



MODEL WTO

RULES OF PROCEDURE



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Declaration:

The Model WTO assumes all responsibility for any information stated in this document which might not be in accordance with current WTO procedures or information.

1. Preparation for the Conference

In order to profit from the conference and from the negotiations, every delegate is required to prepare a position paper in which they state the position of the country they will be representing during the negotiations. The 1-2-page position paper shall include the relevant data about the country as well as the main issues the delegate wants to bring to discussion during the negotiations in their committee. The position paper must be discussed with the other delegates which will be representing the same country to ensure that no contradicting arguments or points of discussion exist between the member delegates of one country. The latter job is reserved for the **Head Delegates**. It is recommended that the position paper includes:

- A brief introduction to the country and its history concerning the topic
- How the issue affects the country
- Actions taken by the government regarding the issue
- What the country would like to accomplish during the negotiations
- The most relevant issues affecting the country
- Statistics that back up the countries position on that topic (if possible)

The submission of the position paper is due on April 4th. Participants will have to submit their paper to either the organizing team or the respective chairs in the form of a **.pdf** file. Delegates are responsible for their own recollection of information before the conference, however, delegates who have not submitted their position paper in time will not be considered for the prizes awarded at the end of the conference.

It is further recommended that delegates representing the same country take up contact to allow for an easier integration and communication during the negotiation rounds.



2. Setting the Agenda

During the first Negotiation Round, the committees will have to set the agenda for the upcoming negotiations. Setting the agenda means discussing what the delegates consider to be the most relevant issues regarding the scope of their committee. The delegates will be able to rely on the Chairs' papers which will be made available on the website during the week preceding the conference. The goal of setting the agenda is to create a priority list of 4-5 issues which shall be discussed during the following days. E.g.:

- Priority 1 → Issue 1
- Priority 2 → Issue 2
- Etc.

In case of a lack of consensus between the delegates, a voting procedure can be set into motion by the chairs or upon request of one of the delegates. A two-third majority is required when voting for the agenda setting (this majority is exceptional for agenda setting only).

3. Flow of Debate

Once the Agenda has been set, the chairs can call for the start of the negotiations. Motions by the delegates to open the debate on a specific topic are required.

E.g.: *“Motion to open the debate on the issue of*”

After the recollection and acceptance of the motion(s) by the chairs, a voting procedure will take place. For any motion to be accepted, a simple majority of the votes is needed. Once the debates on a specific issue have been opened, delegates can either motion for a moderated or an unmoderated caucus. This can be done by raising their placards and waiting for the chairs to call them out. Voting on the motions in the same order as they were called out will be take place, requiring a simple majority for a motion to pass.



E.g.: *“We motion for a moderated/unmoderated caucus of 15 minutes on the topic of ...”*

To allow for a fruitful discussion and for all delegates to become acquainted with the positions of the various countries, the chairs will call for opening speeches in which each delegate must state the position of their country on the topic that is going to be discussed.

3.1. Moderated Caucus

During the moderated caucus, delegates are called out by the chairs after raising their placards, to talk about the topic that was proposed. Due to formalities, delegates should refrain from using the “I” form at any moment. Furthermore, as the time for the negotiations will be limited, when called out, delegates must try to express their thoughts or debate the issues in a concise manner. It is at discretion of the chairs to interrupt a delegate who is holding a speech which is not within the topic or is considered invaluable to the debate. During an unmoderated caucus, only one delegate is allowed to speak at a time.

3.2. Unmoderated caucus

After a few moderated caucuses, a motion for an unmoderated caucus can be raised by a delegate. The procedure for the acceptance of such a motion is the same as for a moderated caucus. During the unmoderated caucus, delegates are allowed to walk around the negotiation room and talk to other delegates about possibilities of concrete resolutions. It is recommended to write down the ideas that come up during an unmoderated caucus. Since a resolution will need full consensus, it is recommended that all the delegates work together on ideas, or that the work is split up during these types of caucuses.



The number of unmoderated caucuses that will be allowed by the chairs during the negotiations will depend on the effectiveness of the latter.

4. Writing a Resolution

The process of a resolution can be divided into 3 main phases to be considered valid: a working paper, a draft resolution and a final resolution. Each of these stages has different requirements which have to be fulfilled to pass on to the next stage.

4.1. Working Paper

The working paper represents the first gathering of ideas for the final resolution. The working paper has no formal requirements and just serves as a guidance for the delegates to remember and discuss about aspects that have already been negotiated. The next stage of the resolution will be drafted based on the working paper. This, however, does not mean that delegates are limited to the issues that are discussed in the working paper. Further elements can be added throughout the negotiations.

Committees can use the time to discuss issues while writing a working paper to negotiate with the other delegates or even across committees. **Head delegates** can also help during the negotiations especially when some aspects overlap with the scope of other committees. Overlapping issues can then be discussed by the latter during the Head Delegate meetings.

Working papers shall be submitted to the chairs for them to be able to provide reviews. It is also recommended to create an online document (such as Dropbox or Google Docs) which is shared by all the members in a committee to allow for a transparent development of the negotiations.



Since a working paper is not subject to any formal requirements, it is up to the delegates to decide on the formatting of this document. Multiple working papers can be submitted to the chairs and later merged with the consent of all delegates of the committee. However, only one draft resolution will be allowed to pass on to the voting procedure.

4.2. Draft resolution

The second step consists in a draft resolution. For a paper to be validated as a draft resolution, formal requirements must be fulfilled. A draft resolution consists of: a heading, pre-ambulatory clauses and a declaration.

The heading is simply the title of the draft resolution. The heading has to include the name of the committee as well as the date:

E.g.: *“Declaration of the Committee on ... of the 18th of April 2000”*

OR

MARRAKESH DECLARATION OF 15 APRIL 1994

The pre-ambulatory clauses serve as a declaration of intent of the parties as well as a declaration of the reasons why the parties have come to the agreement that will follow.

This section of a draft resolution may include or refer to:

- Existing WTO agreements
- Reference to specific articles
- Reference to past ministerial conferences
- General information about the importance of the resolution
- Statements made by any WTO body



E.g.:

Ministers,

Representing the 124 Governments and the European Communities participating in the Uruguay Round of Multilateral Trade Negotiations, on the occasion of the final session of the Trade Negotiations Committee at Ministerial level held at Marrakesh, Morocco from 12 to 15 April 1994,

Recalling the Ministerial Declaration adopted at Punta del Este, Uruguay on 20 September 1986 to launch the Uruguay Round of Multilateral Trade Negotiations,

Recalling the progress achieved at the Ministerial meetings held at Montreal, Canada and Brussels, Belgium in December of 1988 and 1990 respectively,

Noting that the negotiations were substantially concluded on 15 December 1993,

Determined to build upon the success of the Uruguay Round through the participation of their economies in the world trading system, based upon open, market-oriented policies and the commitments set out in the Uruguay Round Agreements and Decisions,

Have today *adopted* the following:

Image 1: Marrakesh declaration of the 15th of April 1994 (Retrieved from the WTO Official Website)

The pre-ambulatory clauses shall be formulated as one sentence and using commas to separate the single parts which must start with words used for the same purposes in past agreements. We urge the participants to have a look at past declarations and resolutions of the WTO to refer to these words.

The declaration of the draft resolution forms the most substantial part of the document. Within this section the actual actions that the committee decided upon must be stated. This part of the document can include: amendments to existing articles, the creation of working groups for specific purposes, the creation or expansion of new committees (the tasks of the these would then have to be stated), the elimination of articles, encouragements to member states, etc.



E.g.:

Decides as follows:

1. Members note the Ministerial Decision of 7 December 2013 (WT/MIN(13)/38 and WT/L/913) and reaffirm the General Council Decision of 27 November 2014 (WT/L/939).
2. Members shall engage constructively to negotiate and make all concerted efforts to agree and adopt a permanent solution on the issue of public stockholding for food security purposes. In order to achieve such permanent solution, the negotiations on this subject shall be held in the Committee on Agriculture in Special Session ("CoA SS"), in dedicated sessions and in an accelerated time-frame, distinct from the agriculture negotiations under the Doha Development Agenda ("DDA").
3. The General Council shall regularly review the progress.

Image 2: Ministerial Decision of the 19th of December 2015

Only once all formal requirements are met and the paper has been checked by the chairs, will the document be considered a draft resolution. Furthermore, the draft resolution is not considered to be the final document which will be put to vote, as amending this document is still possible during the next part of the negotiations.

4.3. Final resolution

Before concluding negotiations, all points on the agenda (if possible) must have been discussed and included in the draft resolution. Once the chairs have given green light on a draft resolution the amending procedure may start. At that moment, any changes to the draft resolution can be proposed. A full consensus within the committee is needed for an amendment to be valid and to be integrated into the final resolution paper.

It is recommended that delegates also check the wording of the declaration as (in a real case scenario) once the resolution is passed by the committee, it becomes binding for all the member states which have participated. Small changes in the wording, can therefore allow for more or less mobility within the scope of an agreement.



When all amendments have been made to the draft resolution, the paper is submitted once again to the chairs for a final check and the committee may move into the final voting procedure.

5. Closing the Debate

When coming to the end of a day or to lunch time, the debate must be adjourned to either the next day or the next session. To do this any delegate in a committee may introduce a motion to close the debate for the day or to adjourn the negotiations for after lunch break.

E.g.: *“Motion to adjourn/postpone the meeting for tomorrow”*

or

“Motion to Adjourn the negotiations for after the lunch break”

In the same way, once the first issue on the agenda has been concluded or the topic has been exhausted, a motion to move on to close and conclude the current topic as well as to open the debate for the next agenda item is required.

E.g.: *“Motion to close the debate on this issue of and open the debate for the next element on the agenda”*

The same procedure is needed for the opening of the negotiations in the mornings or after a lunch break.



6. Voting Procedure

The final step of the negotiations consists in voting on the acceptance of the final resolution. Two main voting rounds will take place during the conference. The first voting round is internal to each committee. For substantial votes, such as passing resolutions or amendments, a full consensus is needed. The first voting must be completed before the last negotiation round in St. Gallen.

The final resolutions of each of the committees will then be presented at the second voting round at the WTO headquarters in Geneva. All delegations will be present and vote on the acceptance of the resolution. The resolution will need full consensus to pass.