

# **Commission on Narcotic Drugs and Commission on Crime Prevention and Criminal Justice**

## **General information on draft resolutions and draft decisions**

This information note contains:

- (i) Frequently Asked Questions**
- (ii) Practical tips how to prepare draft resolutions and procedures**
- (iii) Wording used in draft resolutions and draft decisions: practical tips and examples**

### **(i) FAQs:**

#### **What are draft resolutions and decisions?**

Draft resolutions and decisions are proposals submitted by member states of the Commissions, or by a member state representing a Group (e.g. EU, GRULAC etc.) (called the “sponsors”) for consideration by the Committee of the Whole and adoption by the Commission. The symbols of the draft resolutions and decisions contain the letter “L” because of their “Limited” distribution symbol (therefore, they are often informally referred to as “L’s”). .

#### **What is the correct procedure for submitting draft resolutions and decisions?**

Draft resolutions or decisions can be transmitted to the Secretariat by email, provided that they are officially submitted under the cover of a note verbale from the Permanent Mission (the text of proposal should always be in WORD version). A signed print copy of the proposal can also be handed over to the Secretariat as long as an electronic version of the draft proposal is provided as well.

If a Member State submits two language versions of a proposal, it must indicate which language is to be considered the original version on which the translation will be based.

Interested countries may sponsor draft resolutions by signing the appropriate sponsorship list available in the Secretariat of the Commissions, as well as by indicating their sponsorship of draft resolutions by raising their name plates either during the discussion in the Committee of the Whole or during the adoption in the plenary.

#### **Draft resolution or draft decision? What is the difference?**

There is often confusion as to the difference between a resolution and a decision. They are equal in legislative standing, and both require the formal adoption by the intergovernmental body.

#### ***A few rules of thumb on the distinction between the two***

A. **Resolutions** are formal expression of the opinion or will of the United Nations organs. They generally have two distinct sections, with a preamble followed by an operative part.

- In the preambular part of a resolution, each paragraph is set out individually and begins with an italicized participle or adjective (e.g. recalling, taking note of, having considered, welcoming, concerned, determined, aware). Those paragraphs are not numbered in the text and are normally referred to as “first preambular paragraph”, “second preambular paragraph” and so forth. Introductory paragraphs may be referred to as “the chapeau”.
- Operative paragraphs in a resolution, each of which begins with an italicized active verb in the present tense (e.g. endorses, calls upon, reaffirms, invites) are numbered sequentially. They are referred to by their cardinal number (paragraph 1, paragraph 7, etc.). There are no “bis” or “ter” paragraphs.
- A resolution may also contain subparagraphs, with (a), (b), (c) etc. used to denote them.

**B. Decisions** are used to designate formal actions, other than resolutions, dealing with procedural matters, including but not limited to elections, appointments, the time and place of meetings, the taking note of reports and provisional agendas.

- Should a decision need to be divided into separate subparagraphs, they are indicated as (a), (b), (c) etc. following a single operative verb. In a draft decision, that verb – decides, endorses, etc. – is always in the present tense.
- Decisions are often used as the means whereby by a parent body, for example the Economic and Social Council, endorses or otherwise approves legislative action by a subsidiary body, such as one of the functional commissions that reports to it.

### **Deadlines for submission of draft resolutions**

**In accordance with Commission on Narcotic Drugs decision 55/1, and Commission on Crime Prevention and Criminal Justice decision 21/1, the firm deadline for the submission of draft resolutions is, in principle,<sup>1</sup> four weeks prior to the commencement of the Commissions at noon.** Each year deadlines are proposed by the extended Bureaux of the Commissions and subsequently endorsed by the Commissions. The deadlines for submission are included in the annotated provisional agendas for the sessions and in the official invitations sent to Member States to participate in the sessions of the Commissions.

### **Introduction of draft resolutions**

In accordance with past practice, the sponsor will introduce the draft proposal, in the Committee of the Whole (COW) (a technical committee of the Commissions, where resolutions are discussed and approved before they are submitted to the plenary for adoption), indicating amendments and additional sponsors, as necessary. The Secretary of the COW consults with the delegation on the timing of that introduction, coordinating it with the date of issuance of the draft text in all languages. Proper procedure would indicate that no informal consideration of a draft proposal can take place prior to its introduction. However, to allow greatest flexibility and use of the limited time allocated to the COW, sponsors, together with interested delegations, may begin informal negotiations on draft resolutions before they have been circulated in the six official UN languages or introduced, as long as the extended Bureau and the Commission are informed and agree.

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<sup>1</sup> At its reconvened twenty-third session, in December 2014, the Commission on Crime Prevention and Criminal Justice decided that the deadline for the submission of draft resolutions would be two weeks prior to the commencement of its twenty-fourth session, on an exceptional basis, in view of the date of the conclusion of the Thirteenth Congress on Crime Prevention and Criminal Justice.

Furthermore, delegations have the opportunity to introduce and discuss the draft resolutions that have been submitted, at informal pre-session consultations.

According to rule 52 of the rules of procedure of the functional commissions of ECOSOC, proposals and substantive amendments shall be discussed no earlier than twenty-four hours after copies have been circulated to all members, unless the Commission decides otherwise. This is called “the 24-hour rule”, which is understood to apply from the time the document is officially circulated. At the same time, given the five-day duration of their sessions, the Commissions may interpret this rule in a pragmatic and flexible manner.

### **Withdrawal of draft resolutions**

Any draft proposal on which the sponsor wishes that no action be taken must be withdrawn by sponsoring delegation during a formal meeting.

### **Statements of financial implications**

Should the implementation of a draft resolution require additional resources from the United Nations budget, a transfer of resources within the budget (so called "programme budget implications" or “PBI”) or extrabudgetary resources, delegates participating in the COW are informed accordingly already during the negotiation phase.

In addition, at the plenary meetings of the Commissions, prior to the adoption of each draft resolution, a representative of the Financial Resources Management Service of UNODC will read out a statement of financial implications. All the statements of financial implications will be made available after the end of the session in a conference room paper, which will be posted on the relevant Commission webpage.

### **Adoption of draft resolutions**

At the time of adoption in the plenary, the Secretary of the Commission takes note of the amendments, if any, made by the sponsor of the draft or suggested by other delegations (and approved by the sponsor). If the changes are significant, the Secretary will request the delegation to submit the amended or added text in writing. Delegations that wish corrections to be made to other language versions are also requested to submit them in writing to the Secretary, after introducing them from the floor. Those corrections will be reflected in the final report on the sessions of the Commissions.

## **(ii) Practical tips how to prepare draft resolutions and procedures**

### **Preparation and submission of draft resolutions:**

- The draft should contain the following:
  - (a) Indication of sponsor(s)
  - (b) Title of draft resolution
  - (c) Body that is expected to adopt: the Commission, or the ECOSOC, or the GA;
  - (d) Item of the agenda to which the subject refers to.
- Preamble and operative paragraphs (see annex).
- If a proposal is submitted in two language versions (e.g. Spanish and English), the sponsor should indicate which is the original version on which the translation will be based.
- The draft resolution should be submitted in an electronic Word version as well.

- Once a proposal is officially submitted to the Secretariat, it will be sent for editing and translation.
- The edited and translated proposal will be officially issued as L. document (E/CN.7/year/L.# or E/CN.15/year/L.#), which means in-session document and limited distribution.
- Should the main sponsor delegation wish to amend an already distributed draft resolution, the electronic edited version should be requested from the Secretariat. Changes need to be clearly indicated by using track-changes mode.

### **Procedures for consultations on draft resolutions during the session:**

- The main sponsoring delegation presents a proposal to the COW; thereafter it is open for discussion and negotiation. After it is discussed in the COW, it is presented to the plenary for adoption.
- If no agreement is reached and further negotiations are required, the Chair of the COW may invite the main sponsor to meet informally with interested parties and revert back to the COW with the negotiated text.
- All changes have to be incorporated in track-changes mode in the final edited text.
- The Chair decides the time when the newly negotiated text is to be reconsidered in the COW, depending on the work of the Committee.
- If the newly negotiated text has undergone significant changes, the Chair may decide that it should be sent for official revision (L.#/Rev.1), which means it is submitted again for editing and translation.
- If possible, the issuance of a revised text that has not yet been approved by the COW in an official document should be avoided to the extent possible, as it would delay its final negotiation in the COW.
- If the COW approves a proposal with minor changes, the original text will be sent to the plenary for adoption and the Secretary will read out the changes, which will be only reflected in the final report on the session.

### **Procedure for merging of draft resolutions**

- The main sponsors would work together and submit a new merged text to the Secretariat for processing. In doing so sponsors should:
  - Make sure that the merging of the proposals is reflected in the final edited text of one of the draft resolutions;
  - Use track-changes mode, and referencing, e.g. “preambular paragraph 2 was taken from L.#”, “preambular paragraph 3 was taken from L.##”.
- The new merged draft resolution will be assigned a new L. symbol and will be sent for editing and translation.
- The final edited and translated draft resolution (merged text) will be presented to the COW for its approval.

### **Procedure following adoption of resolutions/decisions:**

- After adoption by the Commission, the resolutions/decisions are assigned numbers, e.g. resolution/decision 57/1, 57/2 , 23/1 etc. in the report (57 is the session number of CND and 23 of CCPCJ), with the previously assigned L. symbols becoming obsolete.
- Draft resolutions/decisions approved by the Commissions and forwarded to ECOSOC for adoption, are assigned an appropriate ECOSOC symbol (e.g. resolution 2014/#; 2014

refers to the respective yearly session of ECOSOC). The final symbol becomes available only after ECOSOC adopts the resolutions/decisions, usually in July.

- Draft resolutions/decisions that are submitted to ECOSOC for approval and adoption by the General Assembly are assigned a GA symbol (e.g. resolution 69/#; 69 refers to the session of the GA when the resolution/decision is adopted). The Third Committee of the General Assembly considers and approves, as appropriate, draft resolutions on drug- and crime-related matters, after which, in November, they are transmitted to the General Assembly for subsequent adoption. The final symbol becomes available only after the General Assembly has considered and adopted the draft resolutions/decisions, usually in December.

## Wording used in draft resolutions and draft decisions: practical tips and examples <sup>2</sup>

### Acronyms, abbreviations and short forms

Acronyms and abbreviations are not used in resolutions and decisions. Every word must be spelled out, every time.

After the official name of a body, a convention, a conference, etc., has been given in full, a short form may be used in subsequent references. For example:

First mention: “the Commission on Crime Prevention and Criminal Justice”; possibly in subsequent references: “the Commission”;

First mention: “the United Nations Convention against Transnational Organized Crime”; possibly in subsequent references: “the Organized Crime Convention”;

First mention: “the United Nations Office on Drugs and Crime”; possibly in subsequent references: “the Office” (as explained above, “UNODC” is NOT possible).

### “Taking note of”, “Noting” and “Recalling”

In draft resolutions, “*Taking note of*” is used in preambular paragraphs (and “*Takes note of*” in operative paragraphs) when the object is:

- (a) A statement;
- (b) A decision taken by another body since the preceding session (and is therefore coming to the organ’s attention for the first time);
- (c) A report (of an individual, an organ or an organization).

“*Noting*” (in the sense of “observing”) is used in preambular paragraphs (and “*Notes*” in operative paragraphs) when the object is a fact or an event.

“*Recalling*” is used in preambular paragraphs (and “*Recalls*” in operative paragraphs) when the object dates back to the preceding session or earlier.

The correct use of the phrases “Taking note of”, “Noting” and “Recalling” is shown in the following example:

*The General Assembly,*

*Recalling* its resolution 57/270 B of 23 June 2003,

*Taking note* of the report of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice,

*Noting* that countries emerging from conflict are particularly vulnerable to crime, in particular organized crime and corruption,

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<sup>2</sup> Prepared by the Editorial Control Unit, for queries on other drafting matters, contact the Editorial Control Unit by e-mail ([Editorial.Helpline@unvienna.org](mailto:Editorial.Helpline@unvienna.org)) or by phone ((+43-1) 26060 3200).

## **“Also” and “further”**

When consecutive preambular or operative paragraphs begin with the same verb phrase in italics, the word “*also*” should appear (in italics) in the second paragraph and the word “*further*” should appear (in italics) in the third paragraph. As from the fourth paragraph, the sequence starts over again:

*The General Assembly,*

*Recalling* its resolution ...,

*Recalling also* its resolution ...,

*Recalling further* its resolution ...,

*Recalling* its resolution ...,

However, when the paragraphs contain a form of request or appeal, the words “also” and “further” should appear in the italicized verb phrase only if it is directed to the same entity:

*Requests* the Secretary-General to ...;

*Also requests* the Secretary-General to ...;

*Further requests* the Secretary-General to ...;

*Requests* the Secretary-General to ...;

*Requests* the Secretariat to ...;

*Requests* the Secretary-General to ...;

## **Referring to resolutions and decisions adopted by the General Assembly and the Economic and Social Council**

When referring in a draft resolution to resolutions and decisions adopted by the General Assembly and the Economic and Social Council:

(a) Always include the dates of adoption the first time the resolutions and decisions are mentioned in the preambular paragraphs and the first time they are mentioned in the operative paragraphs;

(b) List first the resolutions and decisions adopted by the General Assembly and then the resolutions and decisions adopted by the Economic and Social Council;

(c) List first the resolutions and then the decisions in chronological order of their date of adoption.

Note the order in the following example:

The Commission on ...,

*Recalling* General Assembly resolutions 31/131 of 16 December 1976, 31/166 of 21 December 1976, 40/212 of 17 December 1985 and 49/139 B of 20 December 1994,

*Recalling also* General Assembly decision 35/424 of 5 December 1980,

*Recalling further* Economic and Social Council resolution 1980/67 of 25 July 1980.

### **Operative paragraphs in which reports are requested to be submitted to a body at a subsequent session**

Care should be taken when wording an operative paragraph in which a report is requested to be prepared for a later session. How the operative paragraph is worded can affect the title (and content) of the report being requested. It should be clear **who** is being requested to submit a report **on what** to **which body** (and at **which session**):

*If the operative paragraph reads:*

*Then, at its ... session, the Commission will have before it a report with a title that reads:*

*Requests* the Secretary-General to submit to the Commission, at its ... session, a report on the recommendations of the working group [or group of experts] on ....;

**Recommendations of the working group [or group of experts] on ...**

**Report of the Secretary-General**

*Requests* the Secretary-General to submit to the Commission, at its ... session, a report on the implementation of the present resolution;

**[Title of the resolution]**

**Report of the Secretary-General**

*Requests* the working group [or group of experts] to submit a report on its meeting to the Commission at its ... session;

**Report on the meeting of the working group [or group of experts] on ..., held in [venue] from [date] to [date]**

### **Resolutions don't request anything**

It is the legislative body adopting the resolution that "requests", "takes note" etc.; the resolution itself doesn't do anything:

*"Recalling* General Assembly resolution ... of ..., in which the Assembly requested....".

### **Draft decisions: examples with and without subparagraphs**

Please use the following texts as models when preparing draft decisions. Note that, in draft decisions: (a) no italics are used; (b) there should be only one paragraph, which is indented and not numbered; (c) a colon is used when there are subparagraphs (as in example B); and (d) the present tense will be changed to past tense once the draft decision has been adopted.



*Example A. Draft decision with no subparagraphs*

**Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission**

The General Assembly decides to defer consideration of the question of the proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission until its fifty-fifth session.

*Example B. Draft decision with subparagraphs*

**Integrated Management Information System**

The General Assembly:

(a) Takes note of the eleventh progress report of the Secretary-General on the Integrated Management Information System project,<sup>3</sup> the revised completion date of the project and the activities planned until the completion of the project;

(b) Endorses the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report;<sup>4</sup>

(c) Requests the Secretary-General, after the full implementation of the Integrated Management Information System project, to submit a comprehensive final report on the implementation of the system, including a full analysis of lessons learned and experience gained, addressing the issue of a long-term strategy for further development of the system for consideration by the General Assembly at its fifty-sixth session

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<sup>3</sup> 1 A/54/474.

<sup>4</sup> A/54/7/Add.4. For the final text, see *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7A*.