



## Revised Guidelines for the Preparation and Consideration of Draft Resolutions<sup>1</sup>

### Preamble

Regulations relating to draft resolutions were not included in the IOC Statutes adopted by the Assembly in 1999 but in the IOC Rules of Procedure which were amended in 2001 to render them compatible with the new Statutes of the Commission.

The IOC Rules of Procedure refer to draft resolutions in the introduction and in Rule 42.

The current Rules of Procedure were adopted by the IOC Assembly at its 21st Session on 11 July 2001 by way of Resolution XXI-4 with the exception of the relevant procedure of adopting resolutions, for which the Assembly noted that “a further revision is under way.”

Rule 42 of the IOC Rules of Procedure contains a footnote in similar terms: “While approving the new Rules of Procedure, the 21st session of the Assembly also requested the further revision of Rule 42, process that is under way.”

Although the IOC Assembly at its 21<sup>st</sup> session provided inputs to be taken into account when considering amendments to Rule 42 of the IOC Rules of Procedure, the IOC Executive Council at its 35<sup>th</sup> session agreed to retain the wording of Article 42 as it appears in the published Rules of Procedure (IOC/INF-1166).

As a consequence, the IOC Executive Secretary recommended that the updating of the procedure for the preparation and consideration of Draft Resolutions should be done *through written guidelines*, in replacement of the guidelines contained in the IOC Manual and its updated reprint IOC/INF-734 rev.

The task of revising the initial *Guidelines for the Preparation and Consideration of Draft Resolutions* that were included in the IOC Manual of March 1989 (IOC/INF-785, section 9.1) has been a slow and arduous process since 2001.

The preparation, submission, revision and approval of Draft Resolutions are key mechanisms for smooth and efficient running of the Commission.

Since the Rules of Procedure address briefly the mechanism for the preparation and consideration of Draft resolutions, the present Guidelines have been developed on the basis of all relevant documents, including the reports of former chairs of the Resolutions Committee, and on the practice of the Resolutions Committee. This document has been prepared by an open-ended intersessional working group established by the Assembly Decision 9.3.1 at its 26<sup>th</sup> session.

### I. Definitions

1. Resolution: Formal expression of a mandate or opinion or a statement of a decision to act made by a Governing Body within the scope of Article II below.

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<sup>1</sup> Adopted by decision IOC-XXVII/Dec.6.4 of the Assembly at its 27<sup>th</sup> Session (Paris, 26 June–5 July 2013). Those guidelines are complementary to the *IOC Manual*.

2. Draft Resolution: A proposed text of a Resolution submitted by the relevant source to a Governing Body with a view to its adoption by the Governing Body concerned during the session to which the draft resolution is presented for consideration under the adopted agenda.

3. Decision: Formal expression of a mandate or opinion or a declaration of a decision to act made by a Governing Body, or a Subsidiary Body when appropriate, not covered by a Resolution. It will be placed within the body of the corresponding Governing Body's session report.

4. Recommendation: Formal expression of an opinion, advice or recommendation by an IOC Subsidiary Body to the IOC Executive Secretary and the body that created it.

## **II. Scope of a Draft Resolution**

5. Draft Resolutions should be prepared only when necessary to fulfil at least one of the following criterion:

- (i) reflect major policy, programmatic, external relations, financial and institutional decisions;
- (ii) approve or modify the Commission's programme and budget;
- (iii) take action on formal Recommendations made to the Commission by any recognized entities concerned with the oceans.

6. Respecting the division of authority and responsibility established in the UNESCO Constitution, Draft Resolutions will not deal with internal matters of the IOC Secretariat nor the mandate of the IOC Executive Secretary or the Director-General of UNESCO.

7. Draft Resolutions should be presented together with their related agenda item. Draft Resolutions should deal only with matters **on the agenda** of the corresponding session of the Governing Body. The approved Resolution should accurately reflect the conclusions of the plenary discussions thereon.

## **III. Source of a Draft Resolution**

8. Draft Resolutions may be submitted by one or more Member States;

9. The Executive Secretary will, at the closing of the relevant agenda item, identify the source(s) for submitting the Draft Resolutions as agreed by the Governing Body.

10. No governing body shall adopt a Resolution involving expenditure unless it has before it a report by the chair of the Financial Committee containing an indication of the financial impact of each Draft Resolution.

## **IV. Submission**

11. Whenever possible, proposed text of Draft Resolutions should be submitted in writing to the Executive Secretary one month in advance and no later than 72 hours before the opening of the session of a Governing Body during which it will be considered for adoption.

12. The Executive Secretary shall circulate the proposed text of Draft Resolutions as soon as practicable to the IOC Member States for information before their formal review by the Resolutions Committee.

13. Upon completion of a formal review by the Resolutions Committee, formatting, editorial changes, and translation of Draft Resolutions into the working languages of the Commission

shall be completed by the IOC Secretariat and then be made available to the delegation members of the Governing Body.

14. A Draft Resolution shall mention whether it replaces, partly or wholly, a past Resolution, stating that the latter is no longer in force.

15. If a Draft Resolution is made available in the working languages of the Commission to all delegations less than 72 hours prior to the opening session of a Governing Body during which it may be considered for adoption, the Governing Body can decide not to consider it.

16. As an exception to Article 15, it is recognized that the Draft Resolution on Programme and Budget will be submitted during the session of the Governing Body concerned.

17. During the session, amendments to Draft Resolutions may be submitted in writing or orally during the discussion of the relevant agenda item in plenary.

## **V. Structure**

18. A Resolution should be published as a self-standing text that contains all the annexes mentioned.

19. The wording of a Draft Resolution should meet the criterion of being *necessary and sufficient* and should avoid extraneous and duplicative material. In particular, a Draft Resolution should not replicate or duplicate a decision already in the body of the corresponding summary report.

20. Draft Resolutions should comprise an initial preambular section, which should be kept to a minimum and should address the question “Why is a Resolution needed?”

21. This should be followed by an operative section, which should define the action called for by the Resolution and how the action is to be carried out. If possible, a Draft Resolution should consist of one preambular section followed by the corresponding operative section. If more than one operative section is envisaged, the Draft Resolution should be subdivided, with each subdivision comprising one preambular section and one operative section for each action.

22. Draft Resolutions shall include a statement on the financial implications stating:

- (i) whether these refer to identified resources in the Regular Programme and Budget (C/5) with an associated work plan;
- (ii) financial implications in terms of:
  - extra-budgetary resources for which there is a formal commitment by one or more Member States or other bodies,
  - extra-budgetary contributions to be sought,
- (iii) when funds would be needed, and for what period, and
- (iv) IOC Secretariat resources over and above the allocation.

In all cases, Draft Resolutions should clearly specify the activities for which extrabudgetary resources are sought. This additional information will inform the discussion of each Draft Resolution by the Financial Committee (see para. 27 below). Once a Draft Resolution is adopted, the financial information mentioned above is removed.

## **VI. Resolutions Committee**

23. A Resolutions Committee should be established at the beginning of each Assembly session or each Executive Council session to consider Draft Resolutions as they are presented to ensure that the text of the Resolution is clear and explicit.

24. The Chairperson of the Resolutions Committee should be agreed upon, among the present delegates, by the Governing Body at the beginning of each Governing Body session.

25. The Resolutions Committee is responsible for determining whether Draft Resolutions placed before it conform to the scope mentioned in Article 5 above. If the Resolutions Committee considers it necessary, in terms of brevity, clarity and accuracy, to propose changes in a draft resolution, it should ensure that these are strictly of an editorial nature so that the substance of the original draft is maintained.

26. The Resolutions Committee has no responsibility for the substance of Draft Resolutions. Should a substantive change be considered necessary for any reason, the Draft Resolution should be referred back to the IOC Executive Secretary, with an explanatory note. To facilitate any eventual redrafting of a Draft Resolution, the originator(s) or his/her/their representative can be invited to the meeting of the Resolutions Committee at which the Draft Resolution in question is discussed.

27. The Resolutions Committee should submit, via the IOC Executive Secretary, any Draft Resolution to the Financial Committee before the Draft Resolution is considered in plenary. The Financial Committee's role is to assess the financial implications, be they explicit or implicit, of Draft Resolutions and thus their practicality. In particular the assessment should clearly identify the funds that are not committed in the current approved budget.

28. The Resolutions Committee should review Draft Resolutions in English. Following Section IV, here above, official translation should be provided if the Draft Resolution is presented in another official language of the Commission.

29. The Chairperson of the Resolutions Committee should submit a report to the Governing Body by the end of the session about the proposed Draft Resolutions and the work of the Resolutions Committee.

## **VII. Subsidiary Bodies**

30. In general, Subsidiary Bodies should follow similar procedures to those proposed above for the Governing Bodies when adopting Decisions and Recommendations.

31. In determining whether to formulate Decisions or Recommendations, Subsidiary Bodies should conform to the following general principles:

- (i) Decisions may be formulated if they are within the mandate of the Subsidiary Body, contain actions which involve only the Subsidiary Body and/or its members, and do not have direct implications for IOC, its agreed budget and programme, and membership as a whole;
- (ii) Any actions, within the mandate of a Subsidiary Body, which have budgetary implications for IOC beyond the agreed budget and programme, require actions by the Governing Bodies, or require specific action by an IOC Governing Body (e.g. changes to title or Terms of Reference) and/or require additional actions by the Secretariat beyond those already mandated under the budget and programme, shall be formulated as Recommendations to an IOC Governing Body.

32. Subsidiary Bodies should review all relevant Governing Body Resolutions still in force that refer to the Subsidiary Body at the date of their session, as well as their own Recommendations, and make recommendations for action, as required/appropriate.

33. Subsidiary bodies should not adopt decisions and recommendations that are not consistent with Resolutions of the Commission in force.

### **VIII. Publication**

34. All resolutions will be published in the official languages of the Intergovernmental Oceanographic Commission.

### **IX. Coding and citation of Resolutions**

35. Assembly Resolutions – [Number of Assembly in roman numerals]-[1,2...number of the particular Resolution]; e.g., IOC Resolution **XXIII-3** (third Resolution adopted by the IOC Assembly at its 23<sup>rd</sup> Session)

36. Executive Council Resolutions – **EC**-[Number of Executive Council in roman numerals].[1,2...number of the particular Resolution]; e.g., IOC **EC-XXXIX.2** (second Resolution adopted by the IOC Executive Council at its 39<sup>th</sup> Session)

37. Primary IOC Subsidiary Body Decisions and Recommendations – [Acronym of the Subsidiary Body]-[Number of the session in roman numerals].[1,2...number of the particular Decision]; e.g., **IODE-XVIII.1** (first Decision adopted by the IOC Committee on International Oceanographic Data and Information Exchange (IODE) at its 18<sup>th</sup> Session).

38. A standardized format for Draft Resolutions is presented in Appendix I of these guidelines.

## Appendix

### **Proposed Standardized Presentation of Draft Resolutions**

A draft resolution is composed of:

**The “author”**: The Intergovernmental Oceanographic Commission is the “author” of an Assembly Resolution. Otherwise the “author” of Resolutions is the body that adopt the resolutions; e.g. “The Executive Council”.

**A preambular part** (paragraphs start with a verb in gerund marked in bold face and end with a comma): The preambular part states the problem and briefly identifies the appropriate texts of reference (reports, past decisions/resolutions, etc.) and facts and events. While the following customary preambular terms may be used, it may be helpful to group more than one consideration under one such term (i), (ii) etc. If a report from a Subsidiary Body will require action from the Commission in the active part, it should first be acknowledged in the preambular part (for e.g. Having considered Report...).

Preambular terms: **Having considered, Acknowledging, Appreciating, Welcoming, Noting, Taking note of, Bearing in mind, Aware of, etc.**

**An active part** (paragraphs starts with an operative verb marked in bold face and end with a semi-colon). The **active** part of the Draft Resolution states precisely what the body in session resolved to do. Every effort should be made to define who or which entity will carry out the action called for. While the following customary preambular terms may be used, it may be helpful to group more than one consideration under one such term (i), (ii) etc.

Active terms: **Decides; Resolves; Accepts; Endorses; Adopts; Authorizes; Congratulates; Thanks; Supports; Urges; Requests; Invites; Encourages; Calls upon, etc.**

**DRAFT RESOLUTION** (Acronym-number of the session/**DR.**(number of agenda item)

Submitted by: (See section III of the guidelines)

**[TITLE]**

The Intergovernmental Oceanographic Commission/The Executive Council,

**Having considered**, (*comma*)

**Acknowledging**,

**Appreciating, Welcoming, Noting, Taking note of, Bearing in mind**, reports, past resolutions or any other documents...,

**Emphasizing**,

**Reiterating**,

**Reaffirming, Recalling, Recognizing, Considering**,... facts, subject,

**Accepts** Subsidiary Report xx and **decides to take action** on Recommendation ... of a Subsidiary Body as follows:

- (i) Recommendation XX-1
- (ii) Recommendation XX-2;

**Requests<sup>2</sup>, Authorizes** the IOC Executive Secretary to.....; (*semicolon*)

**Urges, Encourages, Calls upon** relevant governmental authorities in IOC Member States.....

**Invites** the Director-General of UNESCO...;

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Financial implications:

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<sup>2</sup> The word "Instruct" and similar expressions will be avoided.