

RULES ADDENDUM: HUMAN RIGHTS COUNCIL (UNIVERSAL PERIODIC REVIEW)

Introduction:

1. These rules shall, along with the Long Form of the Rules of the General Assembly Plenary, constitute the rules of procedure for the Human Rights Council's Universal Periodic Review.
2. In the event that this document should conflict with the Long Form of the Rules of the General Assembly Plenary, this document shall take precedence.

I. COMPOSITION

Rule 1 – Membership

1. The Human Rights Council's Universal Periodic Review (UPR) process shall consist of the 47 members of the Human Rights Council.
2. Each member shall have no more than one representative in each body.
3. The Secretariat may invite United Nations members and observers who are not members of the Human Rights Council to participate as observers in the meetings of the UPR process. These observer states are not considered "members" of the Council. These observer states will not have the right to vote on substantive or procedural matters.

States who are not members of the Human Rights Council will be considered "invited to participate" by the Secretariat if they are listed on the official country matrix as observers on the HRC-UPR committee. All States under Review (SuRs) are considered "invited to participate" in the meetings; SuRs are allowed to participate in the other two reviews conducted by the HRC-UPR.

4. The Secretariat may invite Non-Governmental Organizations (NGOs) to participate as observers in the meetings of the UPR process. NGOs are not considered "members" of the Council. NGOs will not have the right to vote on substantive or procedural matters, and may only speak during designated portions of the debate as outlined in these rules.

NGOs will be considered "invited to participate" by the Secretariat if they are listed on the official country matrix as observers on the HRC-UPR committee.

III. AGENDA

Rules 5/6 – Adoption and Revision of the agenda

1. The agenda shall be considered adopted before the beginning of the first session, with the first and second meeting of the session corresponding to the review of one of the three States under Review, the third and fourth meeting to the review of another of the three States under Review, the fifth and sixth meeting to the review of the last of the three States under Review, and the seventh meeting to the plenary session of the Council for adoption of the outcome reports for each review. The agenda considered adopted at the beginning of the session shall order the States under Review in the same order provided by the Secretary-General.

2. At the discretion of the President, the Summit may vote to reorder items within the agenda. Any such motion must be considered by the President to result in an agenda within the mandate of the Human Rights Council's Universal Periodic Review process.

Rule 7 – Explanatory Memorandum

Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents.

The “basic documents” provided by the Secretariat for consideration include the committee background guide, which serves as the OHCHR’s compilation of information from treaty bodies, special procedures, UN agencies, and their own research into the country’s human rights situation; the position papers of each State under Review, which represents the national report prepared by the State under Review on their human rights situation; and the compiled position papers of any invited NGOs, which represents the summary of civil society information provided to the OHCHR. These three basic documents will all be made available to delegates in advance of the conference.

VI. CONDUCT OF BUSINESS

Rule 20 – Speeches

1. No one may address the Council without having been previously recognized by the President. The President shall call upon speakers in the order in which they signify their desire to speak.

In line with the philosophy and principles of NWMUN and its educational mission, and for the purpose of facilitating debate in a manner that accurately reflects the practices of the Universal Periodic Review, the President will recognize the State under Review at the beginning of their review period to explain their national report (position paper) as well as respond to the advance questions submitted by other countries (in their position papers). Following this, speakers will be recognized to ask further questions; the President may deviate from the signified desire of countries to speak in order to recognize the State under Review. The President will ensure that the final speech of the second of the two committee sessions devoted to the review is made by the State under Review. The normal speakers’ time will apply to all speeches made by all states, with the exception of the initial presentation by the State under Review of their national report and responses to advance questions. This introductory statement will have a time determined by the President and applied equally to all three reviews.

4. NGO representatives may speak at any time during the plenary session of the Council to adopt the recommendations of each review. NGOs may add themselves to the speakers list during this portion of the meeting, but may not during the reviews themselves.

The “plenary portion of the Council” refers to the seventh and final committee session, during which the draft documents are debated, amended, and eventually voted upon. NGOs may not make formal speeches during the first six committee sessions, but may participate in every other manner as an observer of the review. These speeches shall be subject to the normal speakers’ time.

Rule 27 – Decision of competence

Decisions of competence are motions in which representatives challenge the relevance of a given agenda items or proposal to the Summit. No motions for a decision of competence on the agenda of the Council shall be permitted.

Rule 30 – Proposals and amendments

Proposals and substantive amendments shall be submitted in writing to the Secretariat by the

submitting State, with the names of twenty percent of the members of the Council that would like the Council to consider the proposal or amendment. The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Council unless copies of it have been circulated to all delegations. The President may, however, permit the discussion and consideration of proposals and amendments, even though such proposals and amendments have not been circulated. If the submitting State and sponsors agree to the adoption of an amendment, the proposal shall be modified accordingly and no vote shall be taken on the amendment. If any sponsors should oppose the adoption of an amendment, a substantive vote on the amendment shall be taken prior to the consideration of the proposal during voting procedure. A document modified in this manner shall be considered as the proposal pending before the Council for all purposes, including subsequent amendments.

For purposes of this rule, all “proposals” shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Council by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of NWMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft report.

After approval of a working paper, the proposal becomes a draft report and will be copied by the Secretariat for distribution to the plenary session of the Council. These draft reports are the collective property of the Council; as such, the names of the submitting State and sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the text of all such amendments will be made available to all representatives.

In line with the philosophy and principles of NWMUN and its educational mission, and for the purpose of facilitating debate in a manner that accurately reflects the practices of the Universal Periodic Review, the President will only approve one outcome report for each State under Review. However, the committee will vote separately on each of three sections of the outcome report for each State under Review. The first section will contain recommendations supported by the State under Review; the second section will contain recommendations the State under Review would like to review and consider; the third section will contain recommendations the State under Review does not support. These three sections, once adopted by the body, will then be combined to form the outcome report for the State under Review. Multiple working papers may be created, but must be combined before being approved. Therefore, delegates are advised to merge all working papers for a given State under Review together unless there are irreconcilable differences in approach, which will be resolved by the President at his or her discretion through the approval of one as the draft report. Following this, the draft report may still be amended, giving delegates the final authority on the text of the proposed report that will be voted upon during the seventh committee session.

VII. VOTING

Rule 34 - Majority required

Adoption of a draft report consisting of recommendations to a State under Review shall require a two-thirds majority of the members present and voting. All other votes shall require a majority of the members present and voting.

This section of the rules refers to voting on “proposals,” or draft reports. For the purpose of tabulation, the phrase

“members present and voting” means members casting an affirmative or negative vote. Members that abstain from voting are considered as not voting. All members declaring their representative States as “present and voting” during the attendance roll call for the meeting during which the substantive voting occurs must cast an affirmative or negative vote, and cannot abstain.

Rule 42 - Order of voting on proposals

During the plenary meeting of the Council to discuss draft reports, draft reports will be voted upon in the same order as the reviews they relate to were conducted.