

VI Tver International Model UN 2018

# The Committee on the Rights of the Child



Rules of procedure



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# Contents

I GENERAL RULES.....	3
II PARTICIPANTS.....	3
III COMMITTEE STAFF.....	4
IV SECRETARIAT.....	5
V CONDUCT OF BUSINESS.....	6
VI RESOLUTION.....	9
VII POINTSAND MOTIONS IN ORDER OF PRIORITY.....	12
VIII PROCEDURAL MOTIONS IN ORDER OF PRIORITY.....	14

## **I GENERAL RULES**

### **Rule 1. Rules of Procedure**

The present Rules of Procedure (hereinafter referred to as “Rules”) of the Committee on the Rights of the Child (hereinafter referred to as “Committee”) shall be considered as adopted prior to the beginning of the Conference.

### **Rule 2. Setting of the agenda**

The agenda shall be set by the Secretariat prior to the beginning of the Conference and cannot be reconsidered.

### **Rule 3. Languages**

1. English shall be the only official and working language at the sessions of the Committee.
2. Speeches, statements, motions and points shall be made solely in English, while no other language shall be allowed during the session.

## **II PARTICIPANTS**

### **Rule 4. Delegates**

1. Each Member State to the Committee shall be represented by one Delegate. The Member State presiding over the Committee may be represented by two Delegates.
2. The Delegates shall have a right to:
  1. speak and vote on all matters under discussion;
  2. write Working Papers and a Draft Resolution of the Committee;
  3. draw up Amendments to the Draft Resolution and introduce them to the Committee;
  4. raise Points and Motions.

#### **The Delegates shall:**

1. abide by the present Rules;
2. accord diplomatic courtesy to all other Participants;
3. respect the rulings of the President and the decisions of the Secretariat;
4. be present at the meetings;
5. use only working language of the meeting during the session.

### **Rule 5. Observers**

Member States of the UN involved in the discussion, touching their national interests, and whose presence is adopted by Secretariat shall be represented by an Observer,

who shall have a right to speak, but no right to vote on substantial matters under discussion of the Committee. The right to speak shall be granted by the President.

**Rule 6. Motion to Deprive of the Right to Speak**

1. If a Representative persistently violates the present Rules the President of Committee may raise a Motion to temporarily deprive the former of the right to speak for a period of time no longer than up to the end of the meeting.
2. This Motion is non-debatable and shall be immediately put to vote.

**Rule 7. Chaperons and Guests**

1. Chaperons and Guests shall have a right to attend the session of the Committee.
2. The Chaperons and Guests shall in no way participate in the session of the Committee.

**Rule 8. Violation of Rules of Procedure**

1. The violation of the present Rules is not allowed.
2. Representatives who violate the present Rules shall be immediately called to order by the President.

### **III COMMITTEE STAFF**

**Rule 9. President and Vice-President**

1. The President and the Vice-President of the Committee are appointed by the Secretariat.
2. The Vice-President shall exercise the same powers as the President if the latter is not present at the meeting. The President may at any time cede his powers to the Vice- President.

**Rule 10. Powers of the President**

1. The President shall preside over the sessions of the Committee. The President shall abide by the present Rules and act in an equitable and objective manner to ensure the effective functioning of the Committee.
2. The President shall:
  1. Ensure the observance of the present Rules;
  2. Conduct a roll-call to establish presence at the beginning of each meeting and, if required, at any other time;
  3. Declare the opening and closing of each plenary meeting;
  4. Have complete control of the proceedings in the Committee;
  5. Introduce Procedural motions;

6. Direct the discussion at plenary meetings;
  7. Initiate the period and announce the deadline for submitting Working Papers and Amendments;
  8. Open and close a List of Speakers;
  9. Accord the right to speak;
  10. Maintain order during the meetings;
  11. Put Questions and Motions to vote;
  12. Announce the results of voting.
3. The President shall have the right to rule out of order points and motions raised by Representatives, unless otherwise provided in the present Rules.
  4. The President may give rulings on matters left in the present Rules to his or her discretion. He or she may also decide on any other matter regarding the conduct of the meeting that is not envisaged in the present Rules.
  5. Rulings of the President may become a subject to appeal if actions of the President contradict the present Rules. The Motion to Appeal the Ruling of the President requires the support of the Representatives of Committee and is non-debatable. The qualified majority of Representatives is required for the Motion to Appeal the Ruling of the President to pass.
  6. The President shall be impartial. He or she shall refrain from speaking on the substance of the matters under discussion except when it is necessary to ensure the effective functioning of the organ.

#### **Rule 11. Function of the Expert**

1. The Expert shall prepare a Report on the item on the agenda of the Committee.
2. The Expert's evaluation of all Working Papers and Amendments to the Draft Resolution shall be conducted to test the documents conformity with the general Working Paper execution provisions and their compliance with the international law and previous UN Resolutions.
3. The Expert may clarify a substantial or legal point regarding the matter under discussion of the Committee at any moment.
4. During the debate and the discussion of Working Papers and Amendments to the Draft Resolution any Delegate may introduce a Question to the Expert in order to clarify a substantial point regarding the matter under discussion.
5. The performance of Expert is not a subject to appeal.

## **IV SECRETARIAT**

#### **Rule 12. Secretariat**

The Secretariat in the Committee shall be represented by assistants to the committees. Other Members of the Secretariat may also be present at the

Committee meetings and, if necessary, speak on the matters that are within their competence provided the floor yielded to them by the President. The President shall also exercise the general management of the activities by Secretariat Members in the Committee.

### **Rule 13. Secretary-General**

1. The Secretary-General may at any time make oral and written statements concerning any matter under consideration of the Committee provided the floor yielded to him or her by the President.
2. The Secretary-General may nominate a Deputy to act in his or her place.

### **Rule 14. Committee assistant**

The Committee assistant (Secretary) shall perform her duties under the direct supervision of the President. She shall receive, print and circulate documents, reports and resolutions, conduct the counting of votes and, at the request of the President, perform all the other work that may be required for the good functioning of the Committee.

## **V CONDUCT OF BUSINESS**

### **Rule 15. Roll-call**

1. A roll-call shall be conducted in the alphabetical order prior to the beginning of the session in order to establish quorum.
2. When called upon by the President the Delegate shall raise the placard with the name of his or her country and declare the status «present» or «present and voting».

### **Rule 16. Quorum**

1. The President can declare the meeting open and permit the debate provided at least 10 Representatives are present.
2. The Committee cannot vote on any matter unless at least 10 Representatives are present.

### **Rule 17. Debate and Caucus**

1. The session of the Committee shall be conducted in three formats:
  - a. formal debate;
  - b. moderated caucus;
  - c. unmoderated caucus.
2. During the whole session the Delegates cannot leave the room without President's permission.

### **Rule 18. Formal Debate**

1. Formal Debate applies when the Delegates present their position statements, discuss Working Papers and Amendments, vote on the Resolution and decide upon other matters, unless otherwise resolved by the Committee.
2. Prior to the Formal Debate the President shall declare the opening of the debate. The President creates the List of Speakers in English alphabetical order, which includes all Present Delegations. The Delegation has a right to ask the moving of its speech to the end of the Speakers List.
3. During the Formal Debate:
  1. the President shall grant the right to speak in accordance with the List of Speakers;
  2. the President shall keep the Speakers List and decide upon the order of speeches;
  3. the Delegates shall be present in the room;
  4. the Representatives shall have a right to introduce procedural Motions and ask questions as provided for in Chapter 7 of the present Rules.
  5. time-limits shall be set for speaking, debating and deciding upon procedural Motions and questions on the agenda.

### **Rule 19. Moderated Caucus**

1. Moderated Caucus shall be used for informal debate.
2. During Moderated Caucus:
  1. no list of speakers shall be kept;
  2. the Delegations shall speak and debate out of the format of Formal Debate;
  3. the right to speak shall be granted by the President to the Representatives at their request.
3. A Representative may at any time, when the floor is open but not during speeches or voting, introduce a Motion to move into Moderated Caucus. The Representative shall rise when called by the President to explain the purpose of the Motion and propose the time for the Caucus.
4. The Motion for Moderated Caucus is non-debatable and shall immediately be put to vote. An affirmative vote of the majority is required for the Motion for Moderated Caucus to pass. The President may rule the Motion for Moderated Caucus out of order.

### **Rule 20. Unmoderated Caucus**

1. Unmoderated Caucus is used for negotiations and consultations without observing the present Rules.

2. A Representative or the President may at any time, when the floor is open but not during speeches or voting, introduce a Motion for Unmoderated Caucus. The Representative shall rise when called by the President to explain the purpose of the Motion and propose the time for the Caucus (the time for the Caucus shall not exceed 20 minutes).
3. The Motion for Unmoderated Caucus requires the support of the second Representative, is non-debatable and shall immediately be put to vote. An affirmative vote of majority is required for the Motion for Caucus to pass.

### **Rule 21. Time-limit and Conduct of Speeches**

1. Time-limits and conduct of speeches shall establish:
  1. the order of debates on the questions on the agenda, unless otherwise provided for in the present Rules;
  2. the total time for discussing a substantial matter;
  3. the number of speeches and the time-limits for speeches and questions to the Speaker;
  4. the necessity to conduct debate on the issue under consideration.
2. The time-limit and the conduct of speeches shall be set at the beginning of the session and shall be subject to change during the Formal Debate by affirmative vote of the qualified majority.

### **Rule 22. Speeches**

1. A Delegate wishing to speak shall ask the President to grant him or her the floor by raising the placard.
2. When speaking on different procedural and substantial matters the Representative shall observe the time-limit and the present Rules.
3. If any time remains, the Speaker has a right to declare him- or herself either open or closed for questions. The Representative may refuse to answer a question or yield the right to answer the question to another Delegate.

### **Rule 23. Conduct of Debate**

1. Debate on the issue in question shall be conducted if no consensus has been reached:
  1. on Procedural Motions (unless otherwise provided for in the present Rules);
  2. on substantial matters (i.e. adopting the Draft Resolution, incorporating Amendments, and voting on the final Resolution of the Committee).
2. A Representative wishing to speak shall ask the President to grant him or her the floor by raising the placard. The President shall make the Speakers List.

## VI RESOLUTION

### **Rule 24. General Debate**

At the beginning of the meeting of the Committee a General Debate on the agenda shall be held. During the course of the Debate, each Delegate shall have a right to address the Committee with a position statement.

### **Rule 25. Working Papers**

1. A Working Paper is a document that reflects the position on the issue under discussion of a group at least of 5 Member States.
2. Any member of the Committee can become an author of a Working Paper and submit it to the President.
3. A Delegation may not at the same time be an author of more than one Working Paper.

### **Rule 26. Submitting Working Papers**

1. Upon finishing the General Debate the President launches the time period for submitting Working Papers. The deadline for submitting Working Papers is also decided by the President.
2. The document shall be approved if it is registered by the Expert and if it passes the Expert's evaluation. The Expert shall test the documents conformity with the general Working Paper execution provisions and their compliance with the international law and previous UN resolutions.
3. An Observer cannot be an author of a Working Paper.
4. After a Working Paper has been registered by the President and assigned a number, a Formal Debate on the Working Paper can be held.
5. Working Papers shall be discussed in the succession they have been registered by the Expert, unless otherwise decided by the Committee. More than one Working Paper may be on the floor at any time.

### **Rule 27. Debate on Working Papers**

Discussion of a Working Paper includes:

1. introduction of the Working Paper by one of the authors;
2. debate on the Working Paper ( Delegates" speeches "in favour" and "against" the Working Paper);
3. the same procedure shall be used for Debates on all Working Papers that have been submitted and approved.

### **Rule 28. Voting on Draft Resolution**

1. Adoption of the Working Paper requires an affirmative vote of simple majority of Representatives.
2. Upon finishing the Debates on all the documents, the Working Papers shall be put to vote in succession they have been discussed by the Committee.

3. Once one Working Paper was adopted all the others are rejected automatically. Since that moment the accepted Working Paper is referred to as Draft Resolution.

### **Rule 29. Conciliation Commission**

1. If none of the approved Working Papers passes, a Conciliation Commission shall be appointed by the President.
2. Conciliation Commission is a special group of Representatives that consists of authors of each Working Paper, selected by the President.
3. The Conciliation Commission shall work in Unmoderated Caucus format.
4. The Conciliation Commission shall work no longer than 60 minutes. If after one hour the Commission is still unable to work out a Working Paper, the President may extend the time or appoint a new Conciliation Commission.
5. The Working Paper elaborated by the Commission must receive approval by the President and then put to vote without debate.
6. If the Working Paper by the Commission doesn't receive a simple majority of votes, a new Conciliation Commission shall be appointed.

### **Rule 30. Amendments**

1. An Amendment is a Motion that adds to, deletes from or revises any part of a Draft Resolution.
2. Amendments shall be submitted separately to each clause.
3. An Amendment can be submitted provided that:
  1. it is written in a provided form and sent to an appropriate e-mail box or copied from Representative's Flash-card to the Expert's computer
  2. the type of the Amendment (addition, deletion or revision) is clearly stated;
  3. Amendment clearly indicates which part of the Draft Resolution it opts to change or where a new clause should be added;
  4. there is reference to the author of the Amendment or to the Delegate that will introduce it (if there are two or more authors);
  5. the Amendment has passed the Expert's evaluation.

### **Rule 31. Consideration of Amendments in Order of Priority**

1. The Amendments to the operative clauses shall be considered by the Committee first. Upon finishing with these Amendments, the Committee can consider the Amendments to the Preamble, unless otherwise decided by the Committee.
2. If two or more Amendments to a Draft Resolution are proposed, Amendments to the first operative clause shall be voted upon first and so on to the last clause of

the Draft Resolution. Amendments proposing to add a new point shall be voted upon last, but still prior to Amendments to the Preamble.

3. Amendments to the same clause shall be considered from those proposing to delete the clause to those proposing to moderate the clause. However, where the adoption of an Amendment necessarily implies the rejection of another Amendment, the latter is not put to the vote.

4. The Expert shall observe that an Amendment is in conformity with the meaning and purposes of the Draft Resolution.

5. Grammatical, spelling and formatting errors in the Draft Resolution shall be corrected by the Expert without a vote.

### **Rule 32. Debate on Amendment**

Debate on an Amendment shall be conducted in the following way:

1. An Author introduces the Amendment;
2. Prior to the vote on an Amendment, the Committee shall consider number of speakers in favor and against to each Amendment and shall give each of them limited time to present their position to the Committee (the number of speakers and time limits are set by the President at his/her discretion);
3. An affirmative vote of simple majority Representatives is required to adopt an Amendment.

### **Rule 33. Amendment to Amendment**

1. An Amendment to an Amendment is a Motion that adds to, deletes from or revises any part of an Amendment.
2. An Amendment to an Amendment can be introduced orally during the course of discussing the initial Amendment but before the voting on the latter has commenced. The proposing party should clearly explain its point. Debate on Amendments to Amendments is conducted separately after the evaluation of the latter by the President.
3. Introducing an Amendment to an Amendment after voting on the initial Amendment is not in order.
4. If several Amendments to an Amendment have been introduced, they shall be discussed in the succession they have been submitted.
5. After voting on an Amendment to an Amendment, the Committee returns to the Debate on the initial Amendment. Adoption of an Amendment to an Amendment does not mean adoption of the initial Amendment.
6. An Amendment to an Amendment to an Amendment is out of order.

### **Rule 34. Friendly Amendment to Amendment**

1. If approved by the Authors of the initial Amendment, an Amendment to an Amendment shall be considered friendly.
2. Friendly Amendments to Amendments are immediately incorporated into the initial Amendment without a vote being cast. After that the Committee returns to the discussion on the altered initial Amendment.

### **Rule 35. Withdrawal of Amendment**

An Amendment (or an Amendment to an Amendment) may be withdrawn by its Authors at any time before voting on it has commenced.

### **Rule 36. The Committee on the Rights of the Child Resolution**

1. When the list of Amendments is exhausted, the Committee shall vote on the Draft Resolution including all Amendments incorporated in it.
2. Before the vote the Secretariat shall supply the Delegates with the final text of the Draft Resolution.
3. If supported by an affirmative vote of simple majority of Representatives, the Draft becomes the Resolution of the Committee.
4. The Resolution shall have no Authors and shall be considered the result of the work of the Committee.

## **VII POINTS AND MOTIONS IN ORDER OF PRIORITY**

### **Rule 37. Precedence of Points**

Points shall be considered in the following order of preference:

1. Point of Personal Privilege;
2. Point of Parliamentary Inquiry;
3. Question on Voting;
4. Question to the President;
5. Question to the Expert;
6. Point of information;
7. Procedural Motion;
8. Right of Reply.

### **Rule 38. Point of Personal Privilege**

1. A Delegate may at any time introduce a Point of Personal Privilege in order to remove personal physical discomfort, which impairs his or her ability to participate in the proceedings. The Delegate shall rise when called by the President and explain the grievance.

2. A Representative who raised a Point of Personal Privilege is not allowed to talk on the matter of question.

### **Rule 39. Point of Parliamentary Inquiry**

1. A Representative may, at any time when the floor is open, but not during voting, introduce a Point of Parliamentary Inquiry in order to clarify a technical point regarding the Conduct of Business of the Committee. The President shall immediately decide on the Point in accordance with the present Rules.
2. A Representative who raised the Point is not allowed to talk on the matter in question.

### **Rule 40. Question on Voting**

1. The voting procedure can be interrupted only with a Question on Voting. The question can be raised provided that the Delegate believes there has been miscalculation of the votes.
2. After a Question on Voting has been decided upon, the Delegates shall revote.
3. If the President deems that no miscalculation has taken place during the voting  
Procedure he or she can rule the Question out of order.

### **Rule 41. Question to the Speaker**

If any time remains and the Speaker has declared him- or herself open for questions, a Representative shall have a right to ask the former a question on the matter under discussion.

### **Rule 42. A point of information**

A Delegate may at any time, when the floor is open but not during speeches, introduce a Point of information in order to clarify a substantial point regarding the matter under discussion of the on the Rights of the Child.

### **Rule 43. Right of Reply**

1. A Representative can use a Right of Reply if his or her personal dignity or national integrity has been impugned by another Representative.
2. A Right of Reply shall be requested in written form.
3. The Request shall contain the reasons for giving the Representative a Right of Reply.
4. The President can rule a Right of Reply out of order, this ruling not being subject to appeal.
5. If a Right of Reply is granted, the wronged Representative may speak during one minute.
6. A Right of Reply to a Right of Reply is out of order.

## VIII PROCEDURAL MOTIONS IN ORDER OF PRIORITY

### **Rule 44. Precedence of Procedural Motions**

The Representatives have a right to raise Procedural Motions that shall be considered in the following order:

1. Motion to Adjourn the Meeting;
2. Motion to Suspend the Meeting (to get acquainted with the documents, conduct Moderated or Unmoderated Caucus, or to take a rest; a Delegate shall explain the purpose of the Motion and propose a time limit);
3. Motion to appeal to the ruling of the President (to cancel the President's decisions based on his or her contradictions of the Rules of Procedure);
4. Motion to temporarily deprive a Delegate of the Right to Speak (the Motion can be raised by the President and requires qualified majority of votes to pass. A Delegate can be deprived of the right to speak for a proposed period of time that shall be no longer than up to the end of the meeting);
5. Motion to suspend Debate (to suspend the discussion on the matter in question without voting on it; the discussion can be continued after a respective Motion is raised);
6. Motion to return to Debate (on the matter, discussion on which has been suspended);
7. Motion for Closure of Debate (to terminate all discussions on a particular matter and immediately vote on the matter in question);
8. Motion to Reconsider a Question (to re-vote on a matter, requires qualified majority of votes to pass);
9. Motion to extend/limit the Speaker's time or the number of speeches;
10. Motion for a Roll-Call Vote (may be raised only before voting on the Draft Resolution to become the Resolution of the Committee).

### **Rule 45. Consideration of Procedural Motion:**

1. Each Motion shall be considered by the Committee in the following order:
2. A Motion can be raised by any Representative at any time when the floor is open, but not during speeches and voting;
3. A Motion requires the support of a second Representative;
4. Consideration of all Motions, but for the one to Adjourn the Meeting, shall not require speeches "in favor" and "against" the Motion;
5. After a discussion a Motion is put to vote;
6. In case no objections to a Motion are raised, such decision shall be considered adopted by consensus.

**Rule 46. Types of Voting**

1. by consensus (if no objections are raised, no voting is conducted);
2. unanimously (in case no Delegate has voted against);
3. by a simple majority of the Delegates present and voting;
4. by a qualified majority of 2/3 of the Delegates present and voting.

**Rule 47. Voting**

1. During the voting procedure Representatives, Chaperons and Guests shall remain in their seats, they shall not communicate with each other, leave or enter the room.
2. The Delegates shall vote by raising their placards, unless otherwise decided by the Committee;
3. For voting on a Draft Resolution a Delegate may request a Roll-Call vote:
  1. The Motion shall be immediately put to vote;
  2. A Roll-Call vote takes place according to the English alphabetical order of the names of the Member States present in the Committee. The name of each State shall be subsequently called by the President. The Delegates shall reply “Yes”, “No” or “Abstain”;
  3. In Roll Call vote, a Delegate may pass once, but then must vote in the affirmative or negative;
  4. Upon completion of voting a Delegate may request the right to explain his or her vote on the matter. The President may rule this request out of order, the decision not being subject to appeal. If the request is granted the speaking time shall not exceed one minute.
4. If the Question put on Voting acquires 50% on 50%, the Delegates shall revote. In case the percentage of acquired votes is the same, the Question is withdrawn.
5. In the case of exhaustion of the List of Speakers or when a Motion for Closure of Debate passes, Resolutions, Amendments and Unfriendly Amendments to Amendments on the floor shall automatically be put to vote.

**Rule 48. Required Majority**

1. Motions 3 – 8 and 10 (Rule 45) require a qualified majority of 2/3 of the Delegates present and voting to pass.
2. Motions 1, 2, 9 (Rule 45) require a simple majority of the Delegates present and voting to pass.
3. Working Papers, Amendments, Amendments to Amendments and Draft Resolution require a simple majority of the affirmative votes of Member States to pass.