



INTERNATIONAL LAW COMMISSION
RESOLUTION WRITING GUIDELINE



COMMISSIONER'S
HANDBOOK

20TH SESSION



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INTRODUCTION

A resolution is the tangible product of a committee's deliberations. It is a committee's statement on an issue and generally includes suggestions or instructions to member states, UN bodies, and/or other international actors regarding the topic at hand. Resolutions are the goal of committee work and serve as statements of resolve to, as a body, progress in a specific manner.

Resolutions are the result of research, writing, discussion, negotiation, and debate. At the Kenya Model UN Conference/Mock Debates, delegates will strive to build consensus around resolutions to address world problems.

While the diversity of topics, and thus resolution content, will vary from committee to committee, the format of resolutions is always the same. Resolutions must be clear, concise, and relevant to the topic, within the jurisdiction of the committee.

Resolutions are written to be cure-alls and try to do more than member states and UN bodies can possibly accomplish. It is important to keep resolutions within the bounds of realistic action. Look at past UN resolutions to get a sense of what committees are likely to be able to do. In addition, some committees have particular, well-defined limits. For example, only the Security Council may send UN troops or condemn states, and no committee can command another (non-UN) body to do something. Third, be cautious in detailing certain aspects of action. For example, funding should only be in a resolution if it is a natural part of the solution to the problem. In this same vein, avoid creating extraneous panels, committees, or special agencies to examine United Nations topics. In all likelihood, there is already an actual United Nations committee charged with this purpose. Determining which agencies are available to cooperate with your committee should be part of your research.



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KEY TERMS

1. **Dais:** The Head Commissioner(s) and Rapporteur who run the committee session.
2. **Sponsors:** Sponsors are the principal authors of a draft resolution. They not only agree with content and substance but control the working paper through the stages of becoming a resolution.
3. **Signatories:** Unlike sponsors, signatories can either agree or disagree with substance; they sign the document because they want to see it reach the floor.
4. **Draft Resolution:** A properly formatted working paper, with the requisite number of sponsors and signatories submitted to the dais for approval and once approved becomes a draft resolution.
5. **Resolution:** After all amendments, both friendly and unfriendly, have been either incorporated or dismissed, the committee votes on the draft resolution. If the draft resolution fails, it disappears. If the draft resolution passes, it becomes a resolution of the committee.
6. **Friendly amendments:** Friendly amendments are changes or revisions made to the draft resolution that are approved by all sponsors.
7. **Unfriendly amendments:** Unfriendly amendments are not supported by all sponsors and must be voted on by the committee.
8. **Preambulatory clauses:** These clauses are substantive, begin a resolution and cannot be amended. Preambulatory clauses provide an overview of the problem and remind Commissioners of past actions taken on the issue.
9. **Operative clauses:** These clauses contain the real content and action of a resolution, begin with a verb, conclude a resolution, and can be amended.



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FORMAT & STYLE OF RESOLUTION WRITING

1) DRAFT RESOLUTION

A draft resolution is a resolution that has not yet been voted on. Commissioners write draft resolutions in their divided blocks. There are three main parts to a draft resolution: the heading, the preamble and the operative section. The heading shows the committee and topic along with the resolution number.

The draft resolution is either copied, posted or read before the committee, and is subject to review by all Commissioners. In fact, the debate following the acceptance of a document as a draft resolution constitutes an important part of the negotiation and resolution formulation process.

Once the Commissioners have reviewed the document, the draft resolution may be amended. Amendments strengthen consensus by adding, deleting, or revising portions of a resolution's operative clauses. Please note that entire operative clauses cannot be deleted via an amendment, but can be divided out during voting procedure with a motion to divide the question. If changes to clauses are necessary through the use of amendments, they can be made with friendly and unfriendly amendments.

- a) **Friendly amendments** are changes or revisions made to the draft resolution that are approved by all sponsors. Once all sponsors have approved the changes, the chair must also approve the changes and they are immediately incorporated into resolution.
- b) **Unfriendly amendments** are amendments not supported by all sponsors and must be voted on by the committee. Typically, the author of the amendment



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must gather the requisite number of sponsors or signatories to introduce amendment.

After amendments are submitted, the committee votes on unfriendly amendments prior to voting on the final draft resolution.

2) RESOLUTION

A resolution is a document that Commissioners prepare highlighting certain issues while providing solutions on the same that the Commissioners would like debated upon. Before their adoption by the committee, they are referred to as draft resolutions. A resolution is composed of two parts, namely the **preambulatory clauses** and the **operative clauses**.

A. Preambulatory Clauses

The preamble of a draft resolution states the reasons for which the committee is addressing the topic and highlights past international action on the issue. Each clause begins with a present participle (called a Preambulatory phrase) and ends with a comma. Preambulatory clauses should include:

- a) References to the UN Charter (*"Noting Article I of the United Nations Charter..."*);
- b) Citations of past UN resolutions or treaties on the topic under discussion (*"Remembering the Kyoto Protocol..."*);
- c) Mentions of statements made by the Secretary-General or a relevant UN body or agency (*"Recalling Honourable Kofi Anan's statement at the Millennium Conference..."*);



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- d) Recognition of the efforts of regional or non-governmental organizations in dealing with the issue (*"Recognizing Guatemala's successful integration of the Multilateral Evaluation Mechanism"*); and
- e) General statements on the topic, its significance and its impact.

The preambulatory clauses should therefore highlight the following:

- a) The facts of the issue
- b) Why the issue requires redress in the UN
- c) Demonstrate that the UN is competent (has the mandate) to address the issue i.e. cite the UN Charter, past treaties and resolutions on the matter etc.

Preambulatory clauses are substantive and cannot be amended, so they should be chosen carefully. Each clause starts with a one or two word preambulatory phrase, which is underlined, followed by the remainder of the clause, and a comma.

The following is a list of common preambulatory phrases that could be used to construct a resolution. Please note that this list is not exhaustive. Most participles qualify as preambulatory clauses.



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Affirming	Expecting	Having examined
Alarmed by	Emphasizing	Having received
Approving	Expecting	Keeping in mind
Bearing in mind	Expressing its appreciation	Noting with deep concern
Believing	Fulfilling	Nothing with satisfaction
Confident	Fully aware	Noting further
Contemplating	Emphasizing	Observing
Convinced	Expecting	Reaffirming
Declaring	Expressing its appreciation	Realizing
Deeply concerned	Fulfilling	Recalling
Deeply conscious	Fully aware	Recognizing
Deeply convinced	Further deploring	Referring
Deeply Disturbed	Further recalling	Seeking
Deeply Regretting	Guided by	Taking into consideration
Desiring	Having adopted	Taking note
Emphasizing	Having considered	Viewing with appreciation
		Welcoming

B. OPERATIVE CLAUSES

Operative clauses identify the actions or recommendations made in a resolution. The Operative clauses begin with an operative phrase, which is a verb and is underlined. The operative phrase is followed by the remainder of the clause, which is terminated by a semicolon, except for the last operative clause, which is terminated by a period. Operative clauses should be organized in a logical progression, with each containing a single idea or proposal, and are always numbered and indented, and may include lettered subclauses.



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The following is a list of common operative clauses that could be used to construct a resolution, however it is not exhaustive.

Accepts	Encourages	Further recommends
Affirms	Endorses	Further requests
Approves	Expresses its appreciation	Further resolves
Authorizes	Expresses its hope	Has resolved
Calls	Further invites	Notes
Calls upon	Deplores	Proclaims
Condemns	Designates	Reaffirms
Confirms	Draws the attention	Recommends
Congratulates	Emphasizes	Regrets
Considers	Encourages	Reminds
Declares accordingly	Endorses	Requests
Deplores		
Designates	Expresses its appreciation	Solemnly affirms
Draws the attention	Expresses its hope	Strongly condemns
Emphasizes	Further invites	Supports
	Further proclaims	Takes note of
	Further reminds	Transmits
		Trusts

It is worth noting that in order for a draft resolution to Pass and become a Resolution, it simply requires a simple majority vote. Actually, all voting in the ILC requires a **Simple Majority votes**.