

# The Session on the UN Charter



CSMUN 2022

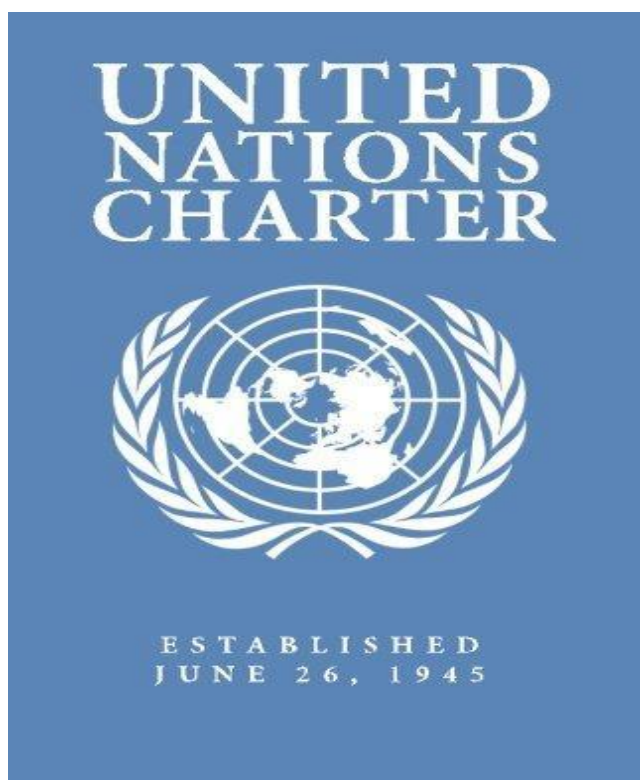
## Table of Contents

1. Introduction.....	3
2. Specifications on our first Session on the UN Charter.....	3
3. How the Session functions.....	4
a. Preparation.....	4
b. Membership.....	4
c. Lobbying.....	4
d. Debate.....	5
e. Amendments.....	5
f. Points and Motions.....	5-6
g. Voting.....	6
h. Crisis.....	7
4. Example of proposition sheet.....	7
5. Bibliography.....	8

For further research visit these links and study along the UN Charter;

<https://www.un.org/en/about-us/un-charter/full-text>

<https://legal.un.org/committees/charter/>



## **1. Introduction on the Special Committee on the Charter of the UN**

A Special Committee on the Charter of the United Nations and on Strengthening the Role of the Organization has become increasingly popular following a heated debate on the principles of the maintenance of international peace and security in response to the Russian Federation's invasion of Ukraine. The Committee works with the assistance of its Working Group of the Whole. It was established as a platform to exchange the views of the UN Charter's implementation, the Special Committee holds annual sessions, with Member States gathering to consider proposals and hold substantive discussions. Ever since the UN was founded, it has been amended three times in 1963, 1965 and 1973.

The General Assembly established an Ad Hoc Committee tasked with incorporating all ideas made by any country within the organization aimed at improving the UN's ability to execute its mission: to maintain international peace and security, which has a similar scope with our Session on the UN Charter.

## **2. Specifications on our 1<sup>st</sup> Session on the UN Charter**

Our 1<sup>st</sup> Session on the United Nations Charter aims at proposing amendments to the Charter of the UN, specifically in the 2022's session the fifth chapter: Security Council, and the committee's function in our world's ever-changing social, environmental, and political reality. Members of this committee convene to discuss proposed amendments to the UN Charter and organizational rules.

The session on the United Nation Charter originates from the current debate on the ineffectiveness of the UN due to structural and organizational problems. The predominant reason as to why the UN has been criticized is the veto power, which is given to P5 countries under 'Chapter V' of the UN Charter, and has prevented the UN from taking action on several occasions, for example the Uighur crisis in China, or in more recent news, Russia's invasion of Ukraine.

The United Nations Charter was last amended in 1973, since then our world has undergone revolutionary changes, especially due to technological advancements; therefore, the charter as it was written nearly 50 years ago may not respond to the needs of our society.

### 3. How the committee functions

Our session on the UN charter is initiated by the Special Committee on the UN charter however there will be major changes concerning its function to favor the debate and proposals. The lobbying functions like the actual Special Committee on the UN Charter, however the debate and voting are that of the GA, therefore there will be a 'proposition sheet' (resolution-like) in which the delegates will be debating upon. Specific information will be given below.

#### a. Preparation

Before the conference delegates must research a variety of things: Firstly, delegates in this committee should be experienced. Delegates should read the shortened UN Charter: <https://www.un.org/en/about-us/un-charter/full-text> while they also need to read the Study Guides prepared by the chairs, as they will be explaining the focus of the topics. It is crucial that delegates question the effectiveness of the UN and delve into the ways in which they can improve the effectiveness of the body using their critical thinking skills. All delegates should prepare a policy statement to ensure their understanding of their country's political stance, that will be entertained by the chairs.

#### b. Membership

The General Assembly agreed in December 1995, in a resolution, that the Special Committee would be available to all UN Member States and would function on the basis of consensus, which we will follow in our Session on the UN Charter.

#### c. Lobbying

The session will focus on different chapters of the charter, and chairs will allocate time for lobbying. There are no preambulatory clauses, only operative clauses, that are called "proposals" instead of clauses, and the resolution as a whole is called a "proposition sheet" as the example in the second to last section of this manual.

Shortly before the actual lobbying begins the majority of the delegates will be recognised by the chair to engage in their policy statement. When the chair considers the policy briefs entertained enough then the discussion/lobbying time will officially begin as it happens in the GA committees as well. Delegates will have the chance to discuss the topics and suggest proposals and ideas on the chapter/article for the amelioration of the Charter. Lobbying will not take place in two alliances as traditionally; all delegates will lobby together, except if there are too many delegates in the committee, preventing an organized discussion. Delegates should decide upon a main submitter for each proposal, who will introduce it. In that case there will be as many alliances as the number of delegates permit (maximum 20), but they

will not be separated necessarily in terms of their political fronts, but rather to favour a diverse and fruitful discussion. The Chairs must ensure that the suggested proposals differ from the current UN Charter and by extension that they can be implemented. Following the submission of a number of clauses, the Chair will prioritize them and select the ones considered more efficient.

Questions that should be addressed during lobbying:

- What is the purpose of this chapter/article?
- What are the restrictions imposed by this chapter/article?
- To what extent is this chapter/article favorable for every member-state?
- What are the problems of this chapter/article?
- How may the UN be more effective, through the modification of this article/chapter?

#### d. Debate

For the debate to start, the chair should ask for the motion to divide the question, in order to move on to a proposal-by-proposal debate. The proposals are introduced by the main submitter through an opening speech. The format of the debate is considered closed since the discussion is upon one proposal but simultaneously it is open from the scope that every delegate can express whether they're in favour or against the proposal. However, to amend a proposal, typical closed debate will take place with the chairs setting times for speaker in favour and time for speakers against. After each proposal has been debated, voting will take place upon it.

#### e. Amendments on proposals

Amendments on the proposals themselves will be entertained typically, considering them as first-degree amendments. Only constructive amendments of modifying and/or adding a proposal are accepted, and not friendly amendments on grammatical and/or phrasing mistakes. Note that, amendments of adding a proposal will be introduced after having voted upon all the others (not the proposition sheet as a whole, nor after or during the debate of another proposal). Second degree amendments are strongly advised not to be made, except if they are much needed.

#### f. Points and Motions:

This committee follows the points and motion of the all the other GA committees, but including the following points:

**Motion to divide the question:** This motion shall be raised in order for the debate to begin in a proposal-by-proposal format (similar to the Security Council's clause by clause debate).

**Motion to move to an unmoderated caucus:** This motion allows delegates to set a topic for themselves other than the existing debate topic. This will only be allowed after the agenda topics have been covered, if time allows. A delegate will motion for an unmoderated caucus and set the topic on which they are interested in discussing upon the UN charter, as well as to set the lobbying and debate (speakers per time in favour or against this topic) time. The topic will have to be within the overall scope of the Session on the UN Statute. If the chairs of the committee find the topic of the unmoderated caucus to not be fitting with the committee, they have the right to object to the motion.

**Motion to table a proposal:** Calls for the temporary closure of debate on a proposal. It should have a simple majority for the motion to be entertained.

**Motion to reconsider a proposal:** On a previously decided proposal, a delegate may raise a motion to reconsider, meaning that the proposal will be debated on again. For this, the motion to "reconsider" is used. This motion shall be raised shortly after the debating and voting of all the proposals, not the proposition sheet as a whole. It is up to the president to accept this motion.

**Right of reply:** The right of reply is a short statement which may be invoked by a delegation if another delegate has offended their national or personal integrity. The right of reply has to be recognized by the presidents. It may not interrupt a speaker and will be entertained only after all policy statements have been made, or after the end of the speech of a delegate on a proposal. This point shall not be raised for pois.

**Motion to follow up:** It is raised when a delegate wants to extend their poi. The follow-up question should not entirely differ from the previous one, because otherwise it will be called out of order. It cannot be entertained two times consecutively, while the chairs should refer from granting this motion constantly due to time constraints.

#### g. Voting

For a proposal to pass, the 2/3<sup>ds</sup> of the member States present will need to vote in favour, since this is the procedure when amending the UN Charter. When voting on a proposal, the member states can favour, against or abstain from voting. Apart if there is a motion to divide the house which means that no abstentions will be permitted, this will only be entertained if the votes abstaining in the first vote upon the proposal may affect its results.

#### h. Crisis<sup>1</sup>

The delegates may be asked to confront a crisis. The crisis is linked with a pressing issue, an incident or a conflict relevant or not to the Agenda items of the committee, which has come up recently, however measures have been already taken upon it. In this way delegates will see how the real Ad Hoc committee works. For this reason, all delegates should be updated on any currently occurring crises and conflicts worldwide in order to be able to effectively deal with and elaborate on. The crisis in this special agency diverges from the Security Council's as the draft proposals that the delegates will need to debate upon after having a lobbying session, will be made on sanctions that the UN has already taken on an affair. The debate session of the crisis and the agenda items are, however, of equal importance as they constitute an imminent threat to international peace, security and stability, and that is why the delegates should amend these already taken actions as they constitute the last chance of the UN to improve the situation.

#### 4. Example of Proposition Sheet

Concerning: Chapter V, Article 32

1. Proposes that Member States not part of the security council will have voting rights on disputes concerning their countries, in occasions where:
  - a. Their security is under threat,
  - b. Issues affecting their sovereignty,
  - c. There is political and civil unrest.

Therefore, if the proposal passes the Article changes and reads as following:

“Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, **with vote on issues concerning their security sovereignty**. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

KEY= **Typing in Red is the changes in the article**

---

<sup>1</sup> Crisis may not always be introduced to the committee, it is thus not deemed a typical procedure.

## 5. Bibliography

“The American School Foundation.” *Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization*, <https://www.asf.edu.mx/learning/events/international-asfmun/special-committee>.

“Chapter V: The Security Council (Articles 23-32).” *United Nations*, United Nations, <https://www.un.org/en/about-us/un-charter/chapter-5>.

*Dev.jfk.edu.mx*.

<http://dev.jfk.edu.mx/Portals/0/Committees/2021/PDF/Special/CharterUN.pdf>.

“International Law, Codification, Legal Affairs, Legal, Committee, Terrorism, Charter, Criminal Accountability, Administration of Justice, Jurisdictional Immunities, Cloning, Safety of United Nations and Associated Personnel, Ad Hoc.” *United Nations*, United Nations, <https://legal.un.org/committees/charter/>.

“Reconsideration of a Motion.” *Wikipedia*, Wikimedia Foundation, 26 Mar. 2021, [https://en.wikipedia.org/wiki/Reconsideration\\_of\\_a\\_motion](https://en.wikipedia.org/wiki/Reconsideration_of_a_motion).

United Nations High Commissioner for Refugees. “Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.” *Refworld*, <https://www.refworld.org/docid/3b00f16e58.html>.

Security Council manual. (2018, April 30). DSA-MUN. <https://www.dsamun.gr/preparation/delegates-manual-2>