



Rules of Procedure for the Executive Committee of the United Nations High Commissioner for the Refugees (UNHCR ExCom) and the Human Rights Council (HRC)
MiNU Association

Introduction

The Rules of Procedure hereby established are to be followed by all participants of the Executive Committee of the UNHCR and/or the Human Rights Council.

The *good faith* of the participants will be considered as interpreting rule. Consequently, all other misleading, injurious or intrinsically contradictory interpretations will be disregarded, hence considered invalid for the development of the simulation.

In case of misunderstanding or discrepancies surrounding any rules, it will be the President and the Secretary General's task (respectively) to determine how to proceed.

All doubts concerning this corpus of Rules of Procedure should –and must- be consulted with the Organizing Committee.

I. Delegations

Rule 1

Delegations before the UNHCR-ExCom and the HRC will be composed by one or two (1 or 2) Delegates per Committee in which they are represented, according to the inscription procedures of the Model.

Rule 2

Both the Executive Committee of the UNHCR and the Human Rights Council will be composed of the same representatives that do have an actual seat in them. Nevertheless, the Organizing Committee will be entitled to allow other UN Member States not part of the abovementioned Organs to participate as *extended-faculty Observers*: that is to say, they will be granted both the right to speech and vote in the same way as the Members of the Organ.

Rule 3

It is for the purpose of these Rules of Procedure that during the debates, the Delegations held as actual Observers will be those representing atypical international law subjects (since they do not possess *State* status), and the Non Governmental Organizations (NGOs) that act before the Organs as consultive entities.



II. Formal opening of sessions

Rule 4

The President will be in charge of the opening of the sessions corresponding to each Organ/Committee. Afterwards, the President shall begin with the roll-call.

Rule 5:

If there were more than one topic in the Agenda, the order in which they would be debated will be submitted to procedural voting at the beginning of the sessions.

Rule 6:

Presence during roll-call entitles Delegates to intervene in the debate – i.e. Voice and voting rights. Should a Delegation arrive late at the room, its members must address a letter to the President informing their attendance, so as to be considered as full-right Delegates in further sessions.

III. Debates:

Rule 7:

Topics in both Organs/Committees will be analyzed by means of a dual system: a General Debate and a Resolution Debate. The General Debate will focus on the broader subjects of each topic, while the Resolution Debate will be oriented towards the analysis of the selected Working Sheet, as well as the production and further debate of clauses pertaining to each assigned Thematic Axis.

Rule 8:

Delegates must refer to the rest of the corresponding Organ/Committee by means of the Presidency in all formal sessions, whenever they are acknowledged the right of speech.

IV. General Debate

Rule 9:

Delegates will be allowed to speak before the Organ/Committee, either by joining a Speakers' List, or by raising their placards when asked to by the Presidency. Spokespersons will be chosen in accordance to political, regional and ideological diversity criteria.

Rule 10:



In case the Presidency decided to conform a Speakers' List, Delegates will be asked to raise their placards, so as to be included in it. Delegates will be able to join the Speakers' List only once during each General Debate, unless the Presidency explicitly commanded to act against this precept.

Rule 10 bis:

The Speakers' List can be conformed and communicated as a whole, or else reopened in several occasions. Those delegations not included in the list before (or previously not willing to participate), will be able to join it along the development of the sessions, whenever the Speakers' List is reopened.

Rule 11:

If the General Debate takes place without the conformation of a Speaker's List, the Presidency will acknowledge different Delegations the right of speech, without the need of a predetermined order. The same criteria expressed in Rule 9 will be applied for the selection of the Speakers.

V. Development of the General Debate:

Rule 12:

The Presidency will ask Delegations to reach the podium in order to express their views on the topic undergoing debate, in accordance to the already established participation scheme.

Rule 13:

The maximum of Delegates allowed to be at the podium simultaneously is two (2), regardless their Delegation of origin, or their status of Delegates or Ambassadors.

Rule 14:

Delegations will be avowed two minutes (2') to produce their speech before the Organ/Committee. Next, the Presidency will grant Delegations with a supplementary minute (1'). Delegates will be able to choose the purpose and destination of that minute, among the following options:

- a) Yield the remaining time to the Presidency (Delegates return to their seats). No Points of Further Question will be accepted.
- b) Yield the remaining time to an accompanying Delegation, which will be able to produce a one-minute speech. Points of



Further Question will not be accepted for any of the Delegations in the podium.

c) Undergo an instance of questioning produced by the rest of the Organ/Committee. Those Delegations willing to address to the Speaking Delegation will have to raise their placards when asked to by the Presidency, who will, in turn, acknowledge one of them to question the Speaker. The Delegation at the podium will be avowed one minute (1') to answer as many questions as possible. The Delegation at the podium may ask the Presidency to make the questioner repeat the query, only when the latter considers it appropriate.

Once the answering minute is over, the other Delegations at the Organ/Committee will be able to lodge a Point of Further Question, which can be either accepted or rejected by the questioned Delegation. If the latter accepts the point, then the Delegation will be avowed another extra minute so as to provide an answer to the question lodged.

Rule 15:

After the answering procedure is over, the Delegation will descend from the podium and return to its seat, being unable to produce any further statement.

V. Working sheets:

Rule 16

The working sheets are the manuscripts of the Draft Resolutions that Delegates will have to produce, in order to provide sensible answers to the debated topics.

Rule 17

Delegates should write the manuscripts during the Informal Sessions, i.e. Recesses especially suggested by the Presidency and Adjournments of the Debate.

Rule 18

The Working Sheets must be written in a style that resembles that of the actual resolutions of the Organ/Committee that is being simulated, so as to be accepted by the Revising Board. The clauses integrating the Working Sheets must make explicit reference to the Thematic Axes suggested by the Organizing Committee. It is for that purpose that Delegates will finally produce a Working Sheet that includes special sections, each one containing specific clauses for the different axes.



Rule 19

The heading of the Working Sheets must include:

- a) Name of the Organ/Committee;
- b) Topic to which it is referred;
- c) A list of the sponsoring Delegations.

Rule 20

The body of the Working Sheets must be divided into two groups of clauses: a Preamble and an Operative Part, both dealing with the general aspects of the debated topic. After that, three (3) new sections will be added to the general Working Sheet, corresponding to the Preamble and Operative part of each of the three Thematic Axes.

Rule 20 bis

The Preamble must contain the rationale that will legitimize the Working Sheet, that is to say, all those instruments and documents of international law, declarations produced by the former General Debate, and information about local and international context that will finally result in that Working Sheet.

Rule 20 ter

The Operative part of the Working Sheets must draw a course of action, containing all the measures that will be taken, should the Working Sheet finally become a Resolution.

Rule 21

Resolutions passed on by the UNHCR and HRC do not purport binding nature. Delegations should refrain from producing clauses that attribute coercive faculties to those documents, for the latter is an exclusive attribution of the Security Council, or else, they will be dimmed unacceptable by the Revising Board.

Rule 22

Delegations should produce an extra sheet of paper, attached to the Working Sheet, where the Representatives of the Delegations will ratify and validate their support to the document by means of their signature, regardless if it is the Ambassador or a Delegate's signature.

Rule 23

Working Sheets must be sponsored by at least 20% of the Delegations with full right to vote, so as to be accepted by the Revising Board. Observer Delegations will be allowed to sponsor Working Sheets, although they will not be accounted within that percentage of sponsors, for they do not have the right to vote.



Rule 23 bis

Each Delegation can sponsor a maximum of one (1) Working Sheet, being also entitled not to sponsor any, should that be its will.

Rule 24

The sponsoring Delegations must choose three (3) Representatives that will present and support the Working Sheet before the rest of the body. The first of them will have to produce a two-minute statement (2') at most, so as to communicate the advantages and/or strengths of the Working Sheet to the rest of the Organ/Committee; the other two (2) Delegations will answer questions about the draft. The Presidency will be entitled to choose either to concede the possibility of interpellation to all Working Sheets, or only to that which has been voted and chosen as the Draft Resolution to be debated by the Organ/Committee.

Rule 25

Working Sheets must be delivered to the Revising Board before they are formally presented. The latter will make suggestions concerning the format and even content of the clauses, if required.

Rule 26

Once the formal sessions are resumed, the Presidency will proceed to read all the Working Sheets received and ask each representative to deliver the corresponding statement. Subsequently, the manuscripts will be submitted to substantial voting, i.e. Delegations will be allowed to abstain from voting.

Rule 27

Should one Working Sheet obtain a majority equal or superior to the 40% + 1 of affirmative votes, it will be established as the Draft Resolution to be debated by the Organ/Committee. If none of them obtained such majority, the Presidency will determine the beginning of an instance of closed debate in the form of a Moderated Caucus, in order to allow Delegates to discuss about the relevance and convenience of the different Working Sheets. Immediately afterwards, Delegates will have to choose one between the two most voted Working Sheets. The nature of the voting will be substantial and Working Sheets will need a Simple Majority in order to become Draft Resolutions.



VII. Resolution Debate

Rule 28

The two (2) remaining representatives of the Draft Resolution will be requested to answer the questions formulated by the rest of the Organ/Committee (only if they have not answered them before). The number of interpellations will be determined by the Presidency; if the amount of questions happens to be an odd number, the first Delegate will answer more questions than its fellow partner. If a Delegation presents a Point of Further Question, the second Delegate will be in charge of providing an answer.

Rule 29

The Resolution Debate will consist of Formal, Semi-formal (Moderated Caucus) and Informal Sessions (Recesses and Adjournments) which the Presidency will alternate regularly. Delegates will be committed to the production of clauses pertaining to the Thematic Axes, the discussion and negotiation of Lists of Modifications and the Draft Resolution during the Informal and Semi-formal Sessions. Formal Sessions will consist of the presentation, debate and voting of the Thematic Axes and the Lists of Modifications submitted to the Presidency, as well as the final voting of the Draft Resolution.

Rule 30

Delegates will be able to speak for one minute (1') in each of their occurrences in Semi-formal Sessions. They will be only allowed to address to their audience regarding the Draft Resolution, its Thematic Axes and the already inserted modifications. They will not answer interpellations.

VIII. Thematic Axes

Rule 31

The Thematic Axes are sub-subjects referring to the general topic to be debated by the Organ/Committee which Delegates will have to tackle, investigate and address when producing any kind of documents.

Rule 32

Once a Draft Resolution is chosen by the Organ/Committee, Delegates will proceed to write clauses concerning each of the three Thematic Axes suggested by the Organizing Committee.

IX. Writing Thematic Clauses

Rule 33



The insertion of the Thematic Clauses into the debate consists of two specific moments: the Instance of Production (informal) and the Instance of Presentation (formal).

The Instance of Production will be mostly held during Informal Sessions and consists in the wording of Preamble and Operative clauses pertaining to one of the Thematic Axes. The number of clauses that each thematic section must contain will be established by the Presidency. The clauses must be delivered to the Revising Board.

Rule 33 bis

The groups of Thematic Clauses must be sponsored by at least 20% of the Delegations with full right to vote, so as to be accepted by the Revising Board. Observer Delegations will be allowed to sponsor Thematic Clauses the in the same way they did with the general Working Sheets. Delegations will ratify and validate their support to the document by means of their signature –regardless if it is the Ambassador or a Delegate’s signature at the back of the corresponding form.

Rule 34

Each Delegation can sponsor a maximum of one (1) group of Thematic Clauses, being also entitled not to sponsor any, should that be its will.

Rule 35

The sponsoring Delegations must choose one (1) representative that will present and support the Thematic Clauses before the rest of the body. This representative will produce a one-minute speech (1') at most, so as to communicate the advantages and/or strengths of the clauses to the rest of the Organ/Committee.

Rule 36

The groups of Thematic Clauses must be delivered to the Revising Board before they are formally presented. The latter can make all kinds of suggestions concerning the shape and even content of the clauses, if required.

Rule 37

The Instance of Presentation will be initiated when the Presidency resumes the Formal Sessions by reading all the submitted Thematic Clauses. Next, the President will call the corresponding representatives, so that they can pronounce their arguments for each group of clauses.

Rule 38

The Presidency will determine the beginning of an instance of Moderated Caucus in order to allow Delegates to discuss about the



relevance and convenience of the different examples of groups of clauses. Immediately afterwards, the groups of Thematic Clauses will be submitted to procedural voting. The group obtaining a majority equal or superior to the 40% + 1 of affirmative votes will become part of the Draft Resolution, now *Extended Draft Resolution*.

Rule 38 bis

If none of the groups of clauses obtained the required majority, Delegates would have to choose one between the two most voted groups of Thematic Clauses. The nature of the voting will be substantial and clauses will need a Simple majority in order to become part of the *Extended Draft Resolution*.

Rule 39

The same procedure will be repeated with the clauses pertaining the second Thematic Axis (and eventually with the third), once the first Thematic Clauses have been annexed to the *Extended Draft Resolution*.

X. Amendment of Thematic Clauses

Rule 40

The *Extended Draft Resolution* -i.e that which includes both general and thematic clauses-, may be amended by means of the presentation of a List of Modifications. This may be completed during the development of the Informal Sessions, once the Presidency has read the Draft Resolution to the whole of the body.

Rule 41

The List of Modifications is a specific type of form that Delegates may complete and deliver to the Revising Board, so as to be debated by the Organ/Committee. Delegations are entitled to perform the following changes:

- a. Modify an already existing article: the amended text should then be written, specifying the line(s) that is to be changed,
- b. Add a new article,
- c. Remove an article: Delegates should make explicit their will to elide the clause by pointing the line that originally corresponded to it.

Rule 42

The Lists of Modifications must be sponsored by at least 20% of the Delegations with full right to vote so as to be accepted by the Revising Board.



Rule 43

Each Delegation can sponsor a maximum of one (1) List of Modifications, being also entitled not to sponsor any, should that be its will.

Rule 44

Once the formal sessions are resumed, the Presidency will proceed to read all Lists of Modifications, ordered by the amount of sponsors they have received (in case there were two with equal number of sponsors, they would be read according to the order in which they were delivered to the Presidency). Next, the Presidency will allow two Delegations to speak against each List of Modifications and two to speak for them. Nevertheless, the amount of speakers will depend on the final consideration of the Presidency, being the latter also acknowledged suppressing the debate of a List of Modifications, should that be its consideration.

Rule 45

Once all Lists of Modifications have been debated, the most sponsored one will be submitted to substantial voting. If this List of Modifications obtains an Absolute majority, it will override the Draft Resolution and the Presidency will immediately proceed to the final voting. If, however, this one did not succeed in achieving an Absolute majority, then the second most sponsored List of Modifications will be submitted to voting. The same criterion will be followed until one List of Modifications is finally passed on.

Rule 45 bis

If none of the Lists of Modifications succeeded in achieving an Absolute majority, it would be understood that the Draft Resolution should remain as it was, without amendment.

Rule 46

No amendments will be allowed once a List of Modifications has already been passed on.

Rule 47

After the voting of the Lists of Modifications, the Presidency will proceed to perform the final voting of the Draft Resolution.



XI. Final Voting of the Draft Resolutions

Rule 48

Once the Resolution Debate is over, all Organs/Committees should proceed to the final voting of their corresponding Draft Resolution. The Presidency will be entitled to concede an instance of Moderated Caucus before such voting, so that Delegations discuss before producing their vote.

Rule 49

The Draft Resolution will be submitted to substantial voting. If it succeeds in achieving an Absolute majority (obtained from the Delegations with full right to vote), then the Document will finally become an actual Resolution of the corresponding Organ/Committee.

Rule 50

The Presidency may allow Delegations to produce an after-voting statement in order to explain their votes (whether they were affirmative, negative or even if they abstained from voting), if it considered it proper. As a result, Delegations will be avowed one minute (1') to deliver their speech, without the possibility of interpellations.

XII. Modifications introduced to the course of the Debate:

Rule 51

During the Formal Sessions, all Delegations will be entitled to employ certain instruments that will allow them to take active part in the development of the debate. There are two types of devices available: *Points* –slight modifications to the debate, spontaneously presented by any Delegation- and *Motions*: only to be presented when asked by the Presidency.

Rule 52

All properly presented Points will be immediately sustained by the Presidency, unless the latter had sufficient reasons to deny them. However, Motions can be either sustained or denied by the Presidency, or else, submitted to procedural voting.

Rule 53

Any Delegate willing to request a Point must stand up, raise the placard and specify the name of the Point. If properly formulated, the Presidency will ask the Delegate to explain the nature of the presented Point to the rest of the Organ/Committee. The Presidency will then communicate the course of action.



Rule 54

There are three (3) types of Points:

a. **Point of Personal Privilege:** the Point of Personal Privilege is in order at any time –even when someone, even the Presidency, is speaking-, whenever a Delegate feels that his/her capability of comprehending the debate is diminished by external factors, not related to the debate itself. Once sustained, the Presidency will ask members of the delegation to explain the nature of the predicament. This right should be invoked only under genuinely intolerable and urgent situations; Delegates should refrain from interrupting speakers when possible.

b. **Point of Further Question:** this point is in order when no one has the floor and the Delegation at the podium has already undergone the instance of questioning. Delegates willing to state such point should raise their placards and communicate the nature of the Point. If sustained, the Presidency will ask the questioned Delegation whether the latter accepts or refuses the point. If the point is accepted, the Presidency will acknowledge one Delegation (among those willing to address to the Speaking Delegation) to question the Speaker. The Speaker will be then avowed another minute (1') to provide full answer to the question posed.

c. **Point of Order:** this point is in order only when no one has the floor. Delegates should state this point whenever they need the Presidency to explain an ongoing, past or future procedure, provided that the Advisors cannot clarify such query.

Rule 55

During the Formal Sessions, the Presidency will concede certain time lapses in which those interested Delegations may raise their placards in order to state Motions. The Chair will then select one Delegation to call the Motion of choice and explain the reasons for its presentation. The Presidency will then acknowledge the motion stated and will repeat the latter procedure until no different Motions remain to be delivered in the floor. Each Delegation is allowed to present only one Motion per instance and Delegates should not state those Motions which have already been sustained or denied in that time lapse.

Rule 56

There are three (3) types of Motions:

a. **Motion for cloture of debate:** this Motion should be invoked if a Delegation considers that the debate needs to be concluded before



its pre-determined ending. The Motion can be either sustained or denied by the Presidency, or else, it can be submitted to procedural voting, requiring a two-thirds vote to be approved.

b. **Motion for Recess:** Delegates should invoke this Motion whenever they consider necessary to continue the debate in an Informal Session (Adjournments). Delegations requesting such Motion may specify the extension of the Recess, but such will always depend on the final consideration of the Presidency. The Motion can be either sustained or denied by the Chair, or else, submitted to procedural voting, requiring a Simple majority to be approved.

c. **Motion for Moderated Caucus:** this Motion is used to request the commencement of a Moderated Caucus, in order to continue the debate by means of semi-formal statements. Delegations stating such Motion may specify the extension of the Moderated Caucus, but such will always depend on the final consideration of the Presidency. The Motion can be either sustained or denied by the Chair, or else be submitted to procedural voting, requiring a Simple majority to be approved.

XIII. Moderated Caucus:

Rule 57

The Moderated Caucus is an informal instance of Debate still moderated by the Presidency, fact which grants its "semi-formal" status. During a Moderated Caucus, Delegations will be allowed up to one minute (1') to refer to anything they consider worth mentioning.

Rule 58

During a Moderated Caucus, Delegates are not compelled to speak to the Organ/Committee by means of the Presidency due to its informal nature. In such instances, the Chair will be only entitled to alternatively concede the right of speech. Delegates willing to participate in a Moderated Caucus must raise their placards when asked to and produce their speech once the Presidency has granted them the opportunity to do so.

Rule 59

The commencement of a Moderated Caucus can be determined directly by the Presidency as well as requested by the Delegates.



XIV. Right of Reply

Rule 60

The Right of Reply is an undeniable entitlement granted to a Delegation, in order to answer and/or rectify any serious insults or injuries that would tarnish its dignity.

Rule 61

Delegates willing to present a Right of Reply should entirely fill the corresponding form, making clear reference to the Delegation that has offended theirs, and the content of those injurious statements. The form will be then delivered to the Presidency and, if it is accepted, Delegates will be avowed one minute (1') to perform their public rectification.

Rule 62

Delegates will not be allowed to present a Right of Reply to rectify a statement directed towards another Delegation. Moreover, those Rights of Reply willing to rectify a speech in which there is no direct reference to the (supposedly) aggravated Delegation will be dimmed unacceptable.

Rule 63

Delegates will not be allowed to present a Right of Reply after an injurious statement produced by another Delegation in its own Right of Reply (i.e., a "reply of the reply"). If such is the case, Delegates will be able to rectify such speech by means of a Letter to the Presidency, or as part of a statement in a Moderated Caucus.

Rule 64

The Presidency will acknowledge the reception of all Rights of Reply, despite the fact that their application will depend on their appropriateness and/or time constraints in the Organ/Committee's schedule.

XV. Majorities

Rule 65

The following types of majorities are employed along the course of the debate:

- A. **Two-thirds Majority:** it represents the affirmative vote of the 66,6% of the Member States present in the Sessions.
- B. **Absolute Majority:** it represents the affirmative vote of the 50% + 1 Member States present in the Sessions.
- C. **Simple Majority:** the present majority is achieved when an option obtains *one more vote* than the other one.



D. **Special Majority:** it represents the affirmative vote of the 40% + 1 Member States present in the Sessions. It is only used for the selection of the Working Sheets and Thematic Clauses.