

# Baker McKenzie State Party Negotiation Competition 2021

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# About the competition.

- Teams of two assume the role of a permanent five member of the United Nations Security Council and attempt to negotiate the text of a draft resolution.
- The draft resolution is directed towards a crisis in international law.
- Each state must endeavour to shape the draft resolution in a manner which best reflects its interests.
- The problem will consist of a factual scenario and a draft resolution.
- Competitors must negotiate with the other members regarding amendments they wish to make to the proposed resolutions.

# A bit of background...

- The UN Security Council has primary responsibility for the maintenance of international peace and security.
- The Security Council consists of 15 members: 5 permanent (China, France, Russia, United Kingdom and United States – the P5) and 10 non-permanent members.
- The UN Charter obliges all UN member states to comply with the decisions of the Security Council.
- The Security Council is responsible for determining the existence of threats to international peace. It may respond by calling upon the parties to settle peacefully or resort to imposing sanctions or even authorise the use of force to maintain or restore international peace and security.

# Security Council Resolutions

- One way in which the Security Council expresses its opinion on a particular issue is through the passage of resolutions.
- A member of the Security Council, typically a member of the P5, drafts a resolution which it then brings to the Security Council so that it may be debated and ultimately voted upon.
- A Security Council resolution must achieve the support of 9 out of the 15 members of the Security Council, including all members of the P5.

# The role of the permanent five

- The permanent 5 (P5) members of the Security Council are China, France, Russia, United Kingdom and United States
- Each member state has the power to veto resolutions.
- As such, the P5 must agree to a text of a draft resolution in order for it to become a resolution that binds member states.
- This means that the P5 will sometimes meet to discuss the wording of draft resolutions without the involvement of the non-permanent members to ensure that when the draft resolution is introduced to the entire Security Council, it is more likely to pass.
- The competition is intended to simulate this situation.

# Why should I sign up?

- Only TWO rounds before the Grand Final!
- Same problem every round, but the P5 member you represent will change.
- No prior legal knowledge and no negotiations experience required.
- Little preparation required. You will need to do some research on your state's policies or attitudes towards the subject matter of the draft resolution.
- Only using one problem means that you will get more value for your research; round two will be even quicker than round one.
- The only competition where you are up against contrasting 'interests' that you are negotiating between.

# Preparing for the competition.

- The problem and the P5 member that you are representing will be released three days before your competition at 6.30pm.
- You will then have 48 hours to write a 1 page (single side) memorandum outlining your nation's position on each of the clauses contained within the draft resolution.
- An example of this will be posted on the facebook group.
- This must be sent to [statepartynegotiation@mulss.com](mailto:statepartynegotiation@mulss.com) **no later** than 6.30 pm the day before you are due to compete.
- Failure to submit a memorandum on time will result in a penalty. 5 out of the 50 points up for grabs are awarded for the memorandum.
- These memoranda will be distributed to each of the state parties 30 minutes prior to the beginning of the competition.

# Tips

- Don't be too overambitious – Small changes can have a big impact.
- Focus on the words. You don't have time to change entire provisions.
- Focus on interpreting the words in a way that suits your country's interests. It is most effective if you can do this by changing only a few words at a time.
- Try and build coalitions – Five parties with their own interests negotiating simultaneously gives you the opportunity to forge alliances in order to get the best outcome for your nation.
- Be diplomatic. Show respect – the Security Council is a forum in which countries with diverse interests can debate and settle their differences without resorting to violence. Be respectful of that process.
- You will lose points for inciting the beginning of WWII.



# Team requirements

- You will compete in partners.
- Remember, neither of you need to have negotiations experience to do well!
- You'll find that you pick up what to do very quickly.

# Timeline

- Sign-ups open tonight at 5pm.
  - Link will be posted on the facebook page.
- You will be advised as to whether you have a place in the competition by Saturday evening (at the latest).
- Each competition runs for approximately 2 hours.
- **Round 1** - Tuesday 3rd August and Wednesday 4th August.
  - Tuesday night competitors shall receive the problem on Saturday night.
  - Wednesday night competitors shall receive the problem on Sunday night.
- **Round 2** - Tuesday 17th and Wednesday 18th August.
- **Grand Final** - Wednesday 1st September.

# Online?

- As yet, it is unclear whether the competition will be held online or in person.
- The format of the competition will be almost identical depending on the format. We will either be over zoom or in a conference room at the University.
- If we are in person, the Grand Final may be held at the office of Baker McKenzie.
- Specific instructions as to the way this will work shall be communicated to you alongside the problem.
- As mentioned, the problem will NOT be about coronavirus.
- HOWEVER, this problem is about a current world issue so it may be relevant to mention it.

# A Slight Clash

- If you wish to compete in **State Party Negotiations and Women's Moot**: Sign-up for Tuesday night State Party rounds.
- If you wish to compete in **State Party Negotiations and the International Humanitarian Law Moot**: Sign-up for Wednesday night State Party rounds.
- Be aware of any clash you may have with finals from semester 1.

*For second and  
third+ years...*

Still looking for deputy chairpeople!

- If you would like to get involved as a deputy chairperson, please fill in the google doc here - <https://forms.gle/xeGVPv4pkh5BV83i8>

I have also posted this link on your JD page.

# Questions?

Please feel free to get in touch by sending an email to [statepartynegotiation@mulss.com](mailto:statepartynegotiation@mulss.com)