
**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee
Fifty-first session**

Script

855th Meeting
Thursday, 29 March 2012, 10 a.m.
Vienna

Chairman: Mr. Tare Charles Brisibe (*Nigeria*)

The meeting was called to order at 10.16 a.m.

The CHAIRMAN Good morning distinguished delegates, I now declare open the 855th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space. I would first like to inform you of our programme of work for this morning.

We will continue and hopefully conclude our consideration of agenda item 13, proposals to the Committee on new items to be considered by the Subcommittee. I will then suspend our meeting so that the working group on the definition and delimitation of outer space can hold its final meeting with a view to adopting its report. Time permitting, we will then reconvene to continue and hopefully to conclude our consideration of agenda item 7(a) matters relating to the definition and delimitation of outer space with a view to endorsing the report of the working group on the definition and delimitation of outer space contained in document A/AC.105/C.2/2012/DEF/L.1.

At 12 p.m. there will be a presentation by Conference Management Service on the website for digital recordings which the Secretariat has developed.

Are there any questions or comments on this proposed schedule?

I see none.

Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its fifty-second session (agenda item 13)

Distinguished delegates I would now like to continue and hopefully conclude our consideration of agenda item 13, proposals to the Committee for new agenda items.

Are there any delegations wishing to make a statement under this agenda item on the subject of new agenda items at this time?

I recognize the distinguished representative of Saudi Arabia.

Mr. M. A. TARABZOUNI (*Saudi Arabia*)
Good morning Mr. Chairman and everybody. For the last two years we were asking for new items concerning regulation of the dissemination of Earth observation satellite images through the World Wide Web and I would like to give some descriptions on such things like this.

In 2005 Google announced the launch of Google Earth as a satellite imagery based mapping product that combined 3-D building and terrain with mapping capabilities. Also Microsoft and Yahoo and Security Globe have also delivered into online satellite and aerial imagery service which gives the general public the ability to access and view high resolution satellite imagery and photographs via the Internet and raises serious privacy and safety concerns. Since existing laws fall short in safeguarding individual privacy rights and protection against possible threats to safety when applied to online mapping, our Legal Subcommittee should act now to regulate the ___? dissemination of satellite and aerial imagery on the Internet.

I can give an example. This has been used against India and it was in Iraq against the British Embassy, in Mosul and it was used against some other places in Saudi Arabia many times. Now with the capabilities of the imagery, which is being given by DigitalGlobe and GOI which are .5 metre resolution, with GIS you can locate now every place a terrorist can attack. Thank you very much.

The CHAIRMAN I thank the distinguished delegate of Saudi Arabia for his statement.

Are there any other delegations wishing to make a statement under this agenda item on the subject of new agenda items at this time?

I give the floor to the distinguished representative of Venezuela.

Mr. R. BECERRA (*Venezuela, interpretation from Spanish*) Thank you Chairman. I will be very brief. I have carefully listened to what our friend and colleague from Saudi Arabia has said and I think that there are very important and interesting arguments there that we should analyse and study and therefore we support his proposal. Thank you.

The CHAIRMAN I thank the distinguished representative of Venezuela for his statement in support of the proposal made by the distinguished representative of Saudi Arabia.

I will now give the floor to the distinguished representative of Algeria.

Mr. M. OUZEROUHANE (*Algeria, interpretation from French*) Thank you Chairman. We too would like to support the proposal made by Saudi Arabia, just as Venezuela has. Thank you.

The CHAIRMAN I thank the distinguished representative of Algeria for his statement and, whilst calling for delegates wishing to make a statement on this agenda item, are there any other delegations that would like to intervene with respect to the proposal for a new item that has been made by the distinguished representative of Saudi Arabia?

I recognize the distinguished representative of Brazil.

Mr. J. M. FILHO (*Brazil, interpretation from Spanish*) Thank you Chairman. In principle we think that the proposal made by the distinguished delegate of Saudi Arabia is interesting but we would like to have a more formal proposal in writing so that we could have a clearer understanding of its depth and importance. Thank you Chairman.

The CHAIRMAN I thank the distinguished representative of Brazil for his statement.

Are there any other delegations wishing to make a statement with respect to the proposal that has been made or interventions that have already been made so far under this item?

If there are no comments I take it that the agenda for next year, as discussed yesterday and we are now concluding this morning, is agreeable to delegations?

If I see no objections, it is so decided.

As we have now, distinguished delegates, concluded our discussion on the agenda for next year, there is one final question to be addressed.

The Secretariat has requested me to bring to your attention that it has become customary for us to record in our report the list of items that have been proposed for inclusion on the agenda that did not receive consensus during the respective sessions or clearly in respect of which additional information has been requested. That list can be found in paragraph 173 of the report of the Legal Subcommittee at its fiftieth session in 2011, document A/AC.105/990.

We have already heard from the Czech Republic on their proposal as reflected in subparagraph (e) and also from Saudi Arabia on their proposal as reflected in subparagraph (d).

May I now inquire from the sponsors of the proposals reflected in subparagraphs (a) through (c) whether they wish to retain their proposals on the list?

Before I open the floor on this question, I would like to note that the proposals for new items that are not retained on the list that is included in our report could nevertheless still be included on the list at a later time, as appropriate.

I shall now open the floor to delegates wishing to make a statement under this agenda item.

I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (*Czech Republic*) Thank you Mr. Chairman. I do not intend to make a statement but I would like to reply to your question whether we want to include our item, such as it was presented, in the list of those issues that have been submitted by different delegations but did not reach consensus and whether they wish to maintain such items on the list in paragraph 173.

Yes, my answer is positive. Thank you.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for clarifying the question in this respect.

Are there any other delegations wishing to make a statement under this agenda item at this time?

Distinguished delegates, I see none.

I would now like to continue our consideration of organizational matters.

Are there any delegations wishing to make a statement on the issue of organizational matters at this time?

I see none.

We have therefore concluded our consideration of agenda item 13.

I should give the floor to the distinguished representative of the Netherlands.

Mr. R. LEFEBER (*Netherlands*) Thank you Mr. Chairman, good morning colleagues. I take note of the fact that we have concluded our debate on agenda item 13 on organizational matters however, before concluding the agenda item, we would like to hear some conclusions on the debate of yesterday. Several proposals were made and the conclusions of the debate have to be summed up and to see whether we have come to an agreement on those proposals. Thank you.

The CHAIRMAN I thank the distinguished representative of the Netherlands for bringing this important step that we will be required to take in concluding this session and preparing the report of our deliberations here.

Are there any other delegations wishing to make a statement?

In the absence of any further statements we have concluded our consideration of agenda item 13, proposals to the Committee for new agenda items.

I should give the floor to the distinguished representative of the Netherlands again.

Mr. R. LEFEBER (*Netherlands*) Thank you Mr. Chairman. In light of the debate that followed, following my previous intervention, I would like to note that there were four proposals on the table yesterday. One related to the duration of meetings, that

was debated and I noted that there was no agreement on the proposal of France that was supported by others. There was also no agreement on keeping the length of the meetings as they are, so I presume that we will forward that issue to the Main Committee for further deliberations and then a decision.

Other proposals related to following good practices of other comparable UN bodies relating to reporting. There were no objections yesterday or this morning to the proposal made to follow those good practices so I presume that we will do that as of the next meeting. I also recall a proposal relating to webcasting, this was also not met with any objections so I presume that we will do that as of the next meeting. Finally there was a proposal relating to the opening of agenda items that should no longer be done simultaneously. Again, that did not meet with any objection so I presume that we will no longer do that as of the next meeting. Thank you.

The CHAIRMAN I thank the distinguished representative of the Netherlands for bringing these important issues to our attention and I shall give the floor to the Secretariat but, before I do so, I should give the floor firstly to the distinguished representative of China, followed by the distinguished representative of the United States.

I shall begin with the distinguished representative of China.

Mr. Y. XU (*China*) Thank you Mr. Chairman. First of all China appreciates the efforts of our distinguished delegate of the Netherlands to try to rationalize our work of this Legal Subcommittee.

The first thing I have to make quite clear is that the methodology of decision-making of this Legal Subcommittee is based on consensus which cannot easily be translated into 'no objection'. Although there are several proposals made by the distinguished delegate of the Netherlands, as far as China is concerned there is no consensus on that although there were no objections voiced. As far as China is concerned, it seems to be that we are not ready to join consensus on those proposals. We can work on that and we would be happy to reflect those ideas in the report of the Legal Subcommittee but at this stage we are not ready to subscribe to those new proposals to change the working methods of the Legal Subcommittee easily in a very short time and there is no in-depth debate on that.

I would also like to draw your attention to some new adaption of the work of the Legal

Subcommittee. We do have very in-depth discussions such as simultaneously open different items in one day, which on one hand do address some concerns of member States to make their contribution on the first day and then they can come back. Although they will create some new problems, as voiced by the delegation of the Netherlands, we have to do our research very carefully, we cannot discard it because it not work this way then we will not work it next way. That is my general feeling. As far as China is concerned, we are not ready to join any consensus based on the proposal. Thank you Chair.

The CHAIRMAN Thank you distinguished representative of the China.

I should now give the floor to the distinguished representative of the United States.

Mr. K. HODGKINS (*United States of America*) Thank you Mr. Chairman. My delegation certainly appreciates the efforts to streamline and make our work more efficient and there were some very good proposals made.

One of the issues that we have is concerning the webcasting. In CRP.15, the Secretariat reviewed the financial and technical implications of webcasting of the sessions of the Subcommittee and it struck my delegation that this did not seem to be feasible and could, in fact, have extra budgetary implications for the Secretariat that my delegation would not be able to support. It looked as though this was a fairly involved undertaking that I am not sure the Committee, or the subcommittees, are in a position to make a decision on and that the financial and technical implications struck us as being fairly daunting. In the case of the webcasting this will be difficult to move forward with. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States for his statement.

I give the floor to the distinguished representative of Algeria.

Mr. M. OUZEROUHANE (*Algeria, interpretation from French*) Thank you Chair. On the specific issue of Internet broadcasting, I would like to recall my delegation's position as to the counterproductive and inopportune idea of the dissemination of our work, this can only interfere with the serenity of our debate. I would like to recall that our debates are transparent and open to the public if they wish to access them. In the note prepared by the Secretariat, we find substantiation of our viewpoint

given the legal aspects and financial implications of such a decision. In paragraph 3 of the Secretariat's note clearly indicates that UNOV's conference services has neither the mandate nor the necessary capacity to ensure this sort of casting. The CTBT experiences is not particularly convincing and conclusive in this regard, it is rather prohibitive from the cost point of view as well especially if you consider that this is only something which interests certain individuals and not the public at large. One hundred million Euros are necessary to set up this sort of system within the Subcommittee. That is just enormous! That even without taking into account the annual operating costs of the system. In this regard, the figure for the operating costs, which is in the Secretariat's note, paragraph 6, if this is correct, does not reflect the total financial implications to be faced. The 10 million Euro cost for a five-day session, our session are 10 days long so that would be 20 million Euros and not 10. For reasons of serenity as well as cost implications I would prefer to lodge my voice of protest and objection. Thank you.

The CHAIRMAN I thank the distinguished representative of Algeria for his statement.

I now give the floor to the distinguished representative of South Africa.

Mr. T. KOTZE (*South Africa*) Mr. Chair thank you for giving me the floor. I wish to thank the delegate from the Kingdom of the Netherlands for his constructive engagement regarding our working methods. In this regard, the delegation of South Africa would like to support the statement made by the delegation of China. I would like to add further that I did not pick up in the statement from the honourable delegate from the Kingdom of the Netherlands that he was dissatisfied with CRP.15 and therefore we did not take the floor at that stage. In this regard the delegation of South Africa would like to support the statements made by the United States of America as well as Algeria regarding webcasting. Thank you.

The CHAIRMAN I thank the distinguished representative of South Africa for his statement.

I will give the floor to the distinguished representative of Saudi Arabia.

Mr. M. A. TARABZOUNI (*Saudi Arabia, interpretation from Arabic*) Chairman we would like to thank the distinguished delegate of the Netherlands however, we would like to support China, US, Algeria and South Africa. Thank you.

The CHAIRMAN I thank the distinguished representative of Saudi Arabia for his statement.

Distinguished delegates, taking into consideration... before I sum up our deliberations I should give the floor to the distinguished representative of Spain.

Mr. S. ANTÓN ZUNZUNEGUI (*Spain, interpretation from Spanish*) Thank you Chairman. We are going back to the debate which was held yesterday, so I would like to take this opportunity to get back to what we see in CRP.14.

My delegation yesterday encouraged the Secretariat to continue to write reports that would comply with the criteria laid down in CRP.14. It is necessary to attach major importance to the decisions which are taken within the Subcommittee and we must also reduce and make more concise the summaries of the statements made by delegations. Thank you very much.

The CHAIRMAN I thank the distinguished representative of Spain for his statement and give the floor again to the distinguished representative of the Netherlands.

Mr. R. LEFEBER (*Netherlands*) Thank you Mr. Chairman. Mr. Chairman we have serious procedural issues with the way this debate is being conducted. We asked you to sum up the deliberations and conclusions and nobody took the floor. It is only after a second intervention that we now are engaged in a debate that we should have had before that point in time. This also happened with respect to the proposed agenda item of Saudi Arabia I am afraid. If there is a proposal, then the proposal has to be put to the floor and you have verify whether there is consensus or not on that proposal. Indeed, if there is no objection or formal objection then there is consensus that is the rule in the United Nations and I can provide you with a legal opinion of the United Nations Office of Legal Affairs on that.

It is also very unfortunate that, at this late stage in the game, we are not going to prolong the discussion we know that there is no consensus at this stage. We would have liked to engage in the debate on substance because now we have heard several arguments for example against webcasting that we would like to take issue with and we would like to respond to that. I hope that we can proceed in the future by taking note of the proposals that are being made and, before concluding on the agenda item, that those proposals are being put

to the floor to identify whether there is a consensus or not. Thank you.

The CHAIRMAN I thank the distinguished representative of the Netherlands and now give the floor to the distinguished representative of France.

Mr. G. DEFRESNE (*France, interpretation from French*) Thank you Chairman. I would like to pursue the comments made by the distinguished delegate of Spain who we would like to support completely.

In CRP.14 we have an excellent working basis. We note there that the optimization of the organization of work is not only the problem of this LSC, other bodies in the UN also share the same problem. This is a good point of departure, a good working basis and we would like to continue to work along these lines in future sessions. Possibly the Secretariat could put together some recommendations which, as the distinguished delegate of China has said, should be agreed by consensus but maybe these recommendations could be directly applicable and used to improve the organization of our work.

Concerning yesterday's debate, along with the Netherlands we certainly would want to have the exact nature of the debate reflected in the report, necessarily the enrichment of the substance of the work of our committee goes hand-in-hand with increased rationalization of the organization of work and we would like this point to be reflected in the report as well as dissenting views on this point as well.

On item 13 of the agenda, it is not just a matter of organization, of course organizational modalities have immediate impact on the debate that is ongoing. Would it not be of interest for the next session of the Subcommittee to place this organizational matter further up in this agenda? This is an issue of active interest which deserves quite a bit more work. Thank you.

The CHAIRMAN I thank the distinguished representative of France for his statement and give the floor again to the distinguished representative of the United States.

Mr. K. HODGKINS (*United States of America*) Thank you Mr. Chairman. Mr. Chairman my delegation would like to make a couple of observations.

We are well aware of what constitutes consensus and we take a bit of a different view. That is

to say, on matters that are important to a member State and that member State has a specific idea, our view is that we should have a debate on a specific proposal. Unfortunately for our discussions on organizational matters we have been having to work from not specific proposals in writing from member States but from statements made from the floor and on documents not prepared by member States but by the Secretariat. For my delegation we have a quandary here in terms of how we approach this.

In the case of webcasting. This was an analysis done by the Secretariat. Paragraph 3 was very clear that the Conference Management Service of other United Nations does not have the mandate nor the capacity to provide webcasting services for meetings. My delegation thought this was fairly definitive and we still remain puzzled as to what authority does this Subcommittee have to commit the UN offices here in Vienna to a substantial expenditure. We did not believe that this particular issue had to be debated further because it was fairly clear from the paper prepared by the Secretariat.

In the case of CRP.14, this is a very interesting paper, there is some good ideas but we cannot simply say, OK Secretariat CRP.14 you implement it, because the Secretariat needs more guidance on how we would do this. Our reports from the Committee and the two subcommittees have been organized in a very specific manner, for decades if you will, and that is the desire of member States. If we want to change our reports and the structure we have to have a very specific proposal that we all agree to.

I will give you an example. When you look at paragraph 8, the word count for each of the reports of the Committee and its subcommittees, is not dependent on the Secretariat doing an efficient job, the word count is what member States insist is reflected in the reports. As you are well aware, there are some agenda items where only three or four member States give statements but there are multiple paragraphs because those three or four member States insist that their views be reflected. In this case the word count, for example, is more a matter of discipline on the part of member States as opposed to the Secretariat implementing this.

We are not adverse to looking at how we can reorganize our documentation but we have to take what the Secretariat prepared in CRP.14 and be very specific as to what we want them to do. We cannot just send them out and say, well you figure what will work and then we will worry about it later.

Again, my only point here is that if we have ideas that member States feel strongly about let us have some specific proposals in writing so that we can look at these and then bring some of these questions to a close because there are some good steps that we can take but we have to be very specific on what we want to do. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States and now give the floor to the distinguished representative of China.

Mr. Y. XU (China) Thank you Mr. Chair. China would echo and fully support the previous presentation made by the US on how to work on those proposals. I should highlight the term 'specific proposals' which should be considered and decisions taken by this Legal Subcommittee. Although we do pay close attention to the inputs provided by the distinguished delegate of the Netherlands in his statement, the problem for us is that we do not see clear specific proposals. If we look to the procedure of the United Nations General Assembly we have those requirements for proposals, how to state it as a proposal. I think the Secretariat can explain to us whether a statement will constitute a specific proposal which should be decided by the Legal Subcommittee. Although the Legal Subcommittee is always working on a very flexible, very comprehensive, very cooperative way, if we go to the rules there are clear rules whether a statement can constitute a specific proposal which all the member States have to take a position on that proposal otherwise you will be bound by those proposals, that is not my understanding.

I also have to highlight that there is a joint statement made by China, Peru and many other countries which do shed some light on those proposals. If we look at the statement made by the Netherlands and the whole as a proposal there are clearly objections to those proposals. We do not need to follow the interpretation of the Netherlands to make a decision on each of those proposals under their calculation. I do not want this Legal Subcommittee to enter into any political debate on how to carry out our work, we do hope we have followed our old ways to doing the business in a more flexible, more friendly way otherwise there will be many objections if we have to take a position on each of those proposals. Thank you Chair.

The CHAIRMAN I thank the distinguished representative of China.

I give the floor again to the distinguished representative of the Netherlands.

Mr. R. LEFEBER (*Netherlands*) Thank you Mr. Chairman, and with your indulgence we are finally having the debate that we wanted to have. We are happy to draft specific proposals, we do not believe that they necessarily have to be in writing, we do not believe that they necessarily have to come from a member it could also come from the Secretariat. This is what we were missing yesterday and I wholeheartedly support the proposal of France to have this issue higher up on the agenda next time and not so very late.

In order to make a specific proposal we need to have a debate and it is only the debate that will sharpen our minds and will allow us to come up with a specific proposal on how we can improve and rationalize our work. What I understand from this debate is that there is merit in most of our proposals.

For the sake of the debate, when the United States points out that in paragraph 3 of CRP.15 it is said that there is no mandate nor the capacity to provide webcasting service for meetings, the CRP continues pointing out that there have been occasions where more webcasting is required for meetings at UNOV and the task was outsourced, apparently it did take place and then CTBTO is also mentioned as an example. In that sense that CRP is not that clear-cut.

We really hope that next time we can move this agenda item up on the agenda and have it in the first week, we had a lot of time last week that we did not use and to discuss it on its merits and to have the debate that we wanted to have. I agree, I made proposals yesterday I realize that they were fake but that is where we are at the moment. I hope that we can do this at least next year. Thank you.

The CHAIRMAN I thank the distinguished representative of the Netherlands.

I will give the floor to the distinguished representative of Belgium.

Mr. J-F. MAYENCE (*Belgium, interpretation from French*) Thank you. We quite agree with the Netherlands as to the merits of the proposals made this morning which have started off a very interesting debate. Even if we agree with the US and China on these points we certainly nonetheless agree and recognize that the debate should have taken place.

As for whether consensus could be deduced from the silence of the non-expression of views of delegations I would like to recall that the role of the Chair in this regard is essential. It is up to you to reflect decisions. If you do not say as Chairman that

something is a decision then it is not. Silence cannot be construed it has to be submitted as a point of decision whether it is in writing or orally. For us it is your role that is crucial.

On the very last point whether we can bring this item higher up on the agenda, here we would have no objection but would like this to not have any negative effect on the allocation of time for items on the agenda. If this is carried higher up then we can talk extensively about how to organize our debate and not actually have the debate. We would not like this to have any negative impact on the actual substance of discussion of the items before the Legal Subcommittee.

The CHAIRMAN Thank you distinguished representative of Belgium and, whilst I am acutely aware of my responsibilities and role as Chairman of this Legal Subcommittee that you have elected me to serve on, in the context of all the interventions and statements that have been made I would like to highlight the fact that we have always agreed that maximum flexibility should be applied in the scheduling of all agenda items. We are looking at various components and aspects here from procedural issues to the discipline of yourselves, the member States, in putting these proposals that you would like to debate in your subcommittee in order to arrive at decisions that I am expected to approve.

I should give the floor now to the distinguished representative of the United States.

Mr. K. HODGKINS (*United States of America*) Thank you Mr. Chairman. I apologize for taking the floor one more time but in the interests of having a debate on how we proceed I would like to again make another observations.

In the case of the documentation, from my delegation's standpoint this is one issue that we should be dealing with and we should give the Secretariat very specific guidance on how we would like to see our reports organized. I go back to CRP.14 and just point out the challenge that we have in front of us because if you look at paragraph 5 of CRP.14 it gives guidance on what should be in the reports. Subparagraphs 1-5 say what should be in the reports, it should be action-oriented, brief discussion on procedural matters, recommendations, new development findings, recommendations and so forth, that is easily taken care of. Then it says what reports should not include, they should not include general summaries of statements under each item, lengthy discussion on organization and procedural matters, repetition of already published text or repetition of text with only minor changes. As

member States are well aware, many of those points that should not be included in the report are in fact included in our reports because the members insist on it. If we are going to have a discussion next year on organizational matters and it is going to be early in our session, my delegation would like to see very specific proposals that give the subcommittee a specific direction that we can then deal with and will give the Secretariat guidance on how they will prepare and organize the documentation. My experience is that this is going to be extremely difficult, I am not suggesting we do not try but it is not a simple matter of having CRP.14 produced and then we say, OK Secretariat do whatever it says in that paper. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States for his statement.

At this stage I should really give the floor to the distinguished representative of Argentina.

Ms. G. HUARTE (*Argentina, interpretation from Spanish*) Thank you Chairman. One small observation. I have a feeling that some of the comments on the characteristics of the report or the nature of the meeting are exceeding the mandate of the Legal Subcommittee. The way in which the report is written is very similar in the Scientific and Technical Subcommittee and the Committee of the Whole so it would be interesting to see whether the guidelines in CRP.14 could be contemplated for all of COPUOS work as is true of the rational use of time. In the Scientific and Technical Subcommittee in February we had more than 50 technical presentations and used up time that could have been used differently. Thank you.

The CHAIRMAN I thank the distinguished representative of Argentina for her statement.

I give the floor again to the distinguished representative of Spain.

Mr. S. ANTÓN ZUNZUNEGUI (*Spain, interpretation from Spanish*) I would like to thank the delegate of Argentina and the distinguished delegate of the US for their comments as they have broached very important topics. What this delegation would like to know is, and this is really a question for the Secretariat, I understand that this is a document of the Director-General of UNOV. To what extent is this applicable to us? Thank you.

The CHAIRMAN I thank the distinguished representative of Spain for his statement and as I had intended to earlier because I believe all of these statements and interventions that have been made so

far in one form or another have been expressed by delegations in the course of this session of the Subcommittee. It is positive in the sense that, as the distinguished representative of the Netherlands has indicated, we are now having the debate we should have had perhaps not before this Subcommittee but perhaps even at previous sessions of the Legal Subcommittee.

Having said all this, taking into consideration the proposals with respect to, for instance, streamlining working methods, webcasting, duration of meetings, good practices, the guidelines document in CRP.14, whether or not we should move agenda item 13 forward, taking into consideration the agreed use or guidance relying on maximum flexibility in the scheduling of agenda items.

I should now call on the Secretariat if they can shed some light on some aspects on the interventions and statements that have been made by distinguished delegates.

Mr. N. HEDMAN (*Secretariat*) Just checking that I was, in fact, given the floor. I will comment on two things.

There was a specific question from Spain on the applicability of the bulletin of the Director-General and Executive Director to the work of our bodies. This document is a guideline, a very important guideline that has been adopted by the highest authority of the UN System, the Secretariat, Kofi Annan, if you look at annex II to this document. It is a guideline that affects the work not only of the OOSA substantive secretariat but also the work of Conference Management Service which means editorial, translation, text processing, it is a whole range of functions within the Secretariat that are affected by these guidelines. In drafting CRP.14, the substantive secretariat, that means OOSA, was in close coordination with Editorial Control of UNOV/UNODC here in Vienna because we are talking here about the bodies that are functioning under UNOV/UNODC.

There is a concern in the UN system that reports of intergovernmental bodies have a tendency, in general, to exceed the required word limitation. Paragraph 7 establishes the rule that we are bound by and you see in paragraph 8 how it looks like for our bodies and, following in chapter 3, we have a comparison with how it looks for other bodies here comparable in Vienna. The situation we are facing is, as a secretariat, that we are exceeding the overall word limitation for our reports. At the same time, this is in the entire UN system and we are not the worst one in

the UN system for reporting as you can see. The situation with the Drugs and Crime Commission and intergovernmental bodies as you can see from the statistics, and they are quite different bodies. They have draft resolutions, resolutions, they have financial statements included in their report and their reports tended to be enormous and they really had a big effort to cut down those reports to come closer to the word limitation.

Having said that, it is for the Secretariat very difficult to interpret how the report is going to look like, how delegations want the report to look like because we are bound by the decisions of delegations of the Legal Subcommittee, the Scientific and Technical Subcommittee and the Committee on the Peaceful Uses of Outer Space.

The discussion on making the reports action-oriented and you can see in other bodies here in Vienna they are trying to go into a way whereby the form of reports are action-oriented, record the actions, decisions and agreements reached and they even go so far that debates are slipping into conference room papers in English only. What they have done in some of the reports from other bodies, they have structured subheadings under each agenda. So you take an agenda item, they have the introduction with the administrative information on documentation before the committee, etc. Then they have deliberations which reflect the debate concise and then they have the third, actions or agreements taken.

Coming back, it is very hard for the Secretariat to independently interpret and evaluate how we are going to draft our reports, we are entirely in your hands in the way that you want to see our reports being drafted.

Coming to the second issue that I wanted to raise on moving agenda item 13 higher up in the agenda. Of course agenda item 13 as it stands today is proposal for new items and in fact, as you know, for many years it is the item where we establish the agenda. From last year in 2011 we all decided to split that section into two subheadings. Subsection (a) dealing with the agenda and subsection (b) dealing with organizational matters. Last year what we did when we started our deliberations, we advanced the discussion on organizational matters higher up in the second week. So we started, I think it was on Tuesday, dealing with organizational matters because we had a feeling that there would be a need for informal consultations and that proved to be correct. So we had first, formal review, account, debate in the plenary and

then we had informal consultations and then we came back.

What we decided last year in the Legal Subcommittee was that the Secretariat should have the mandate to schedule the session of the Legal Subcommittee with maximum flexibility. Having said that there was also concerns raised at the COPUOS session in June that the Secretariat should not have a full mandate to do whatever it finds suitable in terms of scheduling the agendas of all our bodies, so it obviously has to be a balance here that the Secretariat, in close coordination with the respective chair of the respective body, really looks into how to put the agenda as good as possible. We will certainly be prepared to see if we can advance item 13, as far as organizational matters is concerned, higher up in the agenda that is possible if delegations should agree to that. When it comes to the streamlining of the agenda, reallocating items, clustering items, there we need guidance from delegations, we cannot voluntarily put such a method in place, we need your guidance.

So, Mr. Chairman, that was an attempt to respond to questions. Thank you.

The CHAIRMAN I should thank very much our very able secretary and the Secretariat for providing such detailed clarification in respect of these items that clearly are of importance to all delegates.

If I may, and at the risk of over simplification, summarize all of the statements and interventions that have been made so far.

The Secretariat has expressed its inclination and the possibility for us to move on our agenda 13 further up so that we can have more constructive discussions in this respect. Clearly, regarding the clustering of items and discussion on proposals of working methods, we would require the input from member States and this brings us back to the question of specific proposals from delegations on how we should proceed.

Distinguished delegates in the absence of a wish or desire to make a statement under agenda item 13 at this time..

I give the floor to the distinguished representative of Belgium.

Mr. J-F. MAYENCE (*Belgium, interpretation from French*) Excuse me Mr. Chairman we were expecting your conclusion. We would like to thank the Secretariat for their explanations too.

I would just like to go back to what Argentina said. We think that, even if the debates are justified within the framework of the Legal Subcommittee, the general approach should be at Committee level and the role of all the chairs of COPUOS bodies is essential. The Argentinean delegation recalled us very well, and I am a witness to that because I have been at the three meetings, the questions come up at the Legal Subcommittee. We have more than 50 technical presentations at the Scientific and Technical Subcommittee so when we have proposals to reallocate time from the Legal Subcommittee to the plenary I wonder why it only happens here? We think the approach should be coordinated throughout the whole of COPUOS it should not be just the Legal Subcommittee that has to consider this issue. It would be good to have the same solutions for all. Thank you.

The CHAIRMAN I thank the distinguished representative of Belgium for his statement and should note, as I indicated earlier which was also reiterated and echoed by the Secretariat, that in our working methods we have always agreed on maximum flexibility in the scheduling of agenda items. What I failed to highlight was the fact that this is done in particular with respect to those agenda items under which working groups would be convened and I highlight this in the context of the intervention and statement that has just been made by the distinguished representative of Belgium across the Committee as a whole.

Distinguished delegates, are there any other speakers that would wish to make a statement?

I see none.

We have therefore concluded, finally and definitively, our consideration of agenda item 13, proposals to the Committee for new agenda items.

Distinguished delegates I would now like to suspend our meeting so that the working group on the definition and delimitation of outer space can hold its final meeting under the chairmanship of Mr. José Monserrat Filho of Brazil.

The 855th meeting of the Legal Subcommittee is now suspended.

The meeting was suspended at 11.22 a.m.