



ALL INDIA POLITICAL PARTIES MEET

JMUN

2025

BACKGROUND GUIDE



Agenda: Reviewing Article 19-IA of the Indian Constitution and the Effect of UAPA on Free Speech



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MESSAGE FROM THE BUREAU

Dear Delegates,

Welcome to the All India Political Party Meet! We are pleased to host the AIPPM this year at GWHJMUN 2025. The executive board of the committee consists of, Head-Chair Yajwin Krishna, Vice-Chair Shriya Ramakrishna, and Moderator Parth Bakshi.

The entire executive board has gained an immense amount of experience from past MUNs. We look forward to seeing how delegates can uniquely approach the agenda, tackling a problem which has not been addressed properly before, the effects of the UAPA on free speech.

In today's deeply polarised society, there is always a question of where free speech is acceptable. The UAPA is something that puts a cap on every citizen's fundamental right and of late there has been immense misuse of it. We look forward to seeing a fruitful debate over the two days.

This committee can truly be how most of you will start to build an intrinsic interest in Indian committees much like we did. There are only 3 things we would tell you to do to be prepared for the committee, research, research and research. Know the agenda well and give it your best!

In conclusion, the executive board hopes that the committee is filled with active debate and every delegate participates. We promise to deliver phenomenal committee sessions this year. We sincerely hope that this JMUN will be a huge milestone in your MUN journey.

Sincerely,
The Bureau of All India Political Party Meet

Head Chair: Yajwin Krishna
Vice Chair: Shriya R. Ramakrishna
Moderator: Parth Bakshi



HOW TO USE THIS BACKGROUND GUIDE

The Background Guide is to help set the context for the debate and discussions that the Executive Board would be in committee. Use the background guide as your first step in researching your political figures' stance/policy, and agenda.

Highlight phrases, definitions, or terms that you think might be useful in your research. This background guide is merely the foundation: it is up to each delegate to develop their understanding of the topic and go above and beyond in their research. These highlighted phrases may be things that you'd like to explore further or research independently

WHAT IS THE AIPPM?

AIPPM or the All India Political Party Meet is a specialised committee in the UNA USA format of Model United Nations. Its main purpose is to discuss an agenda relevant to the nation of India, either internally or at an international level with a focus on India.

In the AIPPM the delegates are given roles of important political figures in the nation from the relevant period and they are expected to bring alongside the political figures' perspective to the committee trying to come to a reasonable and diplomatic solution to the problems posed in the agenda.

Often AIPPMs are the loudest committees with a lot of slogans or “naara-bazzi” and quite a bit of drama. There are multiple controversial statements made in the AIPPM, very much replicating what it would be like in any sitting of a parliament session.



DECODING THE AGENDA

Reviewing Article 19 1 (a) of the Indian constitution and the effect of UAPA on free speech

Article 19 1 (a) of the Indian constitution guarantees freedom of speech to every single citizen of India. There are multiple articles and clauses in the Indian constitution which have put more context to what shall be considered “free speech” and what poses a threat to the nation of India or the constitutional rights of any individual.

UAPA or the Unlawful Activities Prevention Act is an Indian legislation passed in 1967 that looks to condemn acts that target the sovereignty of India. This act allows the government to take actions against individuals and organisations which cause a threat to the sovereignty of India. The vague definitions of what can be classified as “threatening the sovereignty” have caused multiple governments to misuse this and in recent years people who have been booked under the UAPA have only increased.

Free speech is at great risk because of the UAPA. Although the intentions behind UAPA were to keep the nation safe, the vague legislation and lack of specifications have caused it to be a law which is misused in abundance. There is an urgent need for revisiting this legislation and making edits to it, to keep intact the fundamental rights of every Indian citizen.



AGENDA KEY TERMS

Freedom of Speech and Expression

Freedom of Expression : An individual's right to portray their own personal thoughts, opinions and ideas in any form of their choosing, be it art, literature, media etc.

Article 19, 1(a) : This article of the Indian constitution grants any Indian citizen the right to freedom of speech and freedom of expression.

Sedition : Actions, speech or expression that promote rebellion and/or violin against the government.

Fundamental Rights : Rights that have been guaranteed by the Indian Constitution. This includes freedom of speech and expression.

Hate Speech : Speech that encourages violence, hatred or discrimination against a group or an individual based on their identity (including; caste, creed or ancestry).

Reasonable Restrictions : Limits that are imposed on the said fundamental rights to maintain public order and/or national security.

Censorship : The act of suppressing or prohibiting ideas, information, speech or expression.

Dissent : The act of expressing disagreement towards or opposing a government's law, policy or specific action.

Surveillance : Monitoring a certain group/individual's activities often in the interest of national security or for law enforcement purposes.

Defamation : False statements or accusations that harm a group/individual's reputations.



AGENDA KEY TERMS

UAPA Specific Terms and Definitions

UAPA : Unlawful Activities Prevention Act, used to prevent and hold accountable unlawful activities.

Unlawful Activities : Actions deemed illegal or unlawful that threaten national security or the sovereignty of a nation.

Unlawful Association : A group or organization that has been deemed unlawful under the UAPA.

Scheduled Offenses : Crimes that have been listed under the UAPA as unlawful (ex : terrorism).

Terrorism : An act/acts of violence or intimidation used to achieve political, ideological, religious or personal goals.

Terrorist Organizations : A group or organization that is designated and recognized as a terrorist organization under the UAPA.

Designated Authority : The agency or official who is responsible for making sure the UAPA is enforced.

Legislative Terms

Parliament : The legislative body that is responsible for enacting and implementing laws such as the UAPA.

Supreme Court : The highest judicial body and is responsible for implementing the Constitution as well as laws.

Public Interest Litigation (PIL) : A legal tool that allows citizens to approach the court for the enforcement of their fundamental rights.



AGENDA KEY TERMS

Judicial Activism : The judiciary's role in shaping the nation using laws and policies.

Constitutional Amendments : Changes that have been made to the Constitution, and it can be removed or additions to it.



INTRODUCTION TO FREE SPEECH

Originating from India's freedom struggle and fueled by the ideas of the west, the movement for the freedom of speech was shaped and supported by our freedom fighters Mahatma Gandhi, B.R. Ambedkar and Jawaharlal Nehru. They actively championed the idea of free speech and expression which eventually led to it gaining traction before and during the creation of the Indian Constitution.

Free speech is an individual's fundamental right to express their thoughts, ideas and opinions without the fear of negative or legal consequences. To implement freedom of speech, Article 19 1(a) had been written into the Indian Constitution.

This has a few key aspects to it; firstly, citizens have the right to express their opinions on a multitude of issues including the country's economy, politics and of course social issues. Secondly, a citizen is allowed to criticize the government and its policies openly and honestly without needing to fear its consequences. Thirdly, the press has the right to publish their own opinions with bias along with the news without censorship. And lastly, the public has a right to know and receive information if pertaining directly to the general public (with security limitations) and this right is protected under the Right to Information Act of 2005.

Even though free speech is a fundamental right and from an external perspective, doesn't appear to be restricted in any major way, there are multiple restrictions to free speech that have been imposed by Article 19 (2).

Article 19 (2) of the Indian Constitution states that, the government is allowed to impose reasonable restrictions on the freedom of speech and expression. These reasonable restrictions would be implemented if pertaining to;

1. Protecting and maintaining national security.
2. Ensuring public order and general safety.
3. Protecting an individual or organization's decency.



INTRODUCTION TO FREE SPEECH

4. Preventing incitement of violence or hatred.
5. Preventing defamation.
6. Restrictions on speech that promotes a rebellion against the government/state.
7. If against the public's morals.

Challenges regarding free speech

There are many challenges pertaining to free speech, firstly, online content restriction. The government of India has blocked certain social media platforms, content and also websites, as their content is seen as threatening or insulting. An example of this is the blocking of "The Wire", a news portal said to have published fake news as well as "TikTok".

Secondly, book bans. Certain books that have been penalized for their inappropriate or inflammatory content have been banned in India, an example of this would be "Lajja" by Taslima Nasrin and "Nine Hours to Rama" by Stanley Wolpert.

Furthermore, restrictions on free speech also include sedition laws that have been used to eliminate negative sentiments about the government and reduce their opposition as well as restrictions on protests. These protest restrictions have been implemented to protect public health and safety.

Free speech is a fundamental right, yes, but these examples show that even an undeniably important one such as this has its own major restrictions and challenges.



INTRODUCTION TO ARTICLE 19 1(A)

Article 19 1(a) of the Indian Constitution states that "All citizens shall have the right to freedom of speech and expression". This article cements a fundamental right that each and every citizen has regarding the freedom to express their personal thoughts and opinions.

Freedom of speech and expression applies to many different fields, verbal speech, writing, social media, television etc. It is the most essential right pertaining to building a democratic society as it allows citizens to be a part of bigger agendas and plans.

However, even with the freedom of speech and expression there are many reasonable restrictions imposed on this as mentioned in the Introduction to Free Speech. These reasonable restrictions are imposed and outlined by Article 19 (2) of the Indian Constitution.

The reasonable restrictions from Article 19 (2) are :

1. Sovereignty and integrity of India
2. Security of the State
3. Friendly relations with Foreign States
4. Public order
5. Decency or morality
6. Contempt of court
7. Defamation
8. Incitement to an offence

Article 19 1(a) has a major role in politics and society in general as it promotes transparency, encourages progress and empowers citizens as well as activists to participate in directing the country in the right direction.



CASE STUDIES

Case Study 1: The Bhima Koregaon Case

Sequence of Events:

Marking the beginning of the Bhima Koregaon case, on December 28th of 2017, a shrine at Vadhu Budruk village near Bhima-Koregaon had been desecrated. This shrine was home to a Dalit icon, Govind Gaikwad which catapulted the situation further.

To commemorate the Battle of Bhima-Koregaon many years ago, the Elgaar Parishad event was planned and after the desecration of the shrine, the Hindutva groups implemented a bandh against the Dalits on December 29th, 2017. This was implemented because the Hindutva groups interpreted the event as an attempt to challenge their power and authority therefore they responded to it with the bandh.

On December 31st, the Elgaar Parishad event was organized by ex-justices B.G. Kolse Patil and P.B. Sawant was held in Pune with thousands of people attending it. Just the next day, January 1st 2018, these tens of thousands of Dalits visited Bhima-Koregaon to pay tribute to the Mahar soldiers as it was the 200th anniversary of their memorial. The mixing of Hindutva groups, these Dalits and their strained relationship all resulted in a show of violence where an individual was killed.

On June 8th of the same year, police arrested multiple suspects. These 5 consisted of; Surendra Gadling, Sudhir Dhawale, Rona Wilson, Mahesh Raut and Shoma Sen under the Unlawful Activities Prevention Act (UAPA). Furthermore, on August 28th. 2018, multiple raids were conducted by the Maharashtra police at the homes of Sudha Bharadwaj, Gautam Navlakha, Arun Ferreira, Vernon Gonsalves, and Varavara Rao.



CASE STUDIES

The Misuse of the UAPA and Authority:

This case reflects the misuse of authority in several different ways. Firstly, the arbitrary arrests of Surendra Gadling, Sudhir Dhawale, Rona Wilson, Mahesh Raut and Shoma Sen without a sufficient amount of evidence was a gross misuse of the UAPA, this is because, the arrests of these activists were made under the UAPA without trial or a proper search for evidence. Supporting this, many of these arrested activists were held in police custody for an unreasonable and extended period of time without trial.

Secondly, disproportionate punishment. The UAPA clearly states that detention without bail is permitted for a maximum of 180 days. Since these accusations and alleged wrongdoings had not been investigated in depth, the holding period of 180 days seemed to be extensive and disproportionate towards the individuals.

A lack of transparency added to the concerns of the public as throughout this case, there was a massive lack of transparency towards the public and the accused. This made it much harder for the accused to defend themselves and fight for their innocence.

Lastly, the fabrication of evidence played a massive role in this case and it very obviously demonstrates the misuse of authority and force during the holding period after the arrest. When the arrested individuals' online movement had been forensically investigated, it revealed that a malware program had been planted onto Rona Wilson's hard drive. This malware consisted of incriminating evidence on Rona Wilson and it complicated the case further. This malware was traced back to its source and it was revealed that a company named NetWire seemed to have planted it. NetWire was known to be one of the tech companies that the government and law enforcement agencies used frequently which contaminated the case.



CASE STUDIES

When investigated further, law enforcement came to discover that similar malware and fabricated documents were planted on the other accused's computers including Stam Swamy's.

Based on perspective and bias this CAN SUGGEST that the UAPA was misused to arrest these individuals and that the law was abused to silence strong dissenting activist voices.

The Restrictions on Free Speech:

With relation to this issue, there are multiple serious free speech restrictions and implications that serve as an example of the challenges free speech faces in real scenarios.

The arrest and holding of the accused for long time periods without bail majorly restricted their abilities to defend their rights and their innocence.

Furthermore, the police raids that were conducted on the accused gave law enforcement the authority to seize documents, electronic devices and books. The reports of public surveillance around the same time also furthered the public's fear in expressing themselves freely.

This case and the treatment of the accused created a chilling effect on free speech in the country, many individuals and organizations started self censoring themselves out of fear of being targeted and shut down by the government. This case fostered and spread an environment of fear and uncertainty which greatly restricted the abilities of individuals and organizations to express themselves freely.

This case carries on till this day and can be used as an apt example of the flaws in the UAPA and how it can be misused by authorities.



CASE STUDIES

Case Study 2: Umar Khalid

Sequence of Events:

Being the son of well known scholar and activist Syed Qasim Rasool Ilyas as well as a masters and Ph.D holder in topics related to Indian politics, Umar Khalid became a passionate member of the protests against the Citizenship Amendment Act (CAA) as well as the National Register of Citizens (NRC).

In February of 2020, Umar Khalid (32) delivered a speech at Amar Jawan Jyoti in Delhi's Shaheen Bagh area where protests against the CAA and NRC were taking place. Between February and March of the same year, riots and angry protests had started taking place around Northeast Delhi which resulted in very violent casualties and losses of life. The next month, in April of 2020, the Delhi Police began investigating Khalid's role in the protests and also alleged that his speech was the sole instigator of the violence. In July of 2020, Khalid had to submit to questioning to the Delhi Police. September 13th of 2020, Umar Khalid was arrested by the Delhi Police under multiple sections of the Indian Penal Code (IPC) as well as the UAPA. Since September 13th of 2020 till the present day, Khalid has been incarcerated in his arrest with his attempts to plea for bail have been ignored and turned down.

This case has sparked a fiery and never ending debate on the abuse of the UAPA to silence dissenting voices such as Umar Khalid's. Many believe that the government silenced Umar Khalid using the vagueness of the UAPA's provisions. His case shines light on the broad terms in the UAPA and the risk of arbitrary application.

Umar Khalid's arrest has also created somewhat of a chilling effect amongst other activists but contradicting this, many of the most passionate and vocal activists have started being even louder with their thoughts and expressions.



CASE STUDIES

Umar Khalid being an intelligent scholar also serves as an example to other scholars planning to pursue a field similar to his (related to politics and opinions), they will be afraid to express their thoughts and ideas to the general public because the question of “what if?” will always be present. This also contributes to the aspect of silencing dissenting voices as the fear now instilled in the scholars and activists will make sure that opinions that go against the government are less likely to be verbalized.

This case continues on as Umar Khalid is still incarcerated to this day. It is a prime example of how the UAPA may have been misused to silent an activist voice and to stop/reduce protesting against the government and their decisions.



UNLAWFUL ACTIVITIES (PREVENTION) ACT (UAPA)

The Unlawful Activities (Prevention) Act, commonly referred to as UAPA, is a significant piece of anti-terrorism legislation in India. Enacted in 1967, it was designed to address secessionist movements and activities that threaten the sovereignty and integrity of the nation. The Act has undergone several amendments, with the most recent occurring in 2019, which expanded its scope and provisions significantly.

Key Features of UAPA

1. Definition of Unlawful Activities:

- UAPA defines unlawful activities as actions that support or incite the cession or secession of any part of India, or that challenge its sovereignty and territorial integrity.

2. Powers Granted:

- The Act empowers the National Investigation Agency (NIA) to investigate and prosecute cases under its provisions across India.
- It allows for the designation of individuals and organisations as terrorists, facilitating arrest and detention without trial for up to 180 days

3. Punishments:

- UAPA prescribes severe penalties for terrorist acts, including life imprisonment and the death penalty for the most serious offenses.

4. Amendments:

- The 2019 amendment introduced provisions related to terrorist financing, and cyber-terrorism, and allowed the government to designate individuals as terrorists based on legal procedures.

5. Special Courts:

- The Act provides for the establishment of special courts to expedite trials related to terrorism, ensuring that cases are handled efficiently.



UNLAWFUL ACTIVITIES (PREVENTION) ACT (UAPA)

Critics' Concerns:

- Misuse of Power: Critics argue that UAPA has been misused by authorities to suppress dissent and target activists, often without sufficient evidence.
- Lack of Due Process: The provisions allowing for prolonged detention without trial raise concerns about violations of fundamental rights and due process.
- Ambiguity in Definitions: The broad definitions of unlawful activities can lead to arbitrary interpretations, potentially infringing on civil liberties.

The Unlawful Activities (Prevention) Act plays a critical role in India's counter-terrorism framework. While it aims to protect national security and integrity, its implementation raises important questions about civil rights and the potential for misuse. Understanding both its provisions and criticisms is essential for comprehending its impact on Indian society and governance.

Impact on Article 19(1)(a)

- Broad Powers: The UAPA grants extensive powers to the government to classify individuals and organizations as terrorists. This classification can occur without a formal trial or investigation, undermining due process rights and potentially criminalizing dissenting opinions.
- Criminalization of Dissent: The Act is often criticized for being used as a tool to suppress dissent. The government can label political opposition as unlawful activities, which directly violate the spirit of Article 19(1)(a) by stifling free expression and debate. Critics argue that this creates a chilling effect on free speech, as individuals may fear repercussions for expressing dissenting views.
- Vague Definitions: The UAPA's vague definitions of "unlawful activities" allow for arbitrary enforcement. This lack of clarity can lead to the suppression of legitimate political discourse under the guise of national security.



UNLAWFUL ACTIVITIES (PREVENTION) ACT (UAPA)

- Judicial Scrutiny: While the Supreme Court has previously intervened to protect rights under Article 19(1)(a), such as ruling that mere membership in a banned organization does not constitute a crime unless accompanied by violent actions, the increasing use of UAPA raises concerns about its potential misuse against free speech.





RULES OF PROCEDURE

The RoP for this committee shall be the same as any conventional UN committee, with certain deviations from the same which we shall elaborate on below. The RoP followed is similar to the UNA for USA procedure prevalently followed in the Indian Model UN circuit.

The procedure is as follows:

Roll Call: The committee will begin with a roll call, which is similar to attendance being taken. A roll call is taken to establish a quorum (minimum number of members required to begin a session) for the committee. The quorum for the ACD shall be 1/3rd of the total strength.

Setting the Agenda: This is the first step to starting the discussion in the committee – setting the agenda before opening the debate session. It mostly takes place if there are 2 or more agendas to be discussed in the committee. In case the committee has only one agenda to discuss, the agenda is adopted automatically without any motion, which is the case at this MUN.

RULES GOVERNING DEBATE:

Motions: Various motions can be raised at the MUN Conference to formally regulate the debate and systematically keep the flow of debate.

MOTION EXPLANATION AND PURPOSE:

- **Motion to Open Debate:** This is the first motion of the session to start the formal proceedings of the committee. This motion is generally passed at the discretion of the Dias Members or the Chairperson.
- **Motion to Set Agenda:** This motion is raised to set the agenda to be discussed in the committee. This is raised in a situation when the committee is dealing with two or more agendas. If there is only one agenda, it is automatically adopted by the committee.
- **Motion to Open General Speakers' List:** This is the first step to establish the Formal Debate on the agenda which has been set up for the committee. This list is non-exhaustible and closes after the closing procedure of the committee.



RULES OF PROCEDURE

- Motion to begin Moderated Caucus: This motion is raised to focus the discussion on a specific topic within the mandate of the agenda. The purpose of this motion is to discuss various important aspects of the agenda in detail.
- Motion to begin Unmoderated Caucus: This is a form of informal debate which is not moderated by the Dias Members. In this type of debate, there are no formal proceedings that are followed. It is raised for a particular amount of time.
- Motion to begin Voting Procedures: After the amendments are discussed and voted on, the resolution is put to a vote. The Member States who voted 'Present and Voting' during the roll call may vote YES or NO on the resolution. The member states who voted 'Present' may ABSTAIN from voting on the resolution. The Observer Nations do not get voting rights on the resolution.
- Motion to Adjourn the Session: This motion is raised at the end of the committee session to adjourn the session until the next meeting. It is passed on a simple majority or at the discretion of the Chairperson.
- Motion to Close Debate: This motion is raised when the committee is over with the debating session and moves into the voting procedure for the Draft Resolution.
- Motion to Suspend Debate Session: This motion is raised to postpone all the committee proceedings for the rest of the committee sessions. It is usually raised at the end of the conference.

GENERAL SPEAKERS LIST (GSL):

The General Speakers List is opened following a motion raised by a delegate and the subsequent approval of the Chair.

The Chair then recognizes a list of speakers who wish to speak in the GSL and will have to sum up their country's stance on the agenda briefly.



RULES OF PROCEDURE

The default individual speaker's time is set at 90 seconds, which may be altered by raising a motion to alter the time. If the delegate has not used all the time that has been allotted, the delegate may yield the remaining time to comments, and questions, to another delegate or the Chair.

1. The delegate is not allowed to respond in retaliation to the comments made in his/ her speech. Yield to questions allows any member of the committee to ask questions on the speech made by the delegate to which the delegate would be allowed to answer. Follow-up questions will be allowed only at the discretion of the Dais.
2. Yield to another delegate allows another delegate to use the remaining time. This time can be used by the other delegate to reinforce the points made by the previous delegate.
3. Yield to the Chair simply means that the Chair would absorb the remaining time.

MODERATED CAUCUS:

A Moderated Caucus is a debate format where delegates make short speeches on specific topics. These specific topics are sub-agendas to the main agenda set by the committee. Delegates raise a motion to start a Moderated Caucus for a specific time period after which the Chair would recognize speakers to speak in the Caucus.

UNMODERATED CAUCUS:

An Unmoderated Caucus, as the name suggests, is not moderated by the Dais. Rules of the formal debate are suspended and delegates are allowed to freely converse with other members of the committee. This time period is used by the delegates to lobby amongst the committee members. An Unmoderated Caucus is also used by delegates to work on working papers and Draft Resolutions.



RULES OF PROCEDURE

TIME LIMIT ON SPEECHES:

All GSL speeches are by default set at 90 seconds but can be changed if required. Moderated caucuses are raised by delegates and it is, therefore, their duty to set the duration of the moderated caucus and the time allotted per speaker. When a Delegate exceeds the allotted time, the Dais may call the speaker to order.

POINTS:

Points are tools that can be used by delegates to increase their understanding of the happenings of the committee.

POINT OF PERSONAL PRIVILEGE:

This point is raised only when a delegate feels personal discomfort.

Subsequently, the Chair will do everything in his power to address the discomfort.

POINT OF ORDER (2 TYPES):

1. Factual Inaccuracy: If the speaker makes a factually incorrect statement.
2. Logical Fallacy: If the speaker makes a logically fallacious statement. For these conferences, we will strictly not be entertaining a logical fallacy on any statement.

POINT OF INFORMATION:

This point is raised by delegates when they have a question about the delegate's speech.

POINT OF PARLIAMENTARY INQUIRY:

This point is raised when a delegate has a question regarding the proceedings of the committee such as a question regarding who the next speaker on the list is or inquiring about how much time is left for the caucus to end.



RULES OF PROCEDURE

RULES GOVERNING VOTING

ATTENDANCE VOTING/ROLL CALL

Attendance shall be conducted at the beginning of every session when a delegate raises a motion to Roll Call after which every delegate in the committee must vote either "Present" or "Present and Voting".

1. Present And Voting: The delegate is not entitled to abstention on substantive votes.
2. Present: A Delegate that is declared "Present" shall vote in favor, against, or may abstain on any substantive matter.

PROCEDURAL VOTING

All delegates have one vote on a procedural motion. It is mandatory to vote on all procedural motions and abstentions are not allowed. Votes on procedural matters are expressed by simply raising their placards. A simple majority is required for a procedural motion to pass.

SUBSTANTIVE VOTING

Votes that have the potential for action outside the debate, such as a vote on Draft Resolutions, amendments, or motions that modify resolution content. All delegates have one vote and members may either vote Yes, No, or Abstain. Member States that have been declared as "Present and Voting" do not have the option to Abstain.

DRAFT RESOLUTIONS

A draft resolution is a document that contains all the issues that the committee wants to solve and the proposed solutions to those issues. It is the final culmination of the debate at the conference. It's usually completed and voted upon during the last day of the conference.



RULES OF PROCEDURE

For each draft resolution, there are sponsors and signatories

1. Sponsors - The delegates who have made a majority of the draft resolution and lead their group/bloc
2. Signatory - The delegates who are interested in seeing the draft resolution be tabled in the committee. Note: A delegate from a bloc can be a signatory of a resolution of another bloc. 2/3rd of a committee need to be signatories of a resolution for it to be displayed in committee

Clauses

There are two types of clauses in a draft resolution:

1. Pre-ambulatory Clauses - state all the issues that the committee wants to resolve on this issue. It may state reasons why the committee is working on this issue and highlight previous international actions on the issue.
2. Operative Clauses - state the solutions that the bloc of the resolution proposes to resolve the issue. The operative clauses should address the issues specified in the pre-ambulatory clauses.

For voting on a draft resolution, a “motion to table resolution [name of the resolution]” is raised. Once this motion passes, the sponsors will come up to the front and present the draft resolution. Following this, there may be points of information asked to the sponsors which they need to answer.

Amendments

Following this, there are amendments to the resolution. An amendment is a statement that adds, deletes or changes an operative clause in a draft resolution. A delegate that raises an amendment needs to specify the type of amendment and what the amendment is by pointing out the precise article they want to amend. There are two types of amendments:

1. Friendly Amendment - the sponsors agree with the amendment and the change is made
2. Unfriendly Amendment - the sponsors disagree with the amendment. These amendments need to be voted upon in committee and there needs to be a 2/3rd majority for an unfriendly amendment to pass.

Note: If 2/3rds of a resolution has been amended, then the resolution will be scrapped entirely.



RULES OF PROCEDURE

A sample draft resolution and the conventions for the format have been listed at the end of this document.





QARMA (QUESTIONS A RESOLUTION MUST ANSWER)

QARMA is an acronym that states the questions a resolution must answer. It is the framework used to structure and create solutions pertaining to the given issue. This acronym helps delegates ensure that their resolutions are detailed and also contain everything to possibly implement it in real life scenarios.

1. Quantity of resources or aid required to address the issue.
2. Urgency of the situation and expresses the level of priority of the issue.
3. Action that needs to be taken to solve the problem.
4. Method/Procedure used to implement the solution to the issue
5. Accountability/Credit for the results of the solution whether it is a success or a failure.
6. Responsibilities that need to be taken on by countries or organizations.

Questions the resolution must answer include but are not limited to :

- How will the implementation of the UAPA be changed so that it does not contradict or restrict Article 19 1(a), free speech?
- What measures will be taken to make sure that the rights of individuals and organizations charged under the UAPA will be kept protected?
- What actions will be taken to protect free speech along with properly implementing the UAPA?
- What actions will be taken to ensure transparency and accountability in the implementation of the UAPA?
- What is your proposed timeline for the implementation of the changes in the UAPA or its usage?
- In which ways will progress be tracked and evaluated to ensure that these reforms are effective and are actually being used.



REFERENCE LINKS

Sample Resolution:

<https://docs.google.com/document/d/1cb42Yxeu3D64EEHqnJx7srMaEVu3Y1DpHZnWYo0bMtA/edit?usp=sharing>

Links for Further Research:

<https://lawandotherthings.com/explainer-constitutional-challenges-to-uapa/>

<https://blog.ipleaders.in/unlawful-activities-prevention-act-uapa-1967/>

<https://www.scobserver.in/cases/sajal-awasthi-union-of-india-constitutionality-of-uapa-amendment-case-background/>

<https://blog.ipleaders.in/constitutionality-of-the-uapa-with-regard-to-the-right-to-protest/>

<https://indianexpress.com/article/india/mere-membership-of-unlawful-outfit-is-uapa-offence-sc-reverses-past-orders-8517667/>

<https://www.scobserver.in/cases/sajal-awasthi-union-of-india-constitutionality-of-uapa-amendment-case-background/>

Any other government websites which talk more in-depth about the legislations and comments made by reputed lawyers and organizations which don't take a partisan approach to this topic can be referred to for further research.