

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 one or more member 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. They are often simply called “L’s” because of their “Limited” distribution symbol.

What is the correct procedure to submit draft resolutions and decisions?

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

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 resolution by signing the appropriate sponsorship list available in the Secretariat of the Commissions, or sponsor draft resolutions during discussion in the Committee of the Whole or during the adoption in the plenary by raising their name plates.

Draft resolution or draft decision? What’s the difference?

There is often confusion in as to the difference between a resolution and a decision. Both are equal in legislative weight, and both require formal adoption by the intergovernmental body. Although there is no legislative distinction between a resolution and a decision.

Here are a few rules of thumb to distinguish between the two:

A. **Resolution** generally has two distinct sections – the “preambular” followed by the “operative”. In a decision there may be no preambular section.

- In the preambular section of a resolution, each paragraph is set out individually and begins with an italicized gerund (e.g. recalling, taking note of, having considered, welcoming.). Those paragraphs are not numbered in the text and are normally referred as “first preambular”, “second preambular” 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.

- A resolution may also contain sub-paragraphs, with (a), (b), (c) etc. used to denote them.

B. **Decision** may have similar, but more limited, introductory paragraphs but it runs on in complete paragraph form.

- Should a decision need to be divided into separate sub-paragraphs, 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 ?

Deadlines are proposed by the Extended Bureau of the Commission and subsequently endorsed by the Commission. The deadlines for submission are included in the annotated agenda. (E/CN.7/20xx/1 or E/CN.15/20xx/1), and in the official invitation note 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) (technical Committee of the Commission in which resolutions are discussed and approved before they are submitted to Plenary for adoption) of the Commission, indicating amendments and additional co-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 the draft can take place prior to 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 of 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.

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.

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 programme budget and conference servicing implications ?

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

In addition, at the Plenary meeting, prior to adoption of the draft resolutions, a responsible officer of the Financial Resources Management Service (FRMS) of UNODC will read out the statements of financial implications. All statements of financial implication will be made available after the end of the session, in a conference room paper which will be posted on the relevant Commissions webpage.

Adoption of draft resolutions ?

At the time of adoption, at a Plenary meeting, the Secretary of the Commission takes down all amendments 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 of the sessions of the Commissions.

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

Preparation and submission of draft resolutions:

- Indication of sponsor(s)
- Title of draft resolution
- Body that is supposed to adopt: the Commission, or the ECOSOC, or the GA
- Item of the agenda to which the subject refers to
- Preambular paragraphs and operative paragraphs (see annex)
- If a proposal is submitted in two language versions (e.g. Spanish and English), sponsor to indicate which is the original version on which the translation will be based.
- Electronic word version needed
- 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, it should request the electronic edited version from the Secretariat. Changes need to be clearly indicated by using track mode.

Procedures for consultations on draft resolutions during the session:

- Draft resolutions are discussed in the Committee of the Whole (COW) before they are presented to the Plenary for adoption
- Main sponsor delegation presents proposal to the COW, thereafter it is open for discussion and negotiation
- 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 refer back to the COW with the negotiated text
- All changes have to be incorporated in track mode in the edited text
- The Chairperson decides the time when the new negotiated text is to be reconsidered in the COW, depending on the work of the COW
- If the newly negotiated text has undergone vast changes, the Chair may decide that it is sent for official revision (L.#/Rev.1), that means it is submitted again for editing and translation
- If possible, official revision of a text which has not yet been approved by the COW should be avoided to the extent possible as it would delay the final negotiation in the COW
- If COW approves a proposal with minor changes, the original text will be sent to Plenary for adoption and the Secretary will read out the changes, which will be only reflected in the final report of 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 merge is done on the final edited text of one of the draft resolutions
 - Using track mode, and referencing, e.g. preambular paragraph 2 was taken from L.# preambular paragraph 3 was taken from etc.
- The new merged draft resolution will get 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 COW for its approval.

Procedure following adoption of resolutions/decisions:

- After adoption by the Commission, the resolutions/decisions are referred to as e.g. 55/1, 55/2 , 21/1 etc. in the report (55 is the session number of CND and 21 of CCPCJ), the previously assigned L.# are obsolete;
- Draft resolutions/decisions which are approved by the Commissions and forwarded to the Economic and Social Council (ECOSOC) for adoption, get an appropriate ECOSOC symbol (e.g. 2012/#, 2012 refers to the year when ECOSOC held its sessions). The final symbol will only be available after ECOSOC adopted the resolutions/decisions, usually in July;
- Draft resolutions/decisions which are submitted to ECOSOC for approval and adoption by the General Assembly get a GA symbol (e.g. 67/#, 67 refers to the session of GA, when resolutions/decisions are adopted). The final symbol will only be available after the Third Committee of the General Assembly has adopted the resolutions/decisions, usually in October.

Wording used in draft resolutions and draft decisions: practical tips and examples

Prepared by the Editorial Control Unit*

“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,

“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:

* For queries on other drafting matters, contact the Editorial Control Unit by e-mail (Editorial.Helpline@unvienna.org) or by phone ((+43-1) 26060 3200).

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,¹ 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;²

(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.

¹ A/54/474.

² A/54/7/Add.4. For the final text, see *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7A*.