the sentence -- the two paragraphs that deal with the guiding principles as a whole, um, to which this footnote would just be appended as an explanation of what the guiding principles are, already adequately has enough language of discretion and conditionality built into it. So I think it's important to look not just at the sentence that I've suggested that's an adaptation of Jorge's second sentence but also look at it in context which is in the footnote -- is in the emails that Jorge and I exchanged on the list. It's really the context that informs the approach that would be taken I think by an IRP panel if the guiding principles were suggested as some sort of mandatory lens or even discretionary lens to be used. I think it would be clear from that statement there taken as a whole that the guiding principles are intended to be discretionary in the ICANN context for reasons that are way too long to go into. But that is I think the background. So I'm concerned adding a second sentence in the footnote will restate what's already in the text. So that's my view. I think it's already handled. Thanks.

>> Thank you very much, Greg. And I think this is turning out to become a subgroup call which is of course not the intention. And I would then encourage us all to propose -- in order to begin

tackling issues, I would like to ask if there are any objections to accepting the overall first reading of this final recommendation. But of course, this minor issue or this big minor issue as you want to see it, and give us one last opportunity to try to find compromise by doing the word Smithing of the footnote and text and come back for a second reading of the overall recommendations with the enhanced wording for this compromise. And I see Niels's hand is up so I would like to give the floor to him.

>> Niels, you have the floor. You might be on mute.

>> Yes. Very sorry. I think what you're proposing and I just want to make sure I really understand it, that we have the original text plus the suggestion just agreed by Greg and Jorge and what is left up for the second reading is the footnote that we will discuss on the list. Did I summarize your ask for consensus in the call correctly? Yes, this would conclude our first reading as is. But, we would go back to the subgroup in order to let this compromise land safely into the next version or the final version of the recommendation. And that is what I am asking. I'm not sure I'm providing the message accurately. And I also see that Bernie's hand is up so Bernie would you like to add any comments to this?

>> Just so we're all clear on this. This would be a first reading of the document with the plenary recommending we bracket the minority opinion and we bracket the proposal, last proposals made in chat. So those things in standard, if we will, international language the report being approved in its entirety, those two things are in brackets and need further discussion until our first reading but this is a first reading and we would resolve it at the second reading next week on the 18th. That's I think the way we could proceed if it's okay with everyone.

>> Thank you very much for this position, Bernie. And, I support this way forward. So if there are no objections at this point, we will do as Bernie has just suggested and state on the record, I see agreement in the chat and I see no objections on the Adobe Connect room. So, thank you very much to Niels who has led this effort as rapporteur of this group and of course thank you very much for all the participants we have had an amazing participation on these Human Rights subgroup, not only by the rapporteur but also by all the participants and members of the subgroup. It is really nice to see this coming to an end with very little issues. That was the only two to agree on. But I would really like to [Indiscernible] to all of you for your hard work. So, that would lead us to our next agenda item which is the review of jurisdiction OFAC recommendation. There has been also a good discussion on the OFAC recommendations issue on this jurisdiction subgroup. I note that Kavouss at the beginning of this call stated for the record that he submitted a note that seems to have the consensus of the group about designing a stress test for the situation highlighted in said note which I will not go through or repeat as we have not enough time to go through it all. But I would like to call Greg Shatan as to lead us or comment on these OFAC recommendations that was of course sent before time so you could all review it. So Greg, would you please take the floor on this?

>> Thank you, it's Greg Shatan for the record. Sorry you've already heard so much of my voice before we even get to this. In any case... The basic point of these recommendations is to look at how ICANN as an entity located in the U.S. has to comply with OFAC sanctions and seeking

improved, suggesting rather some improved methods for how it could deal with these. It really breaks down into two specific points. It might be -- I don't have any slides unfortunately. I don't know if we can put up the recommendation itself for a first reading. The footnote that's here or the text that's here is a useful note on one issue that came up in discussions. And so, it was duly noted for everyone to eliminate the text that exists. But it's the text that really is at the center of the reading. So, we'll wait for it to come up in the -- in the Adobe Connect room. That's not it. Apologies. We're looking for the OFAC recommendation PDF. Should be attached to my email of approximately a week ago. To begin a bit, the recommendation begins with background while for those in the jurisdiction subgroup we have been well aware or have become well aware of exactly what OFAC sanctions are. That can't necessarily be assumed of all readers in the plenary much less the public comment. So, the first several paragraphs are just a primarier or mini primero what the OFAC sanctions are and how they work (primer). Most of this was drown on the text from OFAC and the intent was to be as factual as possible and not get into the interpretation of OFAC's regulations or sanctions. So, first there's an explanation of OFAC, the office itself which is the Office of foreign asset control which is a part of the department of the U.S. treasury. Then there's a note as to what persons, people or entities have to comply with OFAC sanction and then it would be good to have a scroll control. Then there is an explanation of covered persons. That is those who are affected by the OFAC sanctions. So, I'll pause here and see if there are any comments on the explanatory text before we get to the recommendation. So it will be good to have scroll. Here we have scroll control. Thank you very much. So, as I said I'll pause a moment. Then there's an explanation of prohibited transactions and last what OFAC licenses are. A license is really a form of permission to engage in a transaction that would otherwise be prohibited. And, it either be specific as to a specific transaction between parties, between specific parties or there can be general licenses which are -- cover a class of transactions or type of transactions in a class of persons. So they're broader. But those are made through regulatory action as opposed to a specific license which is basically an application for permission by one of the parties. So if there's no comments on this, look at the actual issues and recommendations, the first recommendation falls under the heading ICANN terms and conditions for registrar an accreditation application relating to OFAC licenses. The gist of this recommendation relates to the terms and conditions for applications for registrar an accreditation and it currently says however applicants acknowledge ICANN is under no obligation to seek such licenses nanny given case OFAC could decide not to issue a requested license. Our recommendation is to strengthen ICANN's approach in the last sentence so that ICANN would be required to apply for and use best efforts to secure an OFAC license if the other parties otherwise qualify to be a registrar. Further, we state that ICANN should be helpful and transparent with regard to licensing process and ICANN's efforts including ongoing communications with the potential registrar. And this is due to previous concerns raised about a lack of communication and transparency. So this is really the first recommendation. So I would like to see if there are any comments or concerns with this recommendation. Seeing none, move on to the second recommendation here which relates to the approval of new GTLD registries. It is really the same issue, the AGB as it currently stands states in the past when ICANN has been requested to provide services to individuals or entities that are not SDNs, especially designated nationals, but are residents of sanctioned countries, ICANN has sought and be granted licenses as

required in any given case, however, OFAC could decide not to issue a requested license. So our recommendation here again is that ICANN should commit to applying for an OFAC license and using its best efforts to secure an OFAC license for applicants that are otherwise qualified. So it's really a parallel recommendation also with regard to being helpful and transparent. So we'll see if there are any comments on that. A third recommendation has to do with applications of OFAC limitations by non-U.S. registrars. This responds to concerns that registrars may be following some registrars that are not based in the U.S. are nonetheless following OFAC sanctions and it may be that they are not required to do so. Whether an entity is required to comply with OFAC is beyond the scope of our discussion. It's obviously a legal analysis that has to take place based on contacts with the United States and the like. But, several concerns were raised about a specific scenario where this might be happening essentially in advertently. The first is a concern that some registrars may incorrectly assume that merely having a contract with ICANN, while having no other contact with the U.S., that would be relevant to an OFAC would somehow commit them to complying with OFAC. So we do seek here to have ICANN clarify that solely entering into a registrar an accreditation does not give the obligation. Second, there's a concern that some registrars, non-U.S. registrars conceivably could be using or reusing registrant agreements created by U.S. registrars and essentially cutting and pasting them into their own procedures and having them state that there's an OFAC compliance obligation which was true for the original author but not true for the company that's now reusing the registrant agreement. We were presented as a subgroup with evidence of two registrars that appear to have done just such a thing. And indeed one of those two registrars actually changed its registrant agreement after this was highlighted both in a blog posting article by the international governs project and also in our subgroup's work. So perhaps we helped to solve the problem, at least for this one registrar. So we note that's a problem. And we note that while ICANN can't provide legal advice to registrars, they should clarify that the existence of the RAA does not cause them to have a compliance requirement for OFAC. And also, to remind them that registrars should understand the applicable laws under which they operate and to accurately reflect those laws in their customer relationships. Any comments on this before we go to our final recommendation? Seeing none, I'll move on. The last recommendation relates to general licenses which I've already explained. The recommendation here is that ICANN should seek one or more general licenses that would cover DNS related transactions such as perhaps registry and registrar accreditation agreements with various covered person. The recommendation more specifically is that ICANN should begin by making it a priority to study the cost/benefit time lines and details for seeking and securing these general licenses. And then, that ICANN should move ahead and pursue one or more of these licenses at the earliest possible time unless this study process reveals significant obstacles. Further, if there are significant obstacles ICANN should report them to the community. And here there's a little bit of vagueness that needs to be resolved whether we're talking about the ICANN community generally or the empowered community entity. So we need to resolve that one point here. I suppose that if we say the community generally, that includes the option of the empowered community responding as well. So, the community should be asked for its advice on how to proceed. Also, if ICANN is unsuccessful in getting a general license since it involves regulations being passed by the U.S. treasury, that they should explore other methods to accomplish the ultimate goal which is to enable transactions between ICANN

and residents of sanctioned countries to be consummated with a minimum of friction. Last, sounding familiar refrain, ICANN should communicate regularly about progress towards securing the general licenses so that there's a raising of awareness in the ICANN community and with effective parties regarding both the issue and its potential resolution. So, that is the last of the recommendations within our OFAC recommendation set. So, I'll see if there are any comments on this as well. Seeing no comments in the chat, I do see one person typing, no hands. So, with that unless the comments in the chat are relevant, I will turn this back to our esteemed cochairs. Thank you.

>> Thank you very much Greg for walking us through these recommendations. Since there have been no objections on any of them I would like to thank the subgroup for submitting this to the plenary and now you are able to incorporate this to your jurisdiction recommendations. So thank you very much, Greg and thank you very much to all who have worked on this including of course our esteemed colleague Kavouss. And our next agenda item is any other business. So at this point I would like to ask if there are any other business that anyone would like to raise. Okay. Seeing none, I would just like to remind you of our next plenaries which are programmed to happen on Wednesday October 18th which is next Wednesday and then our face-to-face meeting in Abu Dhabi for October 27 which is Friday October 27. So, having done this I think we can wrap this meeting and I would like to thank everyone for their attendance and for the work. I think we've made a lot of