

TRANSCRIPT

Framework of Interpretation Working Group Call

15 November 2012

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Keith Davidson: Hello. I think it is time we made a start. It's four minutes past the hour so I think, firstly, if we can have a look at who's on the call and apologies and I've just received a text from Stephen Deerhake to say that he'll be a few minutes late so we can note that as an apology for lateness. And, Kristina, can we have a list of those on the call and apologies received, please?

Kristina Nordstrom: From ccNSO we have Martin Boyle, Keith Davidson, Chris Disspain, Daniel Kalchev, Eberhard Lisse, Paulos Nyirenda, Patricia Poblete, Nigel Roberts. And from Liaisons we have Cheryl Langdon-Orr. From Staff Support and Special Advisors we have Kristina Nordstrom and Bernie Turcotte. And apologies from Jaap Akkerhuis and Ugo Akiri. And following people will join late—Bart Baswinkel, Kim Davies and Stephen Deerhake.

Stephen Deerhake: Hi there, it's Stephen.

Dotty Sparks de Blanc: It's also Dotty.

Unidentified Participant: Hi Dotty.

Dotty Sparks de Blanc: Hi, how are you?

Unidentified Participant: Hi, how are you?

Kristina Nordstrom: Okay, so we also have Stephen Deerhake and Dotty Sparks de Blanc.

Keith Davidson: Thank you, Kristina. Any further apologies? Anyone else on the call whose name wasn't mentioned? Can we move to confirmation of the agenda? I haven't seen anything on the list, any issues. Anything missing? Eberhard has his hand raised. Eberhard.

Eberhard Lisse: Can I first, before we start, embarrass Keith by congratulating him for his re-election.

Unidentified Participant: Yes.

Unidentified Participant: Yes. Congratulations.

Unidentified Participant: Hear, hear.

Nigel Roberts: Were you elected for something, Keith?

Unidentified Participant: Sentenced to something.

Keith Davidson: Thank you, Eberhard. I'll feel embarrassed.

Eberhard Lisse: Thank you very much.

Keith Davidson: Thank you, all, and looking forward to serving the community for a little while into the future. Thank you. Nigel has his hand raised. Nigel?

Nigel Roberts: Are we still on the agenda? And the minutes?

Keith Davidson: Yes, we're on the confirmation of the agenda still at this stage.

Nigel Roberts: Then I approve that and want to talk later.

Keith Davidson: Okay. And if there's no—and I haven't seen anything on the list so if there's no desired changes, let's confirm the agenda. Move to item 3 and meeting report of 1 November. And Nigel.

Nigel Roberts: I approve that too and I want to speak on four.

Keith Davidson: Okay. Is there anything in the meeting report for 1st of November meeting that isn't otherwise covered on the agenda? If not, well move to item 4 and that is the

topic of Revocation. And I think, Nigel, did you have something that you wanted to raise before we launch into the topic fully?

Nigel Roberts: Yes, I believe we're talking about the minutes. So I'd like to see the word "office" substituted with the word "official" in 4.1.1 of the minutes.

Keith Davidson: Okay. Public official. So noted. Bernie, if we could, in 4.1.1 in the minutes, say public official.

Nigel Roberts: And if I was in a really tetchy mood, which I'm not, I'd complain about the double "L" in 4.1.3, willful.

Keith Davidson: I think there's an appropriate point too that it should only have two L's. One at the middle and one at the end. Thanks, Nigel. Can we move onto the topic of Revocation and, Bernie, I think there's been a bit of work done during the two weeks since the last call and a bit of (inaudible) last week, as well, so can we have a look at—

Becky Burr: Hi.

Keith Davidson: Hello, who was that?

Becky Burr: Becky, sorry.

Keith Davidson: Hi Becky. So could start to look at the amendments that have occurred since our last call? Thanks, Bernie.

Bernie Turcotte: Yes, we've been hacking away, actually, at section—and I'm going to be very precise because some people don't have access to Adobe Connect—and we will go back to section 5.2.4 defining substantial misbehavior. So repeating, section 5.2.4 of Revocation 2.0. I put up the text on the Adobe Connect because the proposed changes have been rather recent, I'm going to have to input in the document so you'll have to give me a minute while I actually get that done.

Kim Davies: Hi, it's Kim. I've just joined.

Unidentified Participant: Hi Kim.

Unidentified Participant: Hi Kim.

Chris Disspain: You're just going to put up the suggested changes now are you, Bernie?

Bernie Turcotte: Pardon me, Chris, I didn't get that.

Chris Disspain: Sorry, I said you were just going to put up the suggested changes now are you?

Bernie Turcotte: Yes.

Chris Disspain: Okay. Cool.

Bernie Turcotte: But it's going to take me a minute to actually input that. If everyone will be patient with me.

Chris Disspain: Very, very exciting. Stop talking, just do.

Bernie Turcotte: Yes, yes, yes, I can do two things at one.

Keith Davidson: While Bernie is multi-tasking, I'll just note that Cintra Sooknanan has joined the Adobe Connect room.

Bernie Turcotte: Where are we, where are we, working group, revocation. Wonderful. Being difficult at uploading documents again but this is not unusual. I'll try that again. It doesn't like the file name. Keith, while I'm doing this since I don't want to bore everyone for the next three minutes while I'm fixing this, maybe we can talk about—you can lead people in discussion about SIFF(ph) and I'll get this done in the next couple of minutes.

Keith Davidson: Okay, yes, no problems, Bernie. So we'll move to item 5 on the agenda and then come back to item 4 if Bernie's ready. I think there's very little to talk about other than we discussed in Toronto the response that we should make to the GAC and then we discussed it again on last week's call with one friendly amendment coming from Martin in terms of the final paragraph to the leader and really just confirming that a response has been sent to the GAC.

And I suppose while we're talking about the GAC, too, I did follow up with the GAC representatives on the working group to ask them to be, perhaps, a little more engaged in the work of the working group, recognizing that the GAC's going through a very busy period but noting the comments that came up during the Toronto meeting. And my hope is that Frank and/or Suzanne will be more engaged going forward but noting that neither is on this call.

Okay, so unless there's any questions, I think that dealt with item 5 on the agenda. So can we now move back? I see the document's loaded so can we now move back to item 4. I think, Bernie.

Bernie Turcotte: Thank you, sir. Yes, this is a red line version of what we have in 5.2.4 just to be clear and so it's—or 5.2.5 and it's a definition of substantial misbehavior. I'm very sorry for someone that doesn't have access to the Adobe Connect. You'll just have to follow through on the sound because the document has not been posted by email. So basically, what we've got is, I've taken the original text and we've amended it slightly to clarify some things and, especially after the last meeting we had. So we'll go through it piece by piece given it's a key element of what we've got. And so let me blow that up a bit so we can actually read.

Keith Davidson: Nigel has his hand up so currently it's Nigel.

Nigel Roberts: Just getting ready for Bernie to pause after something with lots of ones in it. He does actually have to read it out if Paulos has not got the document in front of him. So I'm just a little bit quick, I guess.

Keith Davidson: Yes, it's more than just one who are not able to be on Adobe Connect so it will need to be read in its entirety.

Bernie Turcotte: Can I carry on, Nigel, or do you want to say something?

Nigel Roberts: Yes. Or shall I do it for you?

Bernie Turcotte: Go for it.

Nigel Roberts: 1.1.1.1.1 The working group interprets Misbehavior in this context to refer to conduct involving the failure of a designated manager to, one, carry out the necessary responsibilities of that role or, two, carry out those responsibilities in the manner required by RSC1591. And then a bunch of deletions. A TLD manager would then appear to misbehave if—and deletions are as agreed between me and Martin. So I see no point on dwelling on them too highly. That was my point.

Keith Davidson: Thanks Nigel.

Bernie Turcotte: Come on. There's got to be more there, Nigel.

Alright. So that would be the first real paragraph of that block of text and, just to recap for those that don't have Adobe Connect and sorry for those that do but we want to bring everyone up to be able to understand what we're doing here, the working group—so we've taken that text and it would now read the working group interprets misbehavior in this context to refer to conduct involving the failure of a designated manager (1) to carry out the necessary responsibilities of that role, or (2) carry out those responsibilities in a manner required by RSC1591. Deleted text. It then follows on with a TLD manager would then appear to have misbehaved if it, colon. So that's the new text. I see Nigel has his hand up. Nigel.

Nigel Roberts: Formatting suggestion. As it reads at the moment, two does not seem to involve any failure so either use exactly the same words and put one and two clearly under a colon thing that refers to failure of a designated manager t too, or repeat the word fail after the second set of parenthesis, labeled two.

Bernie Turcotte: Okey dokey.

Nigel Roberts: Good.

Bernie Turcotte: Alright, so basically are there any other comments on that chunk of text? I mean, it really, technically, has not changed a lot. We've just removed, after discussion last week, the stuff relative to in a manner that roughly equates to misconduct in public office. And everyone seems comfortable with that so I don't see that as a big change.

Alright. Moving on to the sub-paragraph of that one. So basically, in the previous section we've got then appeared to have misbehaved. That's it. Colon. And this is the paragraph that follows.

Willfully neglects to carry out the duties of a TLD manager and/or in carrying out those duties willfully engages in misconduct to such a degree and without reasonable excuse or justification as to an amount to an abuse of trust placed in him by virtue of his/her/its duties as a TLD manager.

It used to read in him by virtue of his/her/its designation but, given designation was not really covered anywhere else, we thought it would be (inaudible) to substitute duties that the TLD manager as designation but then it becomes circular. Nigel.

Nigel Roberts: I actually like the change here. I think it adds clarity. The word "duties" perhaps is, we could leave it in or we could look for another word like "office". I'm kind of easy on this but, in general, I like what you're doing here although I think it's perhaps more office than duties but I'm fairly easy on that.

Keith Davidson: I see Patricio has his hand raised and then Martin so firstly, Patricio.

Patricio Poblete: Yes, this will make it a bit more awkward. The "him" should be changed so it matches the "his/her/its" instead of just "him".

Keith Davidson: Yes, I wondered whether it might be better worded as replaced by "them" by virtue of "their" duties as TLD managers.

Unidentified Participant: That would work, linguistically.

Bernie Turcotte: I think that's good. It was bothering me also.

Keith Davidson: Okay, thanks Patricio. Martin.

Martin Doyle: Thanks Keith. I'd like to move away from the gender question of the TLD manager and pick up on the point I made last time about willfully which still gives me cause for concern because it doesn't include, for example, any form of incompetence or refusal to invest or to apply the right resources to the activity. And equally well, it doesn't do anything if the person is unable to carry out their duties. For example, they've been consigned to prison or into a lunatic asylum or they've just gone away for an extended holiday without Internet connectivity. So I just, sort of, put my flag up again to say that I was having concerns with willfully. I still have concerns with willfully. It seems to me that the misbehavior wouldn't necessarily have to be willful but, of course, by putting willful in that particular place, it then has an impact when you pick up misbehavior in the following section. Thanks.

Keith Davidson: Thanks. Chris and Nigel have their hands raised. And then Eberhard. So firstly, Chris.

Chris Disspain: I wonder whether—I'm not sure that tying this paragraph into the second paragraph Substantial Misbehavior is particularly relevant but I do—I can see a possibility of there being something happening where it's not willful, where one might one to consider it to (inaudible) but Martin, I was wondering, Martin, if you were able to give an example of something where you thought the use of the term willfully would stop it being perceived as misbehavior in a circumstance where actually we all think it would be. Because that's really what I think it's saying that there are circumstances where that's the case but I can't really think of—I mean, what about if somebody was in a coma? How do we feel about that, for example?

Keith Davidson: I think that that's reasonably appropriate that question—Martin, do you want to respond to that?

Martin Doyle: Well yes, it's the fact that somebody might be in a coma, the fact that somebody might have carried out misbehavior that was not actually directly associated with the operation of the domain name and has ended up in prison for drunk driving or whatever and is unable to carry out his activities. But it might actually be something as simple as the fact that, to carry out his duties effectively, he needs to invest in the running of the TLD and has not got the resources to do that investment and it seems to me that here, you have got something that's going back to the terminology I do not like about this conduct in public office. I don't think any of those would be an excuse for not—for misbehavior in public office.

Chris Disspain: Can I respond to that, Keith, please?

Keith Davidson: Yes, of course.

Chris Disspain: So Martin, it's like you had me at hello but then you lost me halfway through. I'm unclear—your example on somebody who needs to invest is challenging because it's a pre-requisite isn't it? There has to be real problem. You could be running a very small and, sort of, meek little ccTLD that's just trotting along very nicely and how would you judge whether there is "(inaudible)" needs to invest. I don't think that that can sensibly be part of an interpretation that this being 91that is dealing specifically with misbehavior. But I do think there is some merit in examining more closely how you would deal with things that occur, that we all accept may end up leading to consequences (inaudible) clause but that are not willful?

Keith Davidson: And now Nigel and Eberhard have their hands raised so firstly Nigel.

Nigel Roberts: You'd be surprised to learn I'm going to be very brief. I don't think that any of the examples that Martin has given is misbehavior let alone substantial misbehavior. They may potentially fall under the Persistent Problems clause but let's just go back to my position which I've accepted that is not the position of everybody else in the group but I believe that the Substantial Misbehavior clause relates to the application process. And the reason I've come more and more to still think this is that the Persistent Problems limb incorporates the Substantial Misbehavior, therefore, it doesn't actually matter whether or not Substantial Misbehavior is construed to be attached to the application process or it's a continuing obligation. But when you look at the definition of the two words, Substantial Misbehavior, the substantial part is easy to dispose of. It's just something that is egregious. It's big. Misbehavior is something which is intentional. You can't get away from that. That is the definition of the word.

Keith Davidson: Okay. Thanks, Nigel. Eberhard.

Eberhard Lisse: Can you hear me?

Keith Davidson: Yes.

Eberhard Lisse: Okay. I think Martin is mixing up, like Nigel suggested, Persistent Problem and Substantial Misbehavior. Okay? Failure to be unable to invest because the domain is small is, to be honest, nonsense. And it's good that it's being (inaudible). Even if I find I'm reading last call's transcripts, it's extremely difficult. I was almost unable to get through to it. Can somebody please tell me what the legal definition of willfully is because we are trying to put emphasis in here on better some—a gregarious, bad (inaudible) issue connected to misbehavior or to make it substantial. Willfully is another word. It probably has a legal meaning. If somebody lives in Mali and is just a form under (inaudible) law, it's surely not substantial misbehavior, especially when he sends an email that can you perhaps agree to a redelegation but doesn't mean it, really, because he's under so much pressure. That's not misbehavior. And not even substantial misbehavior. Not even that there's some problems. I would like to know what willfully means.

Keith Davidson: Okay, well conveniently we have Becky and Chris with their hands raised. Becky would you be interested to tell us what willfully means in this context as well as making your point?

Becky Burr: Well, so willfully essentially means that knowing the—and with consciousness of what you're doing. But can I just make one suggestion? Maybe I'm totally wrong but it seems to me that we might be able to solve this problem a little bit if we started with the discussion of the text on Persistent Problem and then went back to this because when I hear what Martin is talking about being concerned about, it seems to me that Persistent Problem clause is going to solve—is going to address the kinds of situations that it would be appropriate for IANA to be concerned about. In this case IANA would have sufficiently objective information about and where to address it.

Keith Davidson: Okay, thanks Becky. And now Chris.

Chris Disspain: I agree with Becky. I believe that we can probably say that, looking at it, we can probably deal with Martin's issues in Persistent Problems if we can, and that solves the issues. As far as willfully is concerned, again, I agree with Becky, it's basically intentional with knowledge of the likely result.

And Nigel's point about persistent problems actually, kind of, makes me more comfortable with whatever, however many ones there are in the use of willfully

there because I can see that it actually intends to deal with something separate. But we should go and look at Persistent Problems and see if that is something that Martin—can actually satisfy Martin's point.

Keith Davidson: Okay so, can I summarize then? I think we have, if I'm right, I think we have agreed text except for the word willfully at the start of 1.1 (inaudible) so can we put a square bracket around the word "willfully" at his stage and I just wonder if there's anything else that is of concern and anything that has (inaudible) these two paragraphs and then write discussion on that. And then I note that Becky and—Becky still has her hand raised. Down now. So Eberhard and then Nigel. So firstly, Eberhard.

Eberhard Lisse: If we mark willfully I want it clearly written in the notes that we mean to replace it by a word to be clarified. Not just deleted because that will clearly detract from the gregariousness of the issue.

Unidentified Participant: Absolutely. Couldn't agree more.

Keith Davidson: Thanks, Eberhard. And yes, I didn't mean that by square bracketing it was to delete. It was that this is the word that needs more work.

Eberhard Lisse: Sure. I just want to make the others what we mean.

Keith Davidson: Okay, so then Nigel and then Martin. So Nigel.

Nigel Roberts: Yes, I'm just a little confused about this. I don't mind returning to this but I fail to quite understand how these square brackets are going to work because, at the end of the day, it seems that everybody bar Martin is on side with the particular construction that we've put together over about half a dozen calls right now. At the end of the day, if that's the case, then we should just accept the view of everybody and move on. I mean, I've done it. I've been the one person, the one lone voice over the application of Substantial Misbehavior to the application process and we've gone forward. I fail to see how, going back and around the circle and then coming back to it will produce any different in Martin's opinion. But that's a matter for Martin and he's on next.

Keith Davidson: Thanks, Nigel, and I don't disagree. But I would like the working group to achieve more than consensus. If we could get unanimity, that would be fantastic. I will be happy with consensus, of course, but I think it is a question of developing and understanding of what the issues are and seeing if we can resolve them. But I think you're right, that we're probably—we've been round the cycle a few times that we probably need to draw it to a conclusion some time fairly soon. Anyway, we do have Martin with his hand raised.

Martin Boyle: Thanks, Keith. Yes, certainly if it ends up with me still unable to accept and everybody else does, then you have your consensus but the issue for me is more to try and make sure that people understand what we have written and that what we are actually writing does reflect reasonably well the concerns of the people who are involved in calls for IANA to step in subsequently.

I would note though, that the discussion on the five ones and the six ones is actually all about misbehavior. It's not about Substantial Misbehavior which comes in the next section.

I did put up my hand though originally to note, though, than, rather than continuing on the theme of willful that I had also flagged earlier the concern about—reasonable excuse or justification and, again, I'm not quite sure what would be reasonable excuse or justification for willful behavior or behavior that was force majeure for a person who's in a coma or has been consigned to a

mental hospital or to prison, or for another reason, is neglecting to carry out the duty as ccTLD manager. So all I'm doing is putting up my hand and saying well, actually, I'd like really to understand what reasonable excuses might be appropriate. Thanks.

Keith Davidson: Thanks, Martin. Quite helpful, I think. I see Eberhard's hand and Nigel. Both have their hands raised so, firstly, Eberhard.

Eberhard Lisse: Well I'm, as you may know, professionally qualified to talk about mental asylums but usually the domain manager is an entity not an individual so I don't think we should go there with jail and all these things. As long as the entity, whether it's the individual or an institution or a company or whatever is able to perform the functions for whatever reason, it's not a problem. If the United States government puts somebody into jail and then says he's unavailable like it has happened once, it's probably not the right thing to do. I think we shouldn't just go there. We should say what's the big deal? If there is a big deal, this is going to happen. If it's smaller problems, IANA contractor staff will do their best to help him to sort out the issues. That's what I'm thinking RSC1591 works and that's where we should go back to.

Keith Davidson: Thanks, Eberhard. Nigel.

Nigel Roberts I'm going to do my very best to be extremely brief on this one because it is going round and round in circles down a rat hole which lawyers would love to play all night long but doesn't get us any further forward. It's pig wrestling. Without reasonable excuse or justification, it means the absence of the doctrine of necessity. We don't think it's reasonable or necessary to eat the cabin boy. That's what it means.

Keith Davidson: Point well made. I don't see any other comments coming forward so I'll assess that there's a degree of accept of the text other than the willfully still being square-bracketed. Okay. I think Becky's suggestion was that we move on and come back so can we stick on. Please. Bernie, have we lost you?

Chris Disspain: Bernie is typing. He is dialing back in. But we could get the—do we know what the page is, Keith? Because we could replace this document because it's just a little one.

Keith Davidson: Yes, well I'm not sure whether Bernie was intending to, given the Substantial Misbehavior or going back to the original document. I think, Chris, you should sing us a song.

Chris Disspain: Sorry, saved by Bernie's bell. That's the wrong button.

Bernie Turcotte: Alright. Do we want to go back to section 5.3 of revocation 4.2?

Keith Davidson: Okay. And Nigel, is your hand up for a reason or did you just forget to put it down?

Bernie Turcotte: Nigel, if you're speaking, we're not hearing you.

Nigel Roberts: Hello.

Keith Davidson: Nigel.

Nigel Roberts: Yes, I just had to step away briefly. I didn't realize why I was being called.

Keith Davidson: Just your hand is still up. Did you forget to take it down?

Nigel Roberts: I just put it down again.

Bernie Turcotte: I see it as up also.

Keith Davidson: Here we go.

Nigel Roberts: It should be down now.

Keith Davidson: Okay. Bernie.

Bernie Turcotte: Alright. So what Becky was talking about, if I understood it properly is us moving onto section 5.3 which deals with section 3.5. Sorry for all of you that are dyslexic out there including me which deals with revocation for persistent problems with the proper operation of the domain. So basically, we're not going to read the standard text section 3.5 RSC1591. The point in question is, in cases when there are persistent problems with the proper operation of a domain, the delegation may be revoked and possibly delegated to another designated manager.

Eberhard Lisse: What number is the text? What number in the text?

Bernie Turcotte: We are dealing with section 5.3. I just read from section 5.3.1.4.

Unidentified Participant: What page is that on?

Keith Davidson: On page 12.

Unidentified Participant: Thank you very much.

Unidentified Participant: Got it.

Bernie Turcotte: And it is on the screen, Nigel. At least on my screen.

Unidentified Participant: We've all got control of our own screens then, that's why.

Keith Davidson: And Nigel has his hand raised, so Nigel.

Unidentified Participant: Took his hand down.

Keith Davidson: So I'm assuming there's no discussion and the text is satisfactory.

Bernie Turcotte: Well, if it's a quote, I don't think it's satisfactory.

Keith Davidson: Okay, well we'll carry on.

Bernie Turcotte: Well, I thought maybe Becky wanted to take a hit on this or do you just want me to carry on with the text we have there, Becky?

Becky Burr: I think let's just carry on for a little while and then go back and discuss it but I think it's good to get, sort of, an overview of what we're talking about here.

Bernie Turcotte: Okay, so persistent problems with the proper operations of the domain. Okay, so last time what we tried to do is de-construct this into standard parts. Some of it was not too bad. Some of it got some people pretty upset and we haven't changed any of that but maybe on second reading some of it will have (inaudible) better.

So 5.3.2.1. I repeat 5.3.2.1 satisfactory job of operating the DNS service for the domain and proper operation of a domain are interpreted as being equivalent.

Eberhard Lisse: That sounds okay.

Bernie Turcotte: Okay. And the text we have under that says 5.3.2.1.1. A designated manager that has persistent problems with the proper operation of the domain in not doing a satisfactory job of operating the DNS service for the domain. So basically we're trying to bring in the notion of what are persistent problems and what they're doing. So are we sort of okay and again, we haven't really edited this text so, yes, it will have to be beaten to death and adjusted properly but is the general context okay?

Keith Davidson: Nobody disputing it so let's say yes.

Chris Disspain: Before we go any further, can I just make a point here, if I may, Keith?

Keith Davidson: Yes, Chris.

Chris Disspain: We have to be really careful that we don't get too stuck in the weeds here. All we are trying to do right now is to see if we're comfortable. Not worry too much about the actual text. But see if we're comfortable. Some of the things that Martin has referred to as not being covered under the previous clauses we've looked at could be covered under this clause.

Then I think we can bracket those if we are comfortable— we can bracket those things to one side and then reconsider them when we come back to examine the text in detail.

Keith Davidson: Okay, thanks, Chris, for the clarification and, yes, I think it's trying to solve a simultaneous equation isn't it? You need all the pieces in place and then will it go click. Nigel has his hand raised, so Nigel.

Nigel Roberts: Yes, this is in respect to 5.3.2.2 which we haven't quite reached yet.

Keith Davidson: No we haven't. Can we just make sure that we've dealt with 5.3.2.1 and there's no comment? So Bernie 5.3.2.2.

Bernie Turcotte: I've hit the right button so I don't have to dial in again. 5.3.2.2 in revocation 4.2. That is "the actual management of the assigning of domain names, delegating sub-domains and operating name servers must be done with technical competence." And "operating the database with accuracy, robustness and resilience," are interpreted as being equivalent. So the actual management of the assigning of domain names, delegating of sub-domains and operating name servers must be done with technical competence and operating the database with accuracy, robustness and resilience are deemed equivalent. Eberhard.

Eberhard Lisse: No they are not. They're two separate issues. Those are important whether the registry at the DNS—that's what they're talking about. The (inaudible) database and the DNS database are two separate issues. If the name servers are failing but the registry system is there, for example, if your (inaudible) provider goes out of business, it's a separate business from if your hosting provider for the registry system goes out of business and nobody can register but the DNS is continuing to operate. It's similar but I think it's two separate issues.

Keith Davidson: Okay, I think—

Bernie Turcotte: (Inaudible) the technical issues when I was doing that. I understand and accept what Eberhard is saying and it may be a substantial enough difference that may be important to what we're trying to do right now. Do we have other comments?

Nigel Roberts: Yes.

Bernie Turcotte: Please.

Nigel Roberts: First of all a minor comment. I'm not very keen on this third party passive voice "are interpreted as being equivalent." I prefer to see "would appear to mean the working group thinks that," and things like that. That's just a stylistic thing. It's the "are interpreted" is kind of aggregating responsibility for who's making the interpretation and, of course, we are. That's our job. Going more towards the interpretation side of things, however—

Bernie Turcotte: (Inaudible) on to their, Nigel, just a clarification on that. Becky has had that—there's a whole bunch of little things like that that she really hates in the language and once we get general agreement of the context as we've worked through the documents, there will be a serious re-write to address things like that.

Nigel Roberts: I'd be delighted to assist but don't expect me not to balk as probably Becky does at the things as they go past.

Bernie Turcotte: No problem with that. I'm just saying I accept what you're saying and we do have a plan to deal with it.

Nigel Roberts: Fantastic. But that was a minor point. The more important point is this is that, first of all, I disagree with what Eberhard's just said but I also agree with him at the same time and I'm going to explain how that can be. One of the jobs that appeal court judges and senior judges have to do is, when they have some complex case before them and they're looking at some law that was written 300 years ago, is you have to put yourself in the place of the legislature or the opinion writer as of the time it was written, not looked through today's eyes. And in one respect I think what you've written is accurate but unhelpful and the reason I think it's accurate but unhelpful is it actually adds mud and not clarity by allowing misinterpretation through people looking through this through modern eyes. Eberhard has just done exactly that.

Speaking as somebody who has a bit of a technical background as well as a words background, operating the database with accuracy did not refer to operating the registry database. The reason it's there is that the flat file that you edit called the zone file in the DNS is a database. It's a database of NS records and a few other bits and pieces of records. So it does not mean operating the registry database because, when this was written, I would bet that only one or two probably just .coms ran their registry by having a big database which then was processed to export from it something that became the zone file.

Nonetheless, this is an important point here and I put this before and I've had different reactions from different people. It's going back to the living instrument document. Do we interpret RSC1591 as a living instrument? In other words do we say that the persistent problems with the domain which clearly and utterly refer to persistent problems with the DNS also includes persistent problems with registering, modifying, deleting domains through the registry system or does it not? And that is a question—I put that forward as a possibility many, many times ago and was told, no it didn't. It only included the DNS. So I shut up and now we're coming round and it's being raised again. We need to be very, very clear how we're interpreting this particular part.

Keith Davidson: Okay. Thanks Nigel. Eberhard.

Eberhard Lisse: As usual, you are right and you are wrong at the same time and I have no idea how that can be. If you read the first sentence, the actual management of the assigning of the domain names, I would accept—agree with you that, at the

same time, at that time, nobody had a registry. I would accept in the current day and age that this has to be done reasonably. Okay? You put it in, it stays in, it doesn't get lost. You don't have to pay \$25 a year, things like this. But it doesn't have to be done in an automated manner. It doesn't have to be done by EPP or something like that. Otherwise we must separate this into—maybe we do this same way as before and even make it into more little, more smaller chunks. We can deal with each chunk at the time and then later put it back into one big thing.

Keith Davidson: Okay, thanks Eberhard. Becky.

Becky Burr: Yes I—since I led us down the path, I just wanted to suggest that we could spend—I was hoping not that we would be word-smithing but that what we would try to do is test out Martin's concerns to see if, as I think, this section addresses those concerns like the guy has gone into a coma. So I mean I hear what everybody else is saying on this but what I was proposing is a, sort of, discussing this section in the context of Martin's concerns to see if we can, to see if we can reach consensus that those concerns are addressed by this section of the text.

Keith Davidson: Okay, thanks Becky and now Martin.

Martin Boyle: Yes. Thanks Keith and thanks, Becky, because I actually do think that this is part of the problem that I have with a little bit of the way we're interpreting the text. Section 5 is being read very much as being of the technical competence although, I must admit, when I read the last section of the last paragraph in 3.5 1591, I'm inclined to think the proper operation of a domain does actually cover more things than just running it with technical competence.

What is giving me concern between our interpretation of 3.4 and our interpretation of 3.5 is that we've (inaudible) things in such a way that the person who has some sort of justification for not being equitable to all groups, who is not running the system or investing in the system in a way that keeps it operational and meets the demands being put onto the system, isn't covered by either. And that, I think, is a fundamental problem for us. It might not be now but I suspect that, once we've put this one into the GAC, the GAC will turn out and say well, yes, we have examples where somebody has not carried on running the system at the level of demand is not providing that equitable service. We can't do anything with them because you've written the rules one way for 3.4 and another way for 3.5 and there's a gap in between the two.

Keith Davidson: Not unreasonable point but it's a shame the GAC can't engage on the call so they could enter their own opinions along the way. True Martin.

Martin Boyle: Yes, I would certainly agree with you, Keith, and what I'm worried about is making sure what we're doing is not going to end up going into the GAC and the GAC saying, you have written this document in favor of yourselves because, at that particular point, we start losing credibility with the GAC as being—trying to work this one out in an objective rather than a subjective way.

Keith Davidson: Becky and then Stephen. Becky.

Becky Burr: So let's just take those two things in turn. So the notion that somebody is, sort of, not registering fairly, not operating the system in a way that's equitable to all of the parties concerned, that is something that I think absents some technical result of that would go into 3.4 but, in that case, the willfulness issue would be resolved by somebody being told that they were not operating the ccTLD in the manner required by 1591 and anything after that would become willful. So that's where I would answer the first part of that.

The second question in terms of somebody's not investing enough to have the service function in some way that somebody determines is what's expected worries me absent a, sort of, technical outcome. Again, the system doesn't—hangs, people can't get their names registered it doesn't resolve things, whatever it is. That would be an objective where you look at, sort of, the functioning, how that domain is functioning, say, that's a persistent problem. Whereas if we called upon IANA to make some judgment about whether a CC operator had invested sufficiently, I wonder how we would—on what basis IANA would make a decision about whether there was sufficient investment. So I guess I would say that that's a place where we ought to be looking to the operation, the technical operation of the CCTLD as supplying the answer to those other questions.

Keith Davidson: Okay thanks, Becky. I've got Stephen then Eberhard. So Stephen.

Stephen Deerhake: If I may go back to an earlier point here where it may be of some use to us to have Martin's insight from his past GAC experience, it does not per se indicate what current GAC thinking actually is and I would implore the chair to do what he can to get GAC participation once more in this working group because I think without it we've got some problems coming up, potentially.

Keith Davidson: Fully concurring and I am following up as I suggested on item 5 on the agenda. I am following up with the GAC to try and seek their re-engagement in our processes. And yes, it would be very much—I mean, I appreciate Martin's understanding of the GAC's working methodologies and seeking to keep us on track with it but I do note that the GAC participation itself would be much more appreciated. Anyway, thank you Stephen. Eberhard.

Eberhard Lisse: I've had about enough of this GAC crap. They have people on this committee who never pitch up, who never participate. Especially when it's outside working hours. We have ccTLD represented. It's a ccTLD process. If the GAC doesn't want it, I don't care. Then they can give advice, we interpret advice and that's it. I have had enough of this. This is a ccTLD working group. We are ccTLD members where GAC representatives can give their input. They are never there. They don't want to participate. Their problem.

We are not going to start best practice to get best practice in here. We have never had best practices and we will never have best practices. We are having—we will interpret this as reasonably demands. We will not inflate this as investment and all sorts of other things. It has never been the case in the RSC and will not be outcome of this group. If this happens, we'll get a full vote on it, we have got five or six people voting against it. We're going to have minority vote. We'll have a big drama. It's not going to happen and I'm starting to really get irritated about this unnecessary repetitive stuff that is of no consequence.

Keith Davidson: I'll buy a fight with you Eberhard and say no, our work will not be successful unless the GAC agrees with our work. I do feel quite strongly that they should be engaged in the process. We deliberately thought this working group to be inclusive of the GAC and the GAC's contribution to it and we started down the path with their good and useful and valuable contributions along the way. It appears that, over the last six months of thereabouts, the GAC have been distracted with other issues and I think it falls on me as the Chair to try and encourage the GAC to be more fully engaged so that we are travelling down a path together than at loggerheads. Anyway—

Eberhard Lisse: Can I just jump in again. I don't criticize you. I'm criticizing Martin and I'm criticizing the GAC representatives. They know they're supposed to be here but it's outside of working hours so they are never here. If they are never here then they must take the report that is coming and issue advice on it. We cannot (inaudible) obediently try to (inaudible) the GAC might be upset. They're

supposed to be represented. You must try again to speak to the GAC chair and get these people to join. I know Renita is reading this which is why I'm harping about it now because she reads the transcripts and she listens to what we're saying and then she gets the people back on board.

Keith Davidson: Okay, I think Stephen's hand is still up because he didn't take it down. I have Martin, Nigel and Cheryl unless, Stephen, this was a re-raise of your hand. Not hearing anything from Stephen. So Martin.

Martin Boyle: Thanks Keith. Where to start. I think I'd like to start off by flagging the (inaudible) the GAC. An awful lot of my concern is making sure that I properly understand what it is we're hoping to achieve, what some of the words that have been put into this text actually do mean, and I'd go back to something that Becky said in her intervention right at the start of the intervention when she made a reference to willful. And she said and I thought it was actually quite a useful way of describing willful. It certainly was one that helped me understand what the concept is. She said that willful is being told that you are not managing in line with RSC1591 and then you do nothing about it. And if other people shared Becky's interpretation of that definition of willful, then I would like to see that in some way captured in our definition of willful because certainly it is a definition of willful that I could easily live with.

The sufficient investment point and I was a bit surprised because I think somewhere in my brain I've managed to forget the fury that referenced to good practice or normal practice or standard practice in ccTLDs which we discussed and I thought people were genuinely happy with as being a way of benchmarking what is good technical service, what is a reasonable way of behaving oneself. I was a bit surprised with Eberhard's vehemence that good practice is something that he would not be willing to live with. It would seem to me that, for IANA, trying to judge whether somebody is misbehaving, whether somebody is providing a relevant and appropriate technical service or rather doing it with technical competence, of having some benchmark that might related to the size of the registry, it might related to the background or the connectivity or the location of the registry but it is a way of saying this meets or this is in line with or this is approximate to the sort of level of service that other people are providing as being a way.

Keith Davidson: Thanks Martin. Nigel and then Eberhard. So Nigel. Sorry, Nigel then Cheryl then Eberhard. So Nigel. Nigel, you're on mute. Nigel, we're not hearing from you.

Nigel Roberts: Let me try again.

Keith Davidson: There you go.

Nigel Roberts: Okay. With respect to the chair, I'd like to disagree violently with something Eberhard said. He said he didn't blame you for not having the GAC involved. Well, I do a little bit, I'm afraid to say. You're big enough to take this weight on your shoulders. There's been a breakdown of enthusiasm between the GAC representatives and this group. This is about the third or fourth time that this has come up and we have Martin with his experience of his previous role being a kind of unofficial representative but we cannot do without the participation. This is supposed to be a joint working group. I said this at the last meeting face-to-face. This is a joint working group. How can it be a joint working group if we don't have participation? So claiming that the GAC won't like this and the GAC won't like that. All they can deal with is the output of this group which we are doing objectively, reasonably and we are all putting an awful lot of time and effort, some of which, smaller registries have a disproportionate effect on our manpower. But we do it nonetheless. We dedicated to this multi-stakeholder

environment. Some of us have been coming to these meetings since before ICANN was incorporated and it behooves you a little bit, Keith, to try and take some people outside and spank them. Perhaps I should withdraw that mild vehemence but you know what I'm getting at, don't you?

Keith Davidson: I fully understand and I am—and I certainly got the message in Toronto and I am talking to our GAC colleagues to see if I can achieve a re-engagement but I can only work on the principal of you can lead horses to water but you can't make them drink. Cheryl?

Cheryl Langdon Orr: Thanks Keith. Okay, right (inaudible). What I wanted to do was come back to Becky's last intention which I thought held two very important points, one of which Martin did recognize which is, I think, the need for the term willful. We have heard a descriptor of what happens if you're told you are not operating your TLD properly and then you continue to not rectify the problems and that then that, sort of, becomes willful.

But the thing I wanted to pick up on was the requirement to have a pass or fail, yes or no test which is not open to interpretation but I think the term "benchmark" which is not particularly fond of that term, I mean, I am fond of the term benchmark but just not to be a part here. We need to have something that is absolutely questioned as a consequence of the persistent problems and I think the investment example that Martin raised is one of those that is probably more of a problem to try and deal with than not. And I'd like to propose that things which are open to interpretation and debate by others such as a degree of investment that may or may not be required should have to fit a test and that test should be the continued—the ability to have continued satisfactory operation because a small operation could, as has been said, run very well on very little investment. So we can't have a fixed X amount or dollar (inaudible) or the balls can't be painted blue by definition-type rule. We have to "can it" or "can it not" operate properly as a satisfactory job operating a DNS service.

If we pick up that point of Becky's, not necessarily now because what we're doing is trying to see if many of Martin's questions and issues would be solved under Persistent Problems, and therefore not need to be dealt with in Substantial Misbehavior. The one I think that is sticking in our claw is these, sort of, greyer areas where we might be requiring something like an IANA operator to, sort of, (inaudible) to speak—an IANA operator to make an assessment on what either is not a suitable amount of investment. So if we can avoid that one, I think we're close but we need to then work out how do we deal with the one? And Becky, I don't know if you have some suggestions about hard tests or go, no-go tests on these, but I'm sure there must be some language that an appropriate authority can look at the set up to say whether it is or is not capable of doing a satisfactory job.

Sorry, I've got to go.

Keith Davidson: You did finish the sentence there. Well done. Sorry, we have Eberhard. I think Nigel was not put down so I think we have Eberhard and Becky, so Eberhard.

Eberhard Lisse: There is only thing that I wanted to comment on on Martin's filibuster because the rest is not worth mentioning. It was deliberately mis-stated against a ccTLD manager providing a good service and there is no such thing as "best practices." The relationship between ICANN and ccTLD manager is bilateral. There is no best practice here. Always, even (inaudible) has always resisted a best practice being forced upon us. And therefore we're not going to do it now, no matter what somebody who doesn't want to read private emails and doesn't want to do and face. It's starting to get really personal. It's starting to get really unpleasant and I'm really starting to get annoyed by it.

Keith Davidson: Thanks. We've got Becky and then Martin.

Becky Burr: So I completely agree with what Cheryl—and to just sort of reiterate. I am very concerned that we not create some standard here. Aside from the fact of making a decision about what level of investment is right for any TLD is certainly out of the scope of this group. But also I think probably not within IANA's expertise skillset or job functioning. I do think that IANA regularly evaluates whether the, sort of, technical resources are in place to operate a domain. It does that whenever it recognizes a new delegation, a new manager and I think that's purposely easy for them to do to make, a sort, of judgment about whether you have all of the technical pieces in place. And then after that, what I would propose is to use the technical, the operations—are you operating the domain name in a technically competent fashion? Is the right test for any of the other things lest we get into a completely subjective mess? Now there are lots of other ways to address if there's sufficient investment, sort of, within the country and by the local community but I don't think that we could hope to come up with, sort of, a here's what we think the right level of investment is for any ccTLD operator.

Now we do have, as Martin indicated, but we do have in another place we have suggested that we could serve as ccTLD operators for some information on their practices but I don't think that I ever contemplated that would be related to investment level but to more, sort of, objective things like how do you do X, Y or Z in terms of the requirements of the operation? But I do think that Martin's examples are really—there's a really good—there's a, kind of, fundamental question in play here as to what can IANA reasonably be called upon to pass judgment on and so the technical operations, the satisfactory job of operating the DNS service based on the criteria, that's squarely within the IANA wheelhouse. And so the investment question is exactly the kind of question that I think we want to avoid having IANA make subjective judgments about things where there's going to be disagreement and where there's, frankly, no right answer because it's going to be different for every ccTLD.

Keith Davidson: Okay. Thanks Becky. And Martin has his hand raised so Martin.

Martin Boyle: Thanks Keith. In response to Eberhard I didn't actually say best practice I said good practice and I talked about benchmarking and I was thinking very much on the—not on the what you put in but rather what you get out so, in other words, that it is not your investment. And if that came over, my apologies, that's not what I meant. It's your actual performance. How are you delivering? What are your criteria for technical competence in delivering a service? What is the proper operation of the domain? And certainly I would not propose that there is one answer, one model that fits all.

Rather that I think that there does need to be some objective test—well, actually, I don't even think an objective test but something that is subjective because you have done some comparisons that say that you are providing a service that is close to the sort of level of service that other people are providing or well, actually, your way, way, way under par which is why the issue of revocation is coming up.

So perhaps there's been a misunderstanding in what I've said but certainly, no, I have no intention of imposing a single good practice or a single best practice on everybody because I don't think such a thing is practical or possible or particularly relevant. However, yet I think to some sort of level and perhaps it's a service level agreement-type of definition, what is a sensible level of service that somebody should be applying depending on the sort of benchmarking or conditions in other places? Because, at the end of the day, if somebody is complaining about the way you're operating your service, then having some

benchmark, some figures, some ideas where the operator can say, "I'm doing the same level service as A, B, C and therefore it's unfair for you to be addressing me in saying that I am not providing a proper service under the terms of 3.5." Thanks.

Keith Davidson: Okay, well, Martin, unless we can actually tie such a determination of practice to the actual wording in RSC1591, then we are in danger of wandering down that path of inventing policy as we go or as an aside, potentially saying that here's something that a policy development process will need to be gone through exterior to these (inaudible) groups work. But anyway, Eberhard has his hand raised. so Eberhard.

Eberhard Lisse: What I think about what Martin just said is best paraphrased, Keith, can we move onto the next topic?

Keith Davidson: I think we can. I'm just a bit conscious of the time. We're one and a half hours in and it's been fairly intense. Bernie, do we—can we move on?

Bernie Turcotte: We can try. I guess getting back to—I see Nigel has his hand up. So maybe you want to deal with that first.

Keith Davidson: Okay, Nigel. Nigel.

Eberhard Lisse: You're on mute.

Keith Davidson: Nigel.

Eberhard Lisse: Still on mute.

Nigel Roberts: It says mute off now. Is that correct?

Keith Davidson: It is correct.

Nigel Roberts: There is a motion in parliamentary practice that is appropriate to this stage of the game that this hath doth adjourned. Perhaps we don't move on. Perhaps adjourn. I think all of us have been wearied enough but if you really want to continue with the self-flagellation, then I'll stick with it for a little while.

Keith Davidson: Let's give it just another bit of a bash and see if we haven't made some progress. Bernie.

Bernie Turcotte: Press button, don't disconnect yourself. Okay. As I was saying earlier and maybe in line with part of what Nigel was saying, I mean, we started down looking at 5.3 to try and understand if it met some of Martin's concerns of things not being covered under Substantial Misbehavior. And we didn't really want to re-litigate the text at this point because it hasn't changed. We had issues last time. We're trying to get around it. But the notion, I guess, boils down or maybe I'll just try to get some feedback instead of trying to lead us anywhere—is that the reality of section 3.5 of RSC1591 in our current context of Revocation is the last paragraph.

In cases where there are persistent problems with the proper operation of a domain, the delegation may be revoked. So this is what we're looking at and I think this is what Becky was going after and please correct me if I'm wrong, Becky. And really, the idea of, I think, maybe what would be more useful is to have a good understanding of what proper operation of a domain is. I think, as Nigel has put it, we can interpret it against what we think all the bells and whistles around that mean today but, at the end of the day, it means is the domain working properly? We'll end up defining words around this but I'm hoping that, to

a certain extent, in a general format we all have some sort of understanding of what that means.

The domain works and, going back to Cheryl and Becky's point, talking about investments and this and trying to define (inaudible) as far I'm concerned, we're heading into policy development and we've gone down that rabbit hole and I've taken you down that rabbit hole to be beaten up at some point, quite correctly, and saying we can't do that, okay?

The only thing 3.5 says is in case there's persistent problems with the proper operation of a domain, the delegation may be revoked. And so it's going to come back to the general notion of what's the proper operation of the domain? And we're given some clues in the previous paragraph. They're must be a primary and secondary name servers. Well, we've heard from the (inaudible) we've heard from Nigel, old style terminology but there must be functioning name servers is the way we're going to interpret that currently and that certainly applied back then too so we're not inventing things. And there are other things like that.

If the domain is not going to end up working properly and this is a persistent situation, then we've got the basis for that. And, to my mind, Martin, doesn't that address what you're talking about? I mean, you're talking about a lot of specific cases and that's probably the way that your mind works and I can relate to that to a certain extent. But, I mean, we're saying, you know, in this section, is this domain working and when Paul (inaudible) wrote this, was it about the full (inaudible) is maybe where we're at. But to me, if we're trying to answer Becky's questions when we got into this section is, does the notion that we have to ask a domain that is properly operating cover enough sins that we're trying to deal with in some other areas?

Keith Davidson: Thanks, Bernie. That was most useful. I'm not sure if Nigel's hand was still up or he failed to take it down or he has a new point but I saw Nigel and Eberhard both in strong agreement with Bernie's comments there. And Nigel has taken his hand down so Martin has his hand raised, so Martin.

Martin Boyle: Thanks Keith and thanks, Bernie, for that intervention because I think it does highlight certainly where perhaps to me what I'm trying to say is perhaps being misinterpreted along the way or perhaps is being misinterpreted in a specific way in the discussion.

I guess what I'm really—I'm struggling with some of the terms and trying to make sure that I understand what the terms and what the consequences of the terms mean, hence my problem with willful. If, at the end of the day, we have a definition like Becky came out with on willful as being that you're told that you're not managing in line with 1591 and that you carry on doing it like that, then the clarity of the term willful puts it to me that yes, I can understand what the positive or negative test is.

Why have I got down into details? Well, I haven't deliberately. It's because when I've said, well, what does this mean or I'm not sure I can properly accept the term willful action without really knowing it, knowing what that means, because there will be cases where, exactly, that—I'm not doing it willfully, it's just I can't help it. That's exactly where I am for doing it. And therefore, what I think I'm looking for is things that can easily be seen as having a proper test associated with them and then what is being tested?

So for example, on the proper operation of the domain, what is the proper operation of the domain? Can you actually write that down or can you have it so that it is understood? And, secondly, the proper operation of the domain, we had the question asked earlier or the statement made earlier that we're seeing proper

operation of the domain as being equivalent to a satisfactory job of operating the DNS service. Well, okay, I could probably accept that if I properly know what the proper operation of the domain is and exactly how we are fitting the different ways in which the operation, the TLD, might be done incorrectly and what remedy for the local internet community, the interested parties in the country if that is not being done to a reasonable level of satisfaction.

Keith Davidson: Okay, thanks Martin. Nigel has his hand and I think I'll draw a line under Nigel and we will move on. So Nigel, final speak on the topic.

Nigel Roberts: Well, one of the two things I was going to say was to repeat my suggestion of adjournment but one thing Martin said is entirely correct. If something isn't willful, it's not misbehavior and that is the point. So it doesn't matter if it's substantial or not. If it's not willful, it's not misbehavior and that's the dictionary definition of the word and that's it. If we're dealing with dealing with something different, we're dealing with something different but willfulness does not come into persistent problems. That's an objective test based on whether the domain, as Bernie says, works or not.

Keith Davidson: Okay, thanks Nigel. I think despite it appearing that we've sort of reached some impasse, I actually think we've made quite good progress today and probably Bernie has some additional ideas of where he might be able to work on this and certainly I do. So I think rather than prolonging the call and risking going circular, we should probably call an end to today's call at this point and let us retire to our corners and rework what we can and come back fresh in a couple of weeks' time and re-attack the subject with further vigor, hopefully with the GAC participating as well.

Nigel Roberts: Thank you for your impartial, calm chairing of this particular call.

Keith Davidson: Best for all concerned. Okay. So with that, unless anyone, Bernie, is there anything else you wanted to touch on in terms of revocation while we're here.

Bernie Turcotte: No sir.

Keith Davidson: Okay. I see Eberhard has his hand raised. Is this a new topic Eberhard?

Eberhard Lisse: No I just wanted to know what time is it going to be in two weeks.

Keith Davidson: The next meeting is up there on the agenda on your screen. It's at 0300 ETC, 29th November.

Eberhard Lisse: 3:00 in the morning.

Keith Davidson: 0300, yes.

Eberhard Lisse: Okay.

Keith Davidson: Okay, so if there's nothing else from anyone, I'll draw the meeting to a conclusion. Thank you all for your participation. I think we have made further steps of progress. It is a tough topic and I think our progress is coming slowly but surely so I think we'll—

Becky Burr: We'll get there.

Keith Davidson: Continue to work with people during, in the interim, and I think we'll have some further advancement of text for you in the next week or so. So thank you all and have a lovely day, what's left of it for you.

Becky Burr: Thanks Keith.

Unidentified Participant: Bye everyone.

Unidentified Participant: Goodbye.

Unidentified Participant: Bye.

Unidentified Participant: Bye bye.