

ARTICLE 30

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TEXT OF ARTICLE 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

INTRODUCTORY NOTE

1. During the period under review the Security Council has not adopted new rules nor amended the existing provisional rules of procedure.

2. Under the heading "Essential features of the provisional rules of procedure" examples of certain aspects of the Council's practice in the application of its rules which might be thought of as having some constitutional importance have been selected for treatment. As in the Repertory, the present study does not cover practice regarded as involving normal application of the Council's provisional rules of procedure. Some of the Council's rules have been dealt with under other Articles of the Charter — for example, rules 1-5 under Article 28, rules 21-26 under Chapter XV, rules 37, 38 and 39 under Articles 31, 32 and 35, rule 40 under Article 27, and rules 58-60 under Article 4.

SUMMARY OF PRACTICE

A. Adoption and amendment of the provisional rules of procedure

1. *Considerations arising from the nature of the Security Council as the organ charged with primary responsibility for the maintenance of international peace and security*

3. Some of the considerations that served to guide the Security Council in the formulation of its provisional rules of procedure were set out in paragraphs 15-24 of the study of Article 30 in the Repertory. In the period covered in this Supplement, nothing in the Council's proceedings indicates any deviation from the view that the Council at all times remains the master of its own procedure.

***2. Method of adopting or amending the rules of procedure*

E B. Essential features of the provisional rules of procedure

1. *Agenda (rules 6-12)*

a. CIRCULATION OF COMMUNICATIONS

4. In the period under review, there has been evidence of a tendency to interpret rule 6 in a flexible manner, to accommodate the desire of some Member States to bring matters to the attention of the Security Council, frequently under Article 35 (1), but not to request Council consideration of the matter or its inscription on the agenda. 1/ In such cases the Council Presidents have not called meetings of the Council as provided for in rule 3.

b. THE PROVISIONAL AGENDA

5. As an illustration of the exception provided for in rule 8 that in urgent circumstances a provisional agenda may be communicated simultaneously with the notice of the meeting, it may be noted that on 14 December 1955 the Council met in response to a letter of that date from the representative of the Union of Soviet Socialist Republics requesting the President to convene an urgent meeting. 2/

1/ See communications relating to: Algeria, S/3341 and S/3589 and Add.1; Morocco, S/3414; the situation in Eastern Arabia, S/3450, S/3452, S/3465, S/3481, S/3548 and S/3550; alleged violation of USSR airspace, S/3616, dealt with in this Supplement under Article 35.

2/ S/3508; S C, 10th yr., 705th mtg., provisional record, p. 2.

c. ADOPTION OF THE AGENDA

6. In the period under review, the Security Council has resorted to a procedure for inscribing on its agenda two distinct items relating to a given situation, ^{3/} in the coastal area of China — and deciding to conclude its consideration of the first item before taking up the second item. In this manner the Council was in a position to accept for consideration matters brought to its attention under the Charter by Member States, without undertaking an obligation to give them immediate consideration.

7. The interpretation to be given to rule 9 of the provisional rules of procedure was called into question in the course of the Council's 729th and 730th meetings, held on 26 June 1956 to consider a communication concerning Algeria. Before the Council had adopted its agenda or decided to include a question in its agenda, the USSR proposed that the discussion be postponed indefinitely. Discussion followed as to whether the Council could contemplate postponement of a matter which it had not yet decided to discuss, or whether the proposal concerned merely the adoption of the agenda under rule 9. The Council rejected the proposal for postponement, and eventually also rejected the provisional agenda. ^{4/}

**d. MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED

2. *Representation and credentials (rules 13-17)*

8. No new questions of a constitutional nature have arisen in the Council during the period under review affecting the Council's handling of credentials. As in the Repertory the question of representation of China is dealt with in this Supplement under Article 23.

3. *Conduct of business (rules 27-36)*

**a. ORDER OF SPEAKING

**b. PRESIDENTIAL RULINGS

c. ORDER OF PRECEDENCE OF PROPOSALS (RULE 32, PARAGRAPH 1, AND RULE 33)

9. In the course of its consideration of the admission of new Members, and following the submission of a series of draft resolutions relating to the substance of the matter, the Security Council was seized of a USSR draft resolution dealing with the procedures to be followed by the Council and by the General Assembly in examining the question under Article 4. A motion by the USSR that the procedural proposal be given priority over other substantive draft resolutions was not pressed and the Council decided to give priority to a substantive draft resolution of Brazil and New Zealand. ^{5/}

^{3/} S C, 9th yr., 690th mtg., paras. 96 and 114.

^{4/} S C, 10th yr., 729th mtg., provisional record, pp. 2 and 39; 730th mtg., provisional record, pp. 2 and 35.

^{5/} S C, 10th yr., 701st mtg., provisional record, pp. 29 and 31; 703rd mtg., provisional record, pp. 3 and 28; Suppl. for Oct., Nov. and Dec. 1955, pp. 12-14 and 16-20, S/3468-S/3480, S/3482, S/3484-S/3502; see also in this Supplement, under Article 4.

d. SEPARATION OF VOTE (RULE 32, PARAGRAPH 2)

10. With further reference to the point made in paragraphs 48-50 of the Repertory regarding the separation of votes on each of a number of applicant States mentioned in a draft resolution, the Council has subsequently followed a similar procedure, holding separate votes on each of a series of applicant States mentioned in draft resolutions, and in the case where the separate parts were approved, it proceeded to vote on the draft resolution as a whole. 6/ When the sponsor of a similar draft resolution regarding applicant States objected to its division, however, the Council voted upon the draft resolution as a whole without first voting on its separate parts. 7/

e. VOTING ON AMENDMENTS (RULE 36)

11. Faced with an amendment adding the names of two applicant States to a draft resolution listing, in chronological order of their applications, eighteen other applicant States, the President of the Council ruled under rule 36 that he would put the names of the two countries mentioned in the amendment to the vote before the eighteen countries listed in the draft resolution itself. The USSR proposed instead that the applicants listed in the amendment should be voted on in the position they occupied in the chronological order of receipt of all applications. The Council rejected the USSR proposal and proceeded to vote in the manner suggested by the President. 8/

C. Presidency (rules 18 and 20)

12. In the period under review, the Presidency of the Security Council has continued to be held in turn for one month by the members, as provided in rule 18.

6/ S C, 10th yr., 704th mtg., provisional record, pp. 23-33 (S/3502); 705th mtg., provisional record, pp. 11-22 (S/3509); see also in this Supplement, under Article 4.

7/ S C, 10th yr., 706th mtg., provisional record, pp. 43 and 50 (S/3512); see also in this Supplement, under Article 4.

8/ S C, 10th yr., 704th mtg., provisional record, pp. 10-22; see also in this Supplement, under Article 4.