RECOMMENDATION 14 REVISION WORKING GROUP

CONFERENCE CALL 8

22 MAY 2013

Attendance Annex A @ 15:00-17:00 CET

Present:	**Excused absents:**
Lance THOMPSON, Conex (FR)	Richard FIELD, Lawyer (US)
Josephine BAIAMONTE, CBP (US)	Mitsuru ISHIGAKI, JASTPRO (JP)
Anna BELMONTE, ICE (IT)	Alexander SAZONOV, National Certification Authority (CIS)
Paloma BERNAL TURNES, Georgetown Univ. (US)	Rob VAN KUIK, Ministry of Finance (NL)
Giovanna CHIAPPINI CARPENA, ICE (IT)	
Michael COFFEE, US State Dept. (US)	
Pier Alberto CUCINO, ICE (IT)	
Simon Luca DETTORI, ICE (IT)	
Gérard GALLER, EU Commission (EC)	
Jasmine JANG, NIPA (KR)	
Youngkon LEE, KPU (KR)	
Chema LOPEZ GONZALEZ, Isigma (ES)	
Bill LUDDY, Legal Advisor (US)	
Claudia MANGHISI, ICE (IT)	
Anna NORDEN, Trustweaver (SE)	
Lauri RAILAS, (FI)	
Graziano SEVERINI, Ministry Economic Dvlpmt (IT)	
Anders TORNQVIST, Comfact (SE)	
Francesca ZADRO, ICE (IT)	

Attendance Annex B @ 11:00-13:00 CET

Present:	**Excused absents:**
Lance THOMPSON, Conex (FR)	Josephine BAIAMONTE, CBP (US)
Paloma BERNAL TURNES, Georgetown Univ. (US)	Michael COFFEE, US State Dept. (US)
Pier Alberto CUCINO, ICE (IT)	Richard FIELD, Lawyer (US)
Moudrick DADASHOV, SSC (LT)	Mitsuru ISHIGAKI, JASTPRO (JP)
Simon Luca DETTORI, ICE (IT)	Alexander SAZONOV, National Certification Authority (CIS)
Gérard GALLER, EU Commission (EC)	Rob VAN KUIK, Ministry of Finance (NL)
Jasmine JANG, NIPA (KR)	
Chema LOPEZ GONZALEZ, Isigma (ES)	
Bill LUDDY, Legal Advisor (US)	
Jari SALO, Tieke (FI)	

(points that may require your action in red below)

General summary – overview

- It was suggested on both conference calls that we might want to talk about "COMMERCIAL DOCUMENTS" instead of "TRADE DOCUMENTS" – this implies a change in the title of the recommendation. Your opinions and comments would be appreciated.

Conference Call on Annex A:

- We reviewed the text of version 0.10 and discussed in detail the part 3.b on trade documents. This section is only presenting the different types of trade documents and what kind of

documents are in each typology… the majority of participants felt that we should eliminate the general phrases concerning "there is no formal requirement for a signature on commercial documents…" and "the tendency in transport documents is that requirements for a signature are not necessary"…

- In 3.a, it was brought up that B2B transactions were under "commercial law" and not civil law.
- Dr. Lee of Korea suggested that in 2.b, further precision is necessary on time-date stamping. He will provide a short text on this to propose to the group for discussion during the next conference call.
- The template for submissions to the repository of Annex A (Legally Enabling Environments) was reviewed.
    - The suggestions for changes that were received were very interesting and would allow for very useful responses.
    - As there were two formats and there was no preference for either format, it was decided that Lance would combine the two in a format that would resemble the original template and submit that for opinions.
- The checklist in Annex A.1 was reviewed and there were no comments.
- The Virtuous Circle diagram (Figure 1) in Annex A.2 brought up a bit of discussion.
    - The legal intention/will is not mentioned and it is perhaps key to the theme of authentication.
    - The format of formulating questions implies that there is a response yes or no and this is not reflected in the circle.
        - Perhaps it would be more pertinent to look at each step as a process (in which there may be multiple questions), instead of as direct questions…
    - It was decided to set up a task force on this subject comprised of Josephine Baiamonte, Lauri Railas, Youngkon Lee, Mike Coffee, Lance Thompson (and perhaps Gordon Cragge?). Lance will try to create a page on Confluence where comments can be added directly on the website to facilitate the exchange of ideas. If you would like to join this task force, please contact Lance quickly.
- The Trade Documents Standards Package in Annex A.3 was reviewed and there were no comments.
- We reviewed the submission from US.CBP for the repository of legally enabling environment.
    - Josephine Baiamonte briefly explained the submission and a few questions were asked.
    - It was reconfirmed that the US environment is a technology neutral environment.
    - It was requested that abbreviations be further explained.
    - Lance suggested that this submission be used as an example of an 'ideal' submission which could help other submissions formulate their responses.

Conference Call on Annex B:

- There were no comments on the draft v0.10 and no comments on the additions which were sent out on Monday 20th (in green).
- Concerning a 'template for submissions to Annex B', it was agreed that it would be difficult to suggest a set template as there might exist for Annex A. (Technological aspects of each typology can be very different and it would be difficult to create a single template that would be meaningful for all typologies…)
    - However, it was agreed that in order for the submissions in a repository to be useable, they must provide a certain amount of detail about the functional aspects and technological aspects.
- The checklist of considerations was reviewed and simplified. Please check this checklist and submit any comments or suggestions you may have.
- The overview of minimal requirements was not discussed at all.

- The list of typologies was again reviewed. One addition was suggested. Definitions for each typology will be necessary – please send in any suggestions before the next conference call is announced.
- The submissions for the repository were not reviewed, but it was repeated that a minimal amount of specificity on functional and technical aspects will by necessary to make it useable.