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YEM Foundation
<https://yem.foundation/>

30. April 2024

Via registered mail

Parliament Austria
Mr. Mag. Gerhard Kaniak - Member of the National Council
Dr.-Karl-Renner-Ring 3

1017 Wien – Austria

Subject: FMA publication on the investor warning of 13.05.2023, including in the official gazette of the Wiener Zeitung

Here: Attention! The FMA warns against entering into transactions with: YEM / YEM Foundation

Reference: Our letter to the FMA dated 22.04.2024 and the Celle Bar Association - Germany dated 19.04.2024

Re: Your request received on 05.12.2023 to the Federal Minister of Finance regarding open questions on the supervisory conduct of the FMA, including in connection with the principle of legality.

Listed under **17 049 / JXXVII. GP**

Dear Mr. Kaniak, Member of the National Council,

With regard to the information provided above, we are taking the liberty of contacting you directly by means of this letter.

We were very interested to read your request to the Federal Minister of Finance regarding the FMA, so that we were able to identify parallels to our problem in this context.

The Financial Market Authority (FMA) in its capacity as an institution under public law with its own legal personality by constitutional provision to carry out banking supervision, insurance supervision, pension fund supervision and securities supervision. This institution under public law publishes unchecked so-called investor warnings with the following tenor:

Attention! The FMA warns against entering into transactions with YEM/YEM Foundation regarding the public media investor warning of 13.05.2023, including by printing in the Official Gazette of the Wiener Zeitung, as well as on the FMA website.

The result is that, in our opinion, lawyers in Germany are also presenting themselves to the media in a phishing manner, again without, as is normally the case, first examining the publication. Why even the FMA is right, they seem to assume!

If the FMA, in its function as a separate legal entity, had first dealt with us, the YEM Foundation, in a reasonable and, above all, unbiased manner, it would have noticed the following, contrary to its untruthful presentation:

The YEM Foundation is a nonprofit organization registered in the State of Nevada as an International Non-Governmental Organization (INGO) with registration number #E0553072017-8.

The YEM Foundation itself does not conduct any business, the publication of the FMA, as well as the jumping on this dubious bandwagon by German lawyers, is legally more than questionable, we are talking about false accusation, libel and even defamation.

The FMA cannot hide behind the fact that its publication in Austria was based on an anonymous report, as was to be expected. Ultimately, however, these circumstances are also completely irrelevant, as the FMA's report does not concern the YEM itself or the YEM Foundation! Contrary to the untruthful and sensationalist presentation, the YEM is a regulation-friendly digital currency with a high market capitalization. In addition, all payment transactions can be viewed on the YEMchain.

In your position as a member of the National Council, we do not want to instrumentalize you in any way to take a profound position on our problems. First and foremost, we would like to draw your attention to the damage that such completely unfounded investor warnings can cause internationally, based on your above-mentioned request to the Federal Minister of Finance on December 5, 2023.

Of course, we would be very pleased to receive a brief reply or assistance as to how we can at least persuade the FMA to delete its so-called investor warning of 13.05.2023 without protracted legal disputes.

Furthermore, we have taken the liberty of enclosing the above-mentioned written submissions to the FMA and the Bar Association of Celle - Germany as an attachment to this letter. It should be noted that neither of the two addresses has made a sound to date.

Yours sincerely!



Bilger, L., President YEM Foundation
<https://yem.foundation/>



Attachment
Letters RAK - FMA