

Annual Student Conference
“Students - Diplomats”



Rules of Procedure

**11-13 December 2020,
Online**



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1. The Committee

The Committee will hold the necessary sessions, in order to perform in a satisfactory way the functions which rest upon it. The ordinary sessions of the Committee are convened at fixed dates by the Committee, in consultation with the Secretary General of the United Nations Organization.

The Committee:

- may prepare General Comments, with which it interprets the provisions of the Convention and it expresses its opinion on matters of general interest.
- assists States Parties in their reporting obligations and considers the submitted reports of State Parties. After its consideration it identifies issues of concern and makes recommendations for the implementation of treaty provisions from the respective State Parties.
- examines the petitions of individuals (provided that local remedies have been exhausted) and inter-State complaints (provided that State Parties have made a declaration that they accept the procedure) that concern violations of the implementation of the articles of the Convention.
- Carries out investigations regarding the violation of the provisions of the Convention.
- Shapes Opinions on issues regarding the interpretation and the implementation of the Convention.



2. Officers

The Bureau of the Committee shall be composed by a Chairperson and one or two Vice-Chairpersons.

2.1. Competence of the Chairperson.

The competence and the authority of the Officers may not be questioned at any time and for any reason.

2.1.1. Authority and responsibilities of the Chairperson.

2.1.1.1. Responsibilities of the Chairperson.

The Chairperson shall declare the opening and closing of each session of the Committee and shall be responsible for all procedural matters pertaining to the Committee, presiding in an equitable and objective manner. The Chairperson distributes as he/she considers appropriate the speaking time and gives the floor, puts questions to a vote and proclaims thereafter the decisions. Subject to the provision of the present rules of procedure, the Chairperson moderates the debate, determines the applicability of rules and, if necessary, interprets the existing rules, without requiring any prior approval.

2.1.1.2. Authority of the Chairperson.

The Chairperson shall reserve ultimate authority over all Committee matters. The Chairperson can, during the discussion of an item on the agenda make all necessary adjustments and proposals to the Committee to ensure its efficient operation. The Chairperson shall rule on the points of order, without the possibility to appeal.

Debates shall be confined to the question on which the Committee is convened, and the Chairperson can recall to order a speaker whose



remarks are not relevant to the topic in discussion. The Chairperson also reserves the right to entertain a motion at any given time, which will help the work and procedures of the Committee move forward and should be taken seriously into account by the Committee. In case of disruptive or dilatory behavior of any participant, the Chair reserves the right to take any appropriate action.

2.2. Authority and responsibilities of the Vice-Chairperson.

The Vice-Chairperson shall have authority over all Committee support operations. The Vice-Chairperson shall also be responsible for ensuring relevancy of the content and format of the Written Submissions before handing them in for verification to the Secretary General. The Vice-Chairperson shall also assist the Chairperson with all Committee presiding matters. The Vice-Chairperson shall make sure to verify whether consensus among experts has been achieved on all pertaining substantial matters. When acting as Chairperson, the Vice-Chairperson shall have the same rights and responsibilities as the Chairperson.

2.3. Caucus of the Officers.

The Officers of the Committee reserve the right to halt the procedures within the Committee in order to take 30 seconds of internal Caucus.



3. Members of the Committee

The members of the Committee are experts from State Parties, who are elected in accordance with the provisions of the Convention.

3.1. Independence and Responsibility.

The independence of the members of the Committee is essential for the execution of their duties and urges that they serve in their personal capacity and do not demand nor accept instructions from anyone concerning the performance of their duties. The members are responsible solely to the Committee and their own conscience.

3.2. Impartiality and Integrity.

Within the framework of their duties under the Convention, the members of the Committee demonstrate total impartiality and integrity and apply the norms of the Convention to every State and every individual of equal manner, without fear and without discrimination of any sort.

3.3. Members' rights.

Each expert in the Committee shall serve in her/his own personal capacity, under the goals and the scope of the Convention and shall have speaking and voting rights on all topics at hand. Each expert shall have only one vote. The representatives of accredited observers States shall have the same rights, except that they do not have the right to vote on substantial matters.



3.4. Taking the floor.

No member may speak to the Committee without the consent of the Chairperson. The Chairperson may call to order any speaker whose speech is irrelevant or offensive towards the other members or the Officers.

3.5. Permission to Approach the Bench.

Any expert wishing to contact the Chairperson for a very delicate matter may ask for permission to approach the bench. This is a last resort in case of *emergency*.



4. Procedure

4.1. Roll Call.

Attendance shall be kept by the Chairpersons with a Roll Call at the beginning of every Committee session. Members shall establish their presence in the Committee by declaring "*Present*" the moment that the Chairpersons call the name of their country.

4.2. Procedural Matters.

Procedural matters are those matters related to the structure of the Committee session as defined in the present Rules of Procedure. They include, but are not limited to, motions and the adjournment of the Committee session. All members must vote on procedural matters by raising their hands. No member may abstain.

4.3. Substantial Matters.

Substantial matters are defined as those matters related to the specific topic at hand. On substantial matters, all members who declared to be "*Present*" at the initial Roll Call may abstain.



5. Quorum

Committee activities and debate shall start when at least two thirds (2/3) of the members participating are present. The quorum will be verified through roll-call that will be carried out by the Officers following rule 4.1. If quorum is not met thirty (30) minutes after the scheduled start time of the Committee session, the Committee shall start its session with the number of experts already present, unless otherwise instructed by the Secretary General. Quorum shall be assumed when Committee activity begins.

5.1. Motion to verify of the Quorum.

Members may propose a motion to verify the Quorum, where the Chairperson will proceed with Quorum confirmation by initiating a Roll Call, according to "rule 4.1." The Chairperson can rule the motion dilatory without option for appeal.

5.2. Late arrival.

In case a member logs into the teleconference room at the Committee after the Roll Call is complete, the member must send a message to the Chairperson using the chatroom, informing that the member is present; in any other case, the member will be considered as absent and won't be recognized by the Officers. All participants who have not informed the Chairperson of their presence until voting procedure begins are not eligible to vote.



6. Ways of taking decisions

6.1. Simple majority.

A procedural or substantial matter requires a simple majority to pass (except for the adoption of the Committee *General Comment*, for which consensus is needed-see rule 6.2.). Simple majority implies that fifty percent plus one vote (50% + 1) of the Committee must vote in favor for the matter to pass. If the vote is a tie, the matter is considered to have failed.

6.2. Consensus – Unanimity.

The Committee shall attempt to decide with consensus on the *General Comment*. In case this cannot be achieved, decisions within the Committee shall be adopted unanimously after being put to vote by all members present. Abstentions are not calculated for the outcome of the voting procedure. The unanimity required for the General Comment to be adopted implies that no expert shall disagree with the outcome of the debate and vote against it. If there is at least one vote against, the matter is considered to have failed.

7. Agenda

Only items included in the provisional Agenda shall be considered by a Committee.



8. Debate

8.1. Formal Debate.

The Committee shall by default be in formal debate unless otherwise advised by the Chairperson. The formal debate takes place in the form of an Open Debate. Once the Quorum is verified, the Chair will entertain a "Motion to Launch Open Debate" on the topic of the Agenda.

8.2. Motion to Launch Open Debate.

In order for the Committee to enter formal debate, there should be a "Motion to Launch Open Debate" on the discussed Agenda item. The motion shall define the duration for each speech and requires simple majority to pass. While in Open Debate, any participating member wishing to speak should write the name of its country in the chatroom of the platform, upon request of the Chairperson, and be recognized by the Chairperson. The expert has the floor for the time being set at the beginning of each session.

8.3. Informal Debate.

During formal debate, a motion can be put forth by any expert for either moderated or un-moderated caucuses, which are the two recognized forms of informal debate.

8.3.1. Moderated caucus.

A member may propose a "Motion to Extend a Moderated Caucus", for the duration of the moderated caucus to be extended for a specific time, to limit the discussion in a specific aspect of the topic. In this case, the Member will be asked to designate the purpose of the moderated caucus, which is mandatorily narrower than the general agenda item, its total duration and individual speaker's time. The Chairperson is free to openly confer with the Member proposing a moderated caucus, in order to assist in designating



the aforementioned. A moderated caucus may only be extended once, and the extension shall not exceed the total duration of the initial moderated caucus.

8.3.2. Un-moderated caucus.

A member may propose a "Motion for an Un-Moderated caucus", specifying the duration of the un-moderated caucus, which cannot exceed twenty (20) minutes, and the topic of discussion of the caucus.

During an un-moderated caucus, the members of the Committee can freely separate in different break-out rooms and discuss privately with the other members. The un-moderated caucus is usually granted for the preparation of the Written Submissions (see rule 11.1).

The motion is immediately put to vote and is voted for according to the procedures described below.

8.4. Recognition.

A member may only address the Committee if he/she has received permission from the Chairperson, and it cannot exceed the speech duration, which has been designated through the Motions.

8.5. Interruptions.

A Speaker may not be interrupted by another member, unless that member has risen a *Point of Personal Privilege*. A *Point of Order* cannot interrupt a speaker. Only once a speaker has concluded and the floor is given back to the Chairperson, may a member move to a *Point of Order*.



9. Speeches

9.1. Motion to Set Speaking time.

A member can raise a motion to set the speaking time of the members, when they address the Committee. The Chairperson can rule the motion dilatory or put it to vote without option for appeal.

9.2. Time limit.

When a member exceeds his/her allotted time, the Chairperson may call the Speaker to order without delay. However, the Chairperson has the discretion to be flexible (within reason) about the time limit to allow a member to finish his/her thought in order to account for the varying fluency of English among the experts.

9.3. Relevance of Speech.

A Chairperson may call a member to order if his/her speech is not relevant to the subject matter being discussed or is not delivered according to diplomatic courtesy.



10. Points

10.1. Point of Personal Privilege.

A member may rise to a *Point of Personal Privilege* if a matter impairs the member's participation in Committee activities. The Chairpersons shall try to effectively address the source of impairment. A *Point of Personal Privilege* can interrupt the speaker in any case. However, this motion should be used with the utmost discretion.

10.2. Point of Order.

A member may rise to a *Point of Order* if a rule of procedure is not properly observed by a member or by the chairpersons. The Chairperson will rule on the validity of the point immediately. A member rising to a *Point of Order* may not comment on the topic of the discussion. A *Point of Order* ruled dilatory by the Chairperson may not be appealed. This point may not interrupt a speaker.

10.3. Point of Parliamentary Inquiry.

A member may rise to a *Point of Parliamentary Inquiry* requesting an explanation from the Chairperson on the rules of procedure. This point may not interrupt a Speaker.



11. Motions

Motions are proposed by the experts in order to facilitate the debate or the overall procedure, by raising their hands and waiting to be recognized. All proposed Motions shall first be approved by the Officers, who will then ask for Seconds and Objections, as defined in Rule 12.1. If there are more than one Motions proposed, the Committee shall vote upon them starting from the most disruptive one.

11.1. Seconds and Objections.

After a delegate proposes a Motion, Officers may ask for seconds, i.e. experts agreeing with the motion. All experts wishing to second the motion will have to raise their hands. If there are no seconds the motion will automatically fail. If there are seconds, the Officers will ask for objections, i.e. delegates disagreeing with the proposed motion. All the experts wishing to express their objection will raise their hands. If there are no objections, the motion will automatically pass. If there are objections, the board will enter voting procedure.

11.2. Motion for a Moderated Caucus.

An expert proposing a Motion for a Moderated Caucus must indicate a total duration of the caucus, speaking time for each individual speaker and purpose of the Motion. The Chairperson may suggest a more appropriate total duration, speaker's time or purpose, or may rule the Moderated Caucus not in order without possibility of appeal. If the Motion passes, the Committee will enter informal debate whereby the Chairperson will recognize at his/her discretion members who raise their hands to speak about the issue at hand.

11.3. Motion to Extend the Moderated Caucus.

An expert may propose a Motion to Extend the Moderated Caucus if he/she feels that additional time benefits the work of the Committee. The expert proposing an



Extension of the Moderated Caucus must suggest duration for the extension, not exceeding the initial Moderated Caucus. The individual speaker's time and the purpose of the Caucus remain the same. The Chairperson may suggest a more appropriate total duration and put it to vote or may rule the Motion out of order without possibility of appeal. Only one extension of the Moderated Caucus is allowed. Purpose and speaking time shall remain intact.

11.4. Motion for an Un-moderated Caucus.

A member may propose a *Motion for an Un-moderated Caucus* at any time during the debate. The purpose of the un-moderated caucus is to facilitate the informal discussions between the experts. During an un-moderated caucus, the formal debate stops. The expert who proposes the motion must indicate a total duration – not exceeding twenty minutes – and purpose for the Caucus. The Chairperson may suggest a more appropriate caucus length or topic and put it to vote or may rule the un-moderated caucus out of order without possibility of appeal. Once the motion passes, the Committee will start an informal discussion on the topic specified in the motion without leaving the main teleconference room. During an un-moderated caucus, the members of the Committee can freely separate in different break-out rooms and discuss privately with the other members.

11.5. Motion to Extend the Un-moderated Caucus.

A member may move to extend the un-moderated Caucus if he/she feels that additional time would benefit the work of the Committee. The expert proposing a *Motion to Extend the Un-moderated Caucus* must suggest duration for the extension, not exceeding the initial un-moderated caucus. The Chairperson may suggest more appropriate caucus duration and put it to vote or may rule the Extension of the un-moderated caucus out of order, without the possibility of appeal. Only one extension of the un-moderated caucus is allowed.



11.6. Table Round / Motion for a Table Round.

The Chairperson at his/her discretion might initiate a table round during which he/she requests from every expert to give a brief speech, summarizing their thoughts on the topic in discussion, ensuring that each member is able to present their opinion, which allows the Chairperson to determine whether a compromise is possible.

A table round might be proposed by an expert with a Motion for a Table Round. The Motion can be deemed constructive by the Chairperson and thus be approved without a vote at his/her discretion, taking precedent over other motions on the floor. Otherwise normal procedure shall follow.

11.7. Motion to introduce a draft *General Comment*.

A member can propose a Motion to introduce a draft *General Comment* on the topic of the agenda. The procedure for the motion and the relevant discussion to follow is analyzed below (rule 11.4).

11.8. Motion to Close Debate on a Draft *General Comment*.

A member may propose a Motion to Close Debate to end debate on a Draft *General Comment*. Should there be amendments on the floor, the procedure regarding Amendments must be followed prior to closing debate on the Draft *General Comment*. If the Officers rule the Motion in order, it is in their discretion to entertain one (1) speaker in favor and one (1) speaker against the Motion. This motion requires 2/3 majority to pass.

11.9. Motion for the Adjournment of the Meeting.

A member may rise to a Motion for the Adjournment of the Meeting to suspend all Committee activities until the next scheduled meeting. The Chairperson may rule



the Motion out of order without possibility of appeal. This motion needs simple majority in order to pass.

11.10. Motion for the Adjournment of the Session.

A member may rise to a Motion for the Adjournment of the Session to cease permanently all Committee activities. The Chairperson may rule the Motion out of order without possibility of appeal or putting it to vote. This motion requires 2/3 majority in order to pass.



12. General comment

12.1. Written Submissions.

Written Submissions are informal documents used by Committee experts to work on building a Draft *General Comment*. Written Submissions will be distributed at the Chairperson's discretion if requested by an expert. Written Submissions can be presented by the expert either when it is the expert's turn to speak, after been recognized by the Chairperson during Open Debate or when a motion for an informal debate is passed, with the purpose of discussing the written submissions. Written submissions shall be submitted in electronic form.

12.2. Draft General Comment.

Written Submissions submitted to the Chair under proper format, approved and assigned a number by the Secretariat will be referred to as Draft General Comment. Experts may refer to a document as a "Draft General Comment" in a speech only after it has been assigned a number by the Secretary General. Before its official submission to the Committee, the Officials will have to verify that the draft is of general acceptance.

12.3. Rapporteur.

The members of the Committee among themselves will have to appoint one Rapporteur, who will be responsible for submitting the document after it has been formatted as a Draft General Comment.

12.4. Introduction of a Draft *General Comment*.

A draft *General Comment* may be introduced to the Committee, after been approved by the Secretariat and has been assigned with a number. A member may propose a motion to introduce this draft *General*. The motion requires simple majority to pass. Should the motion pass the Rapporteur reads only the operative



clauses to the Committee. The Rapporteur will then be recognized for two (2) minutes to summarize the basic ideas of the document. A new debate upon this Draft Resolution shall begin and a new Open Debate shall be established.

12.5. Amendments.

An Amendment may add, strike out or revise a part of the draft *General Comment*. The Amendment is subject to the approval by the Chairperson and shall mirror a collective process under the scope of applying a differentiation in the draft document in keeping with the Convention and the Protocol. It is in the discretion of the Chairperson to define the period of time, during which the floor will be open for Amendments. The Officers will have to verify that each amendment is of general acceptance in the Committee.

12.5.1. Motion to Introduce Amendments.

A member may propose a Motion to Introduce Amendments after the time for the submission of amendments has elapsed. If the Motion passes, the Chairperson will introduce to the Committee all amendments approved by the Officers.

12.5.2. Amendments to Pre-Ambulatory Clauses.

Amendments to Pre-Ambulatory Clauses are not in order. However, the Chairperson may rule such an amendment in order if serious mistakes have been noticed in the Pre-Ambulatory Clauses.

12.5.3. Non-substantive Amendments.

Amendments correcting grammar, spelling or formatting mistakes will be automatically adopted without being voted upon by the Committee, at the discretion of the Chairperson.



12.5.4. Substantial Amendments.

Substantial Amendments are considered those that have been approved submitted and approved by the Officers. Having been assigned a number, they are introduced following the approval of a Motion to Introduce Amendments.

12.5.5. Voting on Amendments.

All amendments will be put to a vote prior to the vote on the draft *General Comment* as a whole. Due to the nature of the parliamentary procedure of the Committee, all amendments to the draft *General Comment* must be adopted unanimously. The Chairperson reserves the right to entertain one (1) speaker in favor and one (1) speaker against each amendment.

If one Amendment implies the rejection of a second Amendment, the second Amendment will not be voted upon. An Amendment that has passed shall be automatically integrated into the Draft General Comment. Once all Amendments related to a single draft have been voted upon, the Officers shall read the operative clauses as they have been modified.



13. Voting procedure for the adoption of the General Comment

When the Chairperson announces that the Committee is entering voting procedure, no entering or exiting from the teleconference room will be permitted, unless there is an emergency or until the voting procedure has come to an end. All auxiliary personnel, such as Journalists, Observers, and Advisors etc. are required to immediately exit the teleconference room. The Officers may or may not allow the Administrative Staff to remain in the teleconference room. Note chatting is suspended. At this time, Motions to Close Debate on a Draft General Comment are in order.

13.1. General Provisions.

Before taking a vote, the Committee strives to take its decisions by consensus, making sure that the provisions of the Convention and the rules of procedure are respected and that the search for a consensus does not unduly delay the works of the Committee. If consensus has been verified by the Chairpersons, the Chairperson may rule a motion for a Roll Call dilatory. In case of deadlock, the Committee could make use of a table-round.

13.2. Unanimity.

The Committee shall attempt to decide with consensus on the *General Comment*. In case this cannot be achieved, decisions within the Committee shall be adopted unanimously after being put to vote by all members present. Abstentions are not calculated for the outcome of the voting procedure. The unanimity required for the General Comment to be adopted implies that no expert shall disagree with the outcome of the debate and vote against it. If there is at least one vote against, the matter is considered to have failed.



14. Method of voting

Each expert of the Committee has one vote and must demonstrate his/her voting intentions by raising his/her placard at the Chairperson's request unless there is a Roll Call vote. Experts must vote "in favour" or "against" on procedural matters and "in favour", "against" or "abstain" on substantial matters. No expert shall vote on behalf of another expert. Abstentions are not counted as negative votes.

14.1. Roll Call Vote.

The Committee normally votes by raising their hands, unless a member proposes a *Motion for a Roll Call Vote*, which then takes place in alphabetical order. This motion is automatically accepted unless the Chairperson rules it out of order; the decision is not subject to appeal. The Roll Call starts from a member, randomly selected by the Chairperson.

During Roll Call, an expert may choose to pass. The Chairperson will place the expert last in the voting list. An expert who has passed once during a voting sequence may not pass again, but must ascertain his/her vote.

14.2. Motion to Retake the vote.

The Motion to Retake the vote is in order when the result of the vote on the resolution ends with a difference of one (1). The Motion automatically passes, and the Committee enters informal debate for a short period of time, defined by the Chairpersons. After the caucus the vote shall be retaken and the result of the second vote shall be considered as final. No Motions to retake the vote shall be entertained.



15. Priority of points and motions

Rule	Description	Vote	Interrupts Speaker
Point of Personal Privilege	Feeling discomfort	No	Yes
Point of Order	To point out a misuse of rules	No	No
Point of Parliamentary Inquiry	Clarify the rules	No	No
Motion to Verify the Quorum	Seeking to verify the presence of members	Simple majority	No
Motion to Set the Agenda	Set the working agenda	No	No
Motion to Set Speaking Time	Set the speaking time during formal debate	Simple majority	No
Motion for Roll Call Vote	Voting in alphabetical order	No	No
Motion for an Unmoderated/Moderated Caucus	Proceed to an unmoderated/moderated caucus	Simple majority	No
Motion to Introduce Draft <i>General Comment</i>	Introduction of draft <i>General Comment</i>	Simple majority	No



Motion to Close Debate	Close debate on the topic area in discussion (2 speakers against the closure of debate)	2/3 Majority	No
Motion to Introduce Amendments	Introduction of amendments	Simple majority	No
Motion to Adjourn Meeting	Adjourn until next scheduled meeting	Simple majority	No
Motion to Adjourn Session	Adjourn session to cease permanently all Committee activities	Simple majority	No