

# ASSEMBLY 38th SESSION

Montréal, 24 September – 4 October 2013

## PLENARY MEETINGS

### Minutes



*Approved by the Assembly  
and published by authority of the Secretary General*

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**



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**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

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# SCHEDULE OF ITEMS DISCUSSED BY THE PLENARY MEETINGS

| Item                                                                                                                                                                                                                                    | September |          |          |          | October |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|----------|----------|---------|---------|
|                                                                                                                                                                                                                                         | 24<br>AM  | 24<br>PM | 25<br>AM | 28<br>AM | 1<br>PM | 4<br>AM |
|                                                                                                                                                                                                                                         | 1         | 2        | 3        | 4        | 5       | 6       |
| 1. Opening of the Session by the President of the Council                                                                                                                                                                               | X         |          |          |          |         |         |
| 2. Approval of the Agenda                                                                                                                                                                                                               | X         |          |          |          |         |         |
| 3. Establishment of Committees and Commissions                                                                                                                                                                                          | X         |          |          |          |         |         |
| 4. Reference of subjects to Committees and Commissions                                                                                                                                                                                  | X         |          |          |          |         |         |
| 5. Election of Member States to be represented on the Council                                                                                                                                                                           | X         |          |          | X        | X       |         |
| 6. Election of the President of the Assembly                                                                                                                                                                                            |           | X        |          |          |         |         |
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| Delegation of authority to the President of the Assembly for the approval of minutes of the Executive Committee and Plenary                                                                                                             |           |          |          |          |         | X       |

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## Minutes of the First Meeting

(Tuesday, 24 September 2013 at 1100 hours)

### SUBJECTS DISCUSSED

1. Agenda Item 1: Opening of the Session by the President of the Council
  - Address by Mr. Laurent Blanchard, Mayor of the City of Montréal
  - Address by the Honourable Pauline Marois, Premier of Québec
  - Address by the Honourable Lisa Raitt, Minister of Transport, representing the Government of Canada
  - Pre-recorded video message by Mr. Ban Ki-moon, Secretary-General of the United Nations (UN)
2. Agenda Item 2: Approval of the Agenda
3. Agenda Item 3: Establishment of Committees and Commissions
  - Establishment of the Credentials, Executive and Coordinating Committees and the Technical, Economic, Legal and Administrative Commissions
4. Agenda Item 4: Reference of subjects to Committees and Commissions
5. Agenda Item 5: Election of Member States to be represented on the Council
  - Deadline for notification of candidatures for the first and second parts of the Council election
  - Maximum number of Member States to be elected in each part of the Council election

### SUMMARY OF DISCUSSIONS

#### Agenda Item 1: Opening of the Session by the President of the Council

1. The President of the Council, Mr. Roberto Kobeh González, as Temporary President of the Assembly, declared the 38th Session of the Assembly open and spoke as follows:

“I have the honour to declare open this 38th Session of the Assembly of the International Civil Aviation Organization.

“On behalf of the Council of ICAO, the Secretary General, Mr. Raymond Benjamin and members of the Assembly, I extend a warm welcome to our three distinguished guests: The Honourable Lisa Raitt, Minister of Transport of Canada; The Honourable Pauline Marois, Premier of Québec; and Mr. Laurent Blanchard, Mayor of the City of Montréal.

“I also welcome representatives of international organizations and other participants from around the world whose common goal is the safe and orderly development of international civil aviation.

“I believe this Assembly will be viewed as a bridge between a triennium of transformation and a commitment to the sustainability of the global air transport system.

“Since the last Assembly, we have developed, adopted and in some cases begun implementing programmes and policies to address the anticipated doubling of traffic by the year 2030 and beyond.

“The Twelfth Air Navigation Conference endorsed a revised Global Air Navigation Plan that is aligned with a Global Aviation Safety Plan that was also revised. Together, the two Plans will substantially enhance the safety and efficiency of air travel worldwide.

“The High-level Conference on Aviation Security produced a global strategy to further increase security on the ground and in the air. It minimizes the cost implications of security measures for airlines and airports while improving the overall travel experience of passengers.

“For its part, the Sixth Worldwide Air Transport Conference recommended the development of a long-term vision for liberalizing international air transport. This includes the key areas of traffic rights, and air carrier ownership and control. It also paved the way for increased regulatory convergence among States concerning fair competition, taxation and consumer protection.

“On the environmental front, considerable progress was made on global aspirational goals, States’ action plans, sustainable alternative fuels and market-based measures. This leaves no doubt in my mind that we will systematically and progressively reduce our global footprint on the environment.

“All of these results were achieved in a relatively short period of time and are quite remarkable. As important, they set the stage for the long-term sustainability of the global air transport system.

“By sustainability, we mean air transport operations that are first and foremost safe, secure, efficient and environmentally friendly. Operations that also provide stakeholders with acceptable returns on investment; that support competitive economies while promoting balanced regional development; and that position the industry to overcome current and future obstacles that stand in the way of an economically viable air transport system.

“At the heart of sustainability is connectivity - getting passengers and goods to as many destinations as possible, as quickly as possible, in a seamless, integrated and cost-effective manner.

“Achieving optimum connectivity is both complex and challenging.

“We must develop new aircraft and new air navigation technologies for even safer, greener and more efficient operations. Not necessarily larger aircraft, but new types of aircraft that can lead to quantum leaps in productivity and efficiency; aircraft with built-in navigation systems that can significantly increase the number of flight operations in any given airspace.

“We must focus on the convenience of the passenger. The checkpoint-of-the-future concept captures the essence of what we should be aiming for — optimum security and optimum

facilitation, without comprising either one of them. Even now, and more so in the future, information technology can help us achieve both objectives without threatening the privacy of those who travel by air.

“We must bring back into the overall transportation equation the advantages of inter-modality. Air travel will certainly remain the preferred mode of transport over long distances. Ensuring a greater degree of interoperability with ground transportation used for shorter distances will inevitably improve the overall efficiency of all forms of transportation.

“Finally, we must seriously address the political and regulatory issues with the greatest potential for progress towards sustainability.

“One of them is multilateralism. Since the signing of the Chicago Convention in 1944, States have entered into reciprocity agreements of an essentially bilateral nature. Yet, we now live in a totally interconnected world. Economic and social issues are truly global in scope and require global solutions. Perhaps the time has come for the aviation community to move resolutely towards multilateralism in regulatory and economic areas.

“This obviously raises the question of national sovereignty. Article 1 of the Chicago Convention enshrines the sovereignty of States over their airspace. In this context, formally adhering to a multilateral forum like ICAO should be viewed as an act of national sovereignty. In the same way, increasing the level and scope of multilateralism should also be viewed as a further expression of national sovereignty, one that benefits both the State and the larger world community.

“The financing of huge infrastructure projects needed to accommodate the growth in passenger and cargo traffic is another key consideration for long-term sustainability. Where States are owners of facilities, private sector involvement in the design, construction and management of air transport infrastructure is a sound proposition. States benefit from modern infrastructure at little or no cost; they can shift spending to more pressing national priorities; and they retain control of facilities.

“Then there is the relationship between regulation and liberalization. There is currently an understandable desire for regulatory reform to address the general disparity and inequality within the air transport value chain. Do we need to revisit deregulation? Perhaps. What is clear, however, is that all stakeholders should benefit from a regulatory and legal framework that encourages stability and prosperity.

“For that, we must question any mindset or outmoded way of thinking that stands in the way of progress. We must consider adapting our regulations to operational, political and economic realities. Because, whether States or industry, we all want and need global solutions, based on dialogue and cooperation.

“The only forum that can deliver globally-harmonized solutions, consistently and efficiently, is ICAO. Since I was first appointed to the Council of ICAO in 1998, I have come to know and respect the professionalism of the ICAO staff and the essential quality of their work. I also know that for ICAO to continue providing leadership and guidance, we need a well-equipped, well-managed and well-funded Organization.

“As you may know, this is my last Assembly as President of the Council. I can truly say that the past seven years have been among the most memorable and rewarding of my aviation career and of my life.

“I wish to thank all of you who have shared your wisdom, friendship and encouragement, so that I might fulfill my responsibilities to the best of my abilities. It has truly been an honour and a privilege.

“I also wish to express my sincere appreciation to all Member States and to the world aviation community for their unfailing support, inspiration and dedication to the cause in which we all believe — a safe, secure and sustainable global air transport system.

“Next year, ICAO will celebrate the 70th anniversary of the signing of the *Convention on International Civil Aviation*. The Convention was an act of faith in the power of dialogue and cooperation among States and industry to ensure the safe and orderly development of air transport around the world.

“That trust has stood the test of time. Air travel today is safer and more efficient than it has ever been because of the spirit of collaboration that has inspired all those who came before us.

“May the same atmosphere of cooperation and understanding permeate this 38th Session of the Assembly as we together shape the future of civil aviation for all those who will come after us.”

***Address by Mr. Laurent Blanchard, Mayor of the City of Montréal***

2. “I am pleased to warmly welcome you to Montréal, on the occasion of the 38th Session of the Assembly of the International Civil Aviation Organization (ICAO).

“ICAO has been a source of great pride for Montrealers since it was first established in our city over 65 years ago. Consider yourselves, all of you, at home here.

“It is always a true privilege for the mayor of a great metropolis to address representatives of nearly 200 nations at once. I would like to take this opportunity, on behalf of the City of Montréal, to thank the Governments of Canada and Québec for the outstanding role they played in ensuring that ICAO’s Headquarters remains in Montréal. Montréal, a cosmopolitan city with a window on the world, is very honoured to host a United Nations (UN) agency. Very few cities in the world enjoy this honour. The new agreement between Canada and ICAO will enable us to maintain our excellent relationship through 2036, at least. As Mayor of Montréal, I am delighted by this good news. On behalf of all residents, I extend to you all greetings and wish ICAO, its staff and family members a very joyful and productive stay here with us.

“Moreover, I am very pleased to announce to you today that the Board of Directors of the Société de Transport de Montréal has responded favourably to the City of Montréal’s request, by agreeing to make an addition to the Square Victoria metro station’s identification signage. As of now, a reference to ICAO will be included on the signs identifying this metro station, which serves the International Quarter and is located beneath our feet. It will be called ‘Square-Victoria OACI’. This addition, which is highly symbolic, will allow us to highlight the importance of your organization and further consolidate the international nature of Montréal, while making Montrealers and in particular, metro users, more aware of the presence of ICAO and the UN in our city. Even after 65 years, you are a sort of hidden treasure in Montréal, but we are very proud of your presence here.

“Every three years, your Assembly gives you an opportunity to discuss important topics. This principle will certainly apply in the 2013 meeting, since civil aviation, as we all know, is facing some tough challenges. I am certain you will find common and internationally viable solutions to issues of safety, cargo security, economic policies and climate change.

“The civil aviation industry plays a crucial role in ensuring that countries and their cities function smoothly. The civil aviation industry contributes to economic expansion, attracting talent, the development of global networks and the creation of wealth, while also promoting the movement of people and ideas — all vital aspects that contribute to a city’s reputation.

“Montréal, as you know, is certainly the world capital of civil aviation, which places it in a natural position to bring together all of the relevant skills, services, know-how and training.

These are important attributes for the continuation of this economic sector, which has to remain on the cutting edge of technology and research and development.

“In an ever-changing and more urbanized world, cities must compete with each other to attract businesses, investments, international organizations, large-scale events and job creation. The presence under such circumstances of a prestigious organization such as ICAO is vital to maintaining our city’s attractiveness and competitive edge.

“I also wish to underline that Montréal is the only North American city to host the headquarters of over 60 international organizations and almost 90 Consulates and Diplomatic Delegations, so all Montrealers have every reason to feel proud!

“In closing, Mr. President of the Council of ICAO, Mr. Roberto Kobeh González, and Mr. Secretary General, Mr. Raymond Benjamin, I would like to thank you for being exemplary partners in the consolidation of the city’s international reputation. And as you already know, but I repeat once again — you can count on your city, even when it comes to fines!

“I would also like, through you, to thank the more than 500 international civil servants and staff housed in your very large institution. Their very presence and work help to make Montréal a cosmopolitan city and a city of knowledge.

“So bravo to you and thank you, as I wish you fruitful discussions and every success in your work during this 38th Session of the Assembly.

“Have a pleasant stay in Montréal, and I hope that you will also find time to enjoy our city’s many charms.”

3. On behalf of the Delegates and participants of the Assembly, the President of the Council thanked the Mayor of Montréal most sincerely for the hospitality which his city had shown them since their arrival. He also took this opportunity to highlight how much the ongoing support of the Mayor’s administration and the local community was valued in making everyone feel at home during their stay in Montréal.

***Address by the Honourable Pauline Marois, Premier of Québec***

4. “It is a pleasure for me to take part in the opening of this 38th Session of the Assembly of the International Civil Aviation Organization (ICAO). I welcome all of you to Montréal and to Québec.

“I would like, at the outset, to say how very happy I am that ICAO is staying in Montréal. Québec is proud to have hosted this prestigious international institution since its founding. As Premier, I have another special reason to be happy that ICAO is remaining in Montréal. My government has the firm intention to fight for each job. This is my obsession. You can understand, therefore, how very happy I am that your Headquarters will stay in Montréal and that all of your staff and experts will continue to be a part of our economy.

“More than ever, civil aviation is a nexus bringing together numerous global stakes: the economy, safety, technology, social affairs and the environment. ICAO must address these complex challenges that have come with the growth of civil aviation in nearly all sectors of human activity. The magnitude of these challenges and their major international impact remind us of how necessary ICAO is, and of the essential role that it plays, as well as the important responsibilities that fall to it.

“I would like to pay tribute to the excellent performance of ICAO management and staff and the permanent representations. Your work has helped make civil aviation one of the safest, most orderly and efficient means of transport at a time when the sector is experiencing strong growth.

In this respect, ICAO is the only global forum that is able to bring to the table all of the civil aviation stakeholders: industry, governments and international experts.

“By choosing Montréal, you have opted for a city where all of these stakeholders are on your doorstep. This is a city that has made the aerospace industry the flagship of its economy and a source of pride for all the people of Québec. Montréal is home to an aerospace cluster of some 10 international organizations. It also has 11 world renowned institutions that combine higher learning and advanced research and training. The aerospace industry of Montréal comprises more than 200 enterprises, including a number of major firms, and more than 42,000 workers producing a turnover of \$12.1 billion. Add to that our skilled, multilingual workforce and you have Montréal, a global centre of aerospace excellence. And our industry keeps growing. In this respect, we witnessed last week a major event: the first flight of the Bombardier C-series aircraft.

“On top of this economic strength and the vast capacity for research and innovation, we have an asset which is so typical of Montréal: a spirit of cooperation. Our industry is characterized by openness and a will to cooperate which foster the implementation of promising programmes and initiatives. Already, Montréal International, Aéro Montréal, Aéroports de Montréal, the Chambre de commerce du Montréal métropolitain, Tourisme Montréal and the Palais des congrès are working together with ICAO in one way or another.

“I would like to take this opportunity afforded me to reiterate our desire to strengthen and multiply the bonds between ICAO and Montréal’s aerospace stakeholders, which were its universities, institutions and civil society organizations. On their behalf, I invite you to derive even greater benefit from the extraordinary potential that they have to offer you.

“I would also like to reaffirm that the Government of Québec, my government, stands ready to listen to the Organization and its Member States. This is all the more important to me in that I lead a political group whose main ambition is for Québec to one day become a sovereign State. In our government, you will find the same spirit of cooperation that guides our industry, and the same determination to work for the success of ICAO.

“Montréal has proven itself as a centre of aerospace excellence, but the city is much more than that. Here, you will find a cultural metropolis buzzing with life that thrives on diversity and drives creativity. In Montréal, and in Québec, there is a uniquely rich cultural scene which attracts students, researchers, artists and investors who are charmed by its personality and inspired by its intellectual vitality. Aside from the exciting city life, Montréal also boasts a safe environment with lots of green space and a high, yet affordable, standard of living, which makes it a wonderful destination for families, and all within a one-hour flight from UN Headquarters.

“In settling in Montréal, ICAO has made a wise choice. It has chosen a city with world-renowned aerospace expertise. It has selected one of the most dynamic and inspiring cultural environments on earth. In Montréal, ICAO has found an enduring partner and ally.

“I wish you enriching discussions and every success in carrying out your mission.”

5. The President of the Council thanked the Government and the people of Québec for the generous financial and administrative support and assistance they had provided to ICAO over the years. He noted, in this regard, that the Premier had been personally involved, a few years earlier, in some of the decisions to provide ICAO with facilities and services which continued to enhance the Organization’s ability to serve its Member States and the world aviation community.

***Address by the Honourable Lisa Raitt, Minister of Transport,  
representing the Government of Canada***

6. “On behalf of the Government of Canada, I have the great pleasure to welcome you to Montréal, one of the most beautiful cities in the world, and the natural home of this important institution.

“Sixty-nine years ago, in 1944, the International Civil Aviation Organization was founded to promote the safe and orderly development of international civil aviation throughout the world. The founding members, which included Canada, pledged their commitment to the idea that, through the development of civil aviation and the benefits that development would bring, ICAO could be a key driving force to ‘preserve friendship and understanding among the nations and peoples of the world’.

“Anyone who has benefited from aviation has benefited from the global collaboration, the sharing of ideas and the innovations in policy and regulation that take place in this city and in this building, as well as from the industries and businesses who have made their homes in Montréal.

“Friends, we all know that important decisions and deliberations will take place over the next two weeks. For much of ICAO’s history, civil aviation has played an important role supporting the global economy. When the aviation industry suffers, often we also see the same for the global economy.

“Close to seven decades after its founding members came together to build this organization, ICAO continues to carry out its work efficiently and effectively. Because of ICAO, air travel is more safe and more convenient. Because of ICAO, air travel is less vulnerable to terrorism and more secure. And because of ICAO the air industry generates more jobs and more economic benefits for the communities, the regions and the national governments.

“That is why Canada firmly supports a strong, relevant, efficient and effective ICAO. It is why we have such a productive partnership with the Organization. And it is why today, our commitment to this important body is stronger than ever.

“As you all know, since ICAO’s creation as a permanent institution in 1947, Canada, Québec, and the world-class City of Montréal have been so very proud to host this Organization. This year has been a particularly important year for this relationship. As you all know, this past May, due to the excellent teamwork between the Government of Canada, the Province of Québec and the City of Montréal, Canada and ICAO signed a new Supplementary Headquarters Agreement that will keep its Headquarters in Montréal, ICAO’s natural home, for an additional 20 years beyond 2016.

“Further, I am pleased to advise you that Canada has completed the regulatory process to ratify this Agreement. Canada recently contributed \$1.4 million dollars to modernize ICAO conference facilities and we enhanced and expedited the services we and our partners offer ICAO representatives.

“This kind of effort by all three orders of government as Team Montréal, or Équipe Montréal, shows what we as Canadians can do when we put our minds to it.

“Let me just say how very proud we are to work hand-in-hand with ICAO and to be host to this great organization. Beyond the institutional arrangements that benefit ICAO, permanent delegations and staff, Montréal offers an unparalleled quality of life. It also provides access to numerous international organizations, research and educational institutions and businesses that are all located here, as well as a thriving aeronautical industry, much of which has located here because of ICAO’s presence in this city.

“We are very grateful that the international community has recognized the advantages that Montréal offers to ICAO. Canada has also committed to setting up a dedicated liaison function to assist with the settlement and the integration of international delegates, staff and their families.

“The Agenda for this 38th Assembly is ambitious and, in some areas, challenging. ICAO needs to maintain the momentum coming out of the High-Level Conference on Aviation Security, the Air Navigation Conference and the Air Transport Conference. That way, we can all improve standards and recommended practices (SARPs), and provide guidance material on the safety, security, and economic fronts. Canada believes that ICAO must continue to play its crucial role in these areas.

“Aviation as we know it today exists because of innovation, and the world we live in today owes many of its defining characteristics to aviation. Aviation and our global economy and society have evolved in ways that no one could have predicted.

“ICAO’s challenge is to drive innovation in aviation that will meet demands and expectations we can hardly fathom. The challenge is to build on the enduring idea that by coming together as nations, sharing ideas, debating these ideas, and arriving at compromise and consensus, we can ensure aviation maintains its enviable safety record, and grows to benefit all of our citizens.

“Many of the issues on this, the 38th Assembly’s Agenda, are not easy, but innovation rarely is. So I strongly encourage the member nations of ICAO to live up to the founding ideals of aviation in the deliberations ahead. We must all strive to improve the already high standards in safety and security, and to improve the economic viability of our sector in these challenging global economic times.

“Our modern world relies on a safe, secure, and efficient international civil aviation system. This goal motivated the founding members of ICAO and must inspire us today so that civil aviation can continue its important role in the world now and in the future.

“Again, I am very honoured, on behalf of Minister Baird and the Government of Canada, to welcome you all and to salute ICAO as it continues its important work in global aviation. I want to wish you all a very productive Assembly and I hope you enjoy your time here in Montréal.”

7. The President of the Council reiterated that, for close to 70 years, Canada had been a most gracious host of ICAO. Underscoring that that was unique in the history of the United Nations (UN) System, he noted that it had made Canada the envy of many other countries around the world. As had also been mentioned, more recently ICAO and the Government of Canada had together signed a Supplementary Headquarters Agreement which assured the presence of ICAO in Montréal until the year 2036. The President of the Council assured the Honourable Minister of Transport that Canada’s unfailing commitment to ICAO and to its mandate to ensure the safe and orderly development of international civil aviation was very much appreciated.

***Pre-recorded video message by Mr. Ban Ki-moon, Secretary-General of the United Nations (UN)***

8. The President of the Council noted that although he and the Secretary General had invited the Secretary-General of the United Nations (UN), Mr. Ban Ki-moon, to participate in the opening of the Assembly, he had been unable to do so due to other commitments. Mr. Ban Ki-moon had, however, provided the following pre-recorded video message:

“I am pleased to send greetings to the 38th General Assembly Meeting of the International Civil Aviation Organization.

“Commerce, trade and tourism around the world depend on you to regulate the skies and make them safe for air traffic. And you are central to the climate change and sustainable development agenda.

“The benefits of air travel should be available to all, but they should be provided as efficiently and cleanly as possible. We have to reduce greenhouse gas emissions. Climate change is a threat to economies large and small, to the development and well-being of societies everywhere, and to the health of the planet.

“Momentum is building towards a universal, legally-binding global climate agreement by 2015. Everyone needs to play a part. Next year I will convene a climate summit to engage government, business and civil society leaders to raise the level of ambition and to catalyze action.

“The longer we delay, the greater the costs – to communities, businesses, economies and the planet. But, if we act together, we can rise to the challenge and build a better, more secure world.

“I count on this meeting to explore how the aviation sector can limit carbon emissions and contribute to sustainable development.”

## **Agenda Item 2: Approval of the Agenda**

9. In accordance with Rule 12 of the *Standing Rules of Procedure of the Assembly of the International Civil Aviation Organization* (Doc 7600), the Plenary approved the Agenda reproduced in WP/1 Revision No. 3.

## **Agenda Item 3: Establishment of Committees and Commissions**

10. In accordance with Rules 6 b), 14 and 18 of its Standing Rules of Procedure (Doc 7600), the Assembly agreed to the establishment of the Credentials, Executive and Coordinating Committees, as well as the Technical, Economic, Legal and Administrative Commissions. The Credentials Committee would meet immediately following the First Plenary Meeting.

## **Agenda Item 4: Reference of subjects to Committees and Commissions**

11. The Plenary referred the various items in the Agenda as presented in WP/1 Revision No. 3 to the Executive Committee and the Commissions as follows: Items 10 to 25 to the Executive Committee; Items 26 to 38 to the Technical Commission; Items 39 to 44 to the Economic Commission; Items 45 to 48 to the Legal Commission; and Items 49 to 60 to the Administrative Commission.

## **Agenda Item 5: Election of Member States to be represented on the Council**

### ***Deadline for notification of candidatures for the first and second parts of the Council election***

12. The Temporary President announced that election to the Council in the first and second parts would be held on Saturday, 28 September 2013, at 0900 hours. The deadline for notification of candidatures, which were to be submitted in writing to the Secretary General, was set for 1215 hours on Thursday, 26 September 2013. Notifications of candidatures for election to the Council in the third part, which would be receivable only after completion of the election in the first and second parts, were to be submitted to the Secretary General during the forty-eight hour period beginning at the close of the meeting on Saturday, 28 September 2013, and ending at that time