

# Appointing the UN Secretary-General



UN Secretary-General-designate Ban Ki-moon addressed the General Assembly meeting after that body endorsed his appointment as the next Secretary-General, 13 October 2006 (UN Photo)

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The most important decision that the Security Council will take in 2016 will be the selection of the ninth Secretary-General of the UN. Secretary-General Ban Ki-moon's term ends on 31 December 2016. Both the General Assembly and the Council have already begun considering the process. Unlike in previous years, a number of advocacy groups have chosen to focus on this issue in order to bring greater transparency and inclusiveness to the selection process. Coupled with the changes in technology and communications since the last competitive election for a UN Secretary-General, this selection process promises to attract scrutiny from a wide and diverse audience.

Finding the right person for the role will be crucial to the future of the UN. The world has changed dramatically since the position was

created 70 years ago. The next Secretary-General will take on the job at a time when the organisation is struggling to cope with increasingly intractable conflicts, deteriorating security situations and humanitarian and environmental disasters.

As the time for the appointment decision approaches, Security Council Report will analyse and preview specific developments, Council dynamics and possible options regarding the selection process. At this stage, our purpose in writing this Research Report is to provide relevant factual background on the history of the process and procedure, and proposals for reform. We also cover recent Council and General Assembly developments as Council members begin considering the process for the selection of the next Secretary-General. •

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## Who Selects the Secretary-General?

The UN Charter, in Article 97, says that the Secretary-General:

*...shall be appointed by the General Assembly upon the recommendation of the Security Council.*

Appointments have traditionally been made by way of a General Assembly resolution, for example resolution 61/3 of 13 October 2006 appointing Secretary-General Ban Ki-moon to his first term of office.

For most of the UN's history, however, the role of the General Assembly in appointing the Secretary-General has been limited to the formal act of appointment.

In the early years of the UN, the General Assembly's role was not so limited. In 1946, at its very first session, the General Assembly took the lead in setting procedures for the appointment process. In resolution 11(I) (A/RES/1/11 in current numbering), it established ground rules for the appointment process, including terms and conditions of employment; length of term of office and possibility of reappointment; and procedures for appointment.

Significantly, this resolution stated that it was desirable that the General Assembly should be presented with a single name only as a recommendation from the Council.

In 1950 the General Assembly, in highly exceptional circumstances, took a prominent role in the appointment process. After a succession of inconclusive votes in the Council had led to deadlock, the General Assembly decided by a majority vote to extend the term of Secretary-General Trygve Lie without a recommendation from the Council.

Thereafter, until 1996, the General Assembly adopted a passive role, accepting on each occasion the recommendation of the Council. In practice, the General Assembly's only choice has been to vote the recommendation of the Council up or down, and it has never seriously considered rejecting a candidate recommended by the Council. With the exception of Trygve Lie's reappointment, the appointment of Secretaries-General has always been determined by the Council—and effectively by its five permanent members.

In 1996 and 1997, however, in the wake of the US veto of the reappointment of Secretary-General Boutros Boutros-Ghali, the role and appointment of the Secretary-General emerged as an important issue in discussions

of the Open-ended High-Level Working Group on the Strengthening of the United Nations System—an early phase of the current UN reform initiatives. The General Assembly in adopting the Working Group's report in resolution 51/241 on 31 July 1997, decided that:

*57. The General Assembly shall make full use of the power of appointment enshrined in the Charter in the process of the appointment of the Secretary-General and the agenda item entitled "Appointment of the Secretary-General of the United Nations".*

Furthermore, it outlined a role for the president of the General Assembly:

*60. Without prejudice to the prerogatives of the Security Council, the President of the General Assembly may consult with Member States to identify potential candidates endorsed by Member States and, upon informing all Member States of the results, may forward those results to the Security Council.*

## The Selection Process

In 1946 the General Assembly set up a process in resolution 11 (I) involving:

- the specific delegation of the lead role to the Council;
- a decision that the Council undertake the selection and recommend a single name;
- required voting majorities in both the Council and General Assembly; and
- the requirement that discussion and decision-making in both the Council and the General Assembly be private.

Confidentiality provisions were also inserted into the Rules of Procedure of the General Assembly (rule 141) and the Provisional Rules of Procedure of the Security Council (rule 48). Both sets of rules require that both voting and discussion be held in private, but the General Assembly has traditionally made an important modification to this provision. Since 1946 it has become the custom, on the occasion of each appointment, for the General Assembly, on the proposal of the president, to make the appointment in an open session, rather than in a closed session as required in resolution 11 (I) and rule 141. In 1950, the only occasion in which there was a vote in the General Assembly, the meeting was open, but the vote was by secret ballot, as required by rule 141.

The most significant evolutions that have

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occurred since 1946 have been in the practice of the Council. These changes in process have taken place in closed, informal consultations and seem not to have been recorded as Council decisions. As a result, their status is unclear. They include:

- In 1981, the Council began the practice of conducting “straw polls” under which members would indicate either “encouragement” or “discouragement”.
- In 1991, the practice of colour-coded ballots, i.e. “red” for permanent member and “white” for elected member, emerged in later stages of the straw polls.
- In 1996, colour coding was used again, distinguishing the votes of permanent and elected members.
- In 2006, the straw ballot allowed Council members to signify one of three options: “encouragement; “discouragement”; or “no opinion”.

The straw-ballot process was suggested by Ambassador Olara Otunnu (Uganda) during Uganda’s presidency of the Council in December 1981, in order to move beyond the deadlock between Secretary-General Kurt Waldheim (Austria), who was running for a third term, and Ambassador Salim Ahmed Salim (Tanzania), who had been endorsed by the Organization of African Unity. The two candidates were asked to suspend their candidacies while the viability of other candidates was considered in a series of straw polls. Eventually Javier Pérez de Cuéllar (Peru) emerged as an acceptable candidate. By using this process, votes could be cast informally without having an official meeting in the Council chamber or casting formal votes. As a result, there were fewer official meetings devoted to the selection process.

The reduction in “official meetings” had a significant effect. When an official meeting is held—even if it is a “closed meeting” under rule 55 of the Provisional Rules of Procedure—the Secretary-General must issue a communiqué summarising the outcome. In the past, some communiqués have contained the results of the voting and occasionally information on whether any votes were vetoes. By contrast, when straw-balloting takes place in informal meetings, there is no official information. The only information available to the international community comes by way of unofficial announcements by delegations or through leaks.

Clearly there is greater flexibility under the straw-ballot procedure. And there is the possible advantage that permanent members may find it easier to resile from a “red” straw ballot than a formal veto cast in the Council chamber. On the other hand, it has made the process even more secret.

In an uncontested re-election, past practice suggests the Council is likely to dispense with the informal balloting procedures developed for contested elections. Instead, the president is likely, after taking soundings of members, to circulate a draft resolution in informal consultations, and then to convene a formal closed meeting of the Council at which the resolution would be adopted by acclamation.

An important practical evolution which occurred in the lead up to the 1996 appointment was the informal paper, prepared in November 1996 under the presidency of Indonesia as a private aide-memoire to members. It set out their common understandings as to how the process would work in practice that year. Although the paper was agreed to at a Council lunch on 12 November 1996, it was never published officially as a document. However, in December 1996, after the decision had been made to appoint Kofi Annan, a copy of the paper was unofficially distributed by the permanent representative of Italy, who was Council president that month. In honour of the Indonesian Ambassador who had prepared the paper, it became known as the “Wisnamurti Guidelines”.

The 1996 paper had no ongoing status. Nevertheless, in February 2006 the UN Secretariat made available an informal fact sheet, which usefully provided a summary of the way the process had worked in the Security Council in the past. The fact sheet clearly drew in part on the 1996 paper.

The next major development took place in 1996/97 in the General Assembly Working Group on the Strengthening of the United Nations System. A number of delegations noted that best practice for high-level appointments had significantly evolved in many countries and in some other international organisations, and that transparent processes were regarded as best practice for high-level appointments.

In this regard, it should be noted that the selection processes for other executive head positions in the UN have become more transparent. The posts of Directors-General of the

International Labour Organization, the World Health Organization and the World Trade Organization have specified qualifications or criteria that must be met. These organisations, as well as the Food and Agricultural Organization, have detailed timelines for the appointment process, including opening and closing dates for nominations, and curricula vitae are made publicly available on the organisation’s website. Meetings are also held with candidates where they are able to present their vision for the organisation.

In 1997, the General Assembly recognised that a greater level of transparency was indeed desirable for the appointment of the Secretary-General, and it decided in resolution 51/241 that:

*56. The process of selection of the Secretary-General shall be made more transparent.*

The General Assembly also established the role for the president of the General Assembly in identifying potential candidates.

### How Important is the Veto?

The exercise of the veto by permanent members of the Council has been a key feature in the choice of almost every new Secretary-General.

The secrecy of the process makes it difficult to determine the number of vetoes cast in previous selections. The picture is further clouded by the shift midway through the voting in 1981 to the system of straw ballots, about which even less information is available. But since negative straw ballots from a permanent member have had an effect similar to a veto, they are included to the extent possible in the list below.

- **1946** Trygve Lie (Norway) selected, with all other candidates opposed either by the USSR or the US.
- **1950** Lie’s reappointment persistently vetoed by the USSR but eventually renewed by the General Assembly without a Council recommendation.
- **1953** Dag Hammarskjöld (Sweden) eventually selected after several candidates were eliminated due to lack of majority, and Lester Pearson (Canada) was vetoed by the USSR.
- **1957** Hammarskjöld reappointed for a second term, with no vetoes.
- **1961/62** U Thant (Burma) appointed, with no vetoes. (In 1961 U Thant was appointed acting Secretary-General for

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the remaining portion of Hammarskjöld's term of office following his death in an air crash.)

- **1966** U Thant reappointed, with no vetoes.
- **1971** Kurt Waldheim (Austria) eventually appointed despite fourteen vetoes; Max Jakobson (Finland) and Carlos Ortiz de Rozas (Argentina) each met with 12 vetoes.
- **1976** Waldheim's reappointment initially vetoed by China, then accepted.
- **1981** Javier Pérez de Cuéllar (Peru) eventually emerged as a new candidate and was selected after Waldheim, running for a third term of office, received 16 vetoes from China. Salim Ahmed Salim (Tanzania) received 15 vetoes from the US, and Sadruddin Aga Khan (Iran) one veto from the USSR.
- **1986** Pérez de Cuéllar reappointed, with no vetoes.
- **1991** Boutros Boutros-Ghali (Egypt) was selected after most candidates were eliminated on the basis of their level of overall support. No vetoes were cast.
- **1996** Kofi Annan (Ghana) was selected. The US veto of a draft resolution on Boutros Boutros-Ghali's reappointment is well-known. What is less well-known is the huge number of subsequent "vetoes," or negative straw ballots, cast by permanent members after Boutros-Ghali suspended his candidature. The exact number is uncertain but it was probably more than 30 spread over the four candidates. (The candidates who came in after Boutros-Ghali withdrew, in addition to Kofi Annan, were Foreign Minister Amara Essy (Côte d'Ivoire), Ambassador Ahmedou Ould-Abdallah (Mauritania) and Secretary-General of the Organization of the Islamic Conference, Hamid Algabid (Nigeria).
- **2001** Annan reappointed, with no vetoes.
- **2006** Ban Ki-moon (Republic of Korea) was selected after four straw polls. He was the leading candidate in "encourage" votes, but received one negative or "discourage" straw ballot in each of the first three straw polls, believed not to be from a permanent member. The other candidates—Jayantha Dhanapala (Sri Lanka), Ashraf Ghani (Afghanistan), Surakiart Sathirathai (Thailand), Shashi Tharoor

(India), Vaira Vīķe-Freiberga (Latvia) and Zeid Ra'ad Zeid Al-Hussein (Jordan)—either had low support or had negative votes believed to be from a permanent member.

- **2011** Ban was reappointed, with no vetoes.

The veto has therefore very often proved decisive. However, the ten elected members have an important role to play. While not able to use their majority to affirmatively determine the outcome, they have in the past contributed to the elimination of a candidate during the early stages. Any appointee requires the support of a significant number of Council members during the straw poll stage. Over the years, many candidates have been eliminated because they had little support from the elected members at the early stages of voting.

The appointment of a new Secretary-General in 1996 is an example of how the weight of majority opinion can influence a permanent member. During the "straw" ballots, Kofi Annan received a "red" ballot in seven rounds, indicating lack of support from a permanent member. However, as the "encouragements" for Annan moved up to 14, in the eighth round the ballot changed colour and Annan was ultimately selected after France, which had opposed his candidacy, changed its vote, in the face of support from all other members and reportedly after Annan agreed to appoint a French national to head the Department of Peacekeeping Operations.

### Term of Office

The UN Charter, in Article 97, does not specify a term of office for the Secretary-General.

In 1946, the General Assembly decided in resolution 11(I) that the first Secretary-General should have a term of five years, renewable for a further five years. But the resolution specifically provided that:

*The General Assembly and the Security Council are free to modify the term of office of future Secretaries-General in the light of experience.*

A term of five years has become customary, but this is entirely discretionary. The power of modification has been used. Trygve Lie was reappointed in 1950 for three years, and U Thant was appointed in 1962 for four years after he served for one year as Acting Secretary-General. In October 1966, U Thant's

term was extended by two months when he initially decided not to run for a second term, but agreed he would serve until the end of the General Assembly session.

In practice, the term of office for most Secretaries-General has been determined by the Council rather than the General Assembly. The Council has done this by including specific dates in its recommendation to the General Assembly. This practice began with resolution 400 of 7 December 1976, which established the second term of the fourth Secretary-General, Kurt Waldheim, by recommending that the term of office run "from 1 January 1977 to 31 December 1981."

A different term of office is a possibility. The General Assembly could adopt a revised decision on the matter, or the Council could address it in an ad hoc manner by specifying a different term of office in its recommendation as envisaged in resolution 11(I).

In 1996/97 the general question of the Secretary-General's term of office was the subject of detailed discussion and negotiations in the Working Group on the Strengthening of the United Nations System.

There was strong support in the Working Group in early 1996 for establishing a maximum of seven years for any individual to serve as Secretary-General. Options canvassed included a single non-renewable term of seven years and an initial term of four years with a possibility of renewal for three years.

The concept of a maximum term limit was close to reaching consensus. However, in 1996, Secretary-General Boutros Boutros-Ghali, who had previously indicated that he would not seek a second term, decided to stand again. His candidacy was opposed by the US, and the issue of the term of office became politically controversial. In such circumstances, it became impossible to make progress on a general approach to term limits. Accordingly, there was no mention in the Working Group's 1996 recommendations (A/50/24). However, other proposals that were discussed, but not agreed to, including the proposal for a Deputy Secretary-General, were eventually implemented.

In 1997, in the improved atmosphere after the appointment of Kofi Annan, the Working Group agreed to the following:

*58. The duration of the term or terms of appointment, including the option of a single term, shall be considered before the*

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*appointment of the next Secretary-General.*

The General Assembly approved this conclusion in resolution 51/241 of 22 August 1997, and it became effective on 1 January 1998. The use of the term “next Secretary-General” as opposed to “next appointment” seems to make it clear that this was not to apply to a decision regarding Kofi Annan’s reappointment in 2001. However, no such further consideration took place.

### Timing of the Decision

This issue was not addressed in 1946, and the practice relating to the first three Secretaries-General does not provide any helpful guidance. The early resignation of the first Secretary-General, and the death in office in 1961 of the second, presented cases in which member states had to respond to unforeseen situations well before the expected expiry of the terms. The problems in 1966, triggering the need for a short rollover of U Thant’s term, appear to have arisen more as a result of indecision by the Secretary-General than due to any timing factor.

The more recent practice, with the term of the Secretary-General ending on 31 December, is as follows:

- 1971 Kurt Waldheim (appointment), Security Council recommendation: 21 December
- 1976 Kurt Waldheim (reappointment), Security Council recommendation: 7 December
- 1981 Javier Pérez de Cuéllar (appointment), Security Council recommendation: 11 December
- 1986 Javier Pérez de Cuéllar (reappointment), Security Council recommendation: 10 October
- 1991 Boutros Boutros-Ghali (appointment), Security Council recommendation: 21 November
- 1996 Kofi Annan (appointment), Security Council recommendation: 13 December
- 2001 Kofi Annan (reappointment), Security Council recommendation: 27 June
- 2006 Ban Ki-moon (appointment), Security Council recommendation: 9 October
- 2011 Ban Ki-moon (reappointment), Security Council recommendation: 17 June

The 2006 decision, in which the appointment of Ban Ki-moon was made almost three months before the expiry of the previous term,

represented a marked change from previous practice. That year the Council agreed to start the process earlier to allow the new Secretary-General adequate transition time. The recognition of the advantages to the system if a last-minute appointment could be avoided was first acknowledged with the reappointment of Kofi Annan six months before the expiry of his first term.

The conclusions of the Working Group on the Strengthening of the United Nations System on the timing of the appointment were endorsed by the General Assembly in 1997 in resolution 51/241:

*61. In order to ensure a smooth and efficient transition, the Secretary-General should be appointed as early as possible, preferably no later than one month before the date on which the term of the incumbent expires.*

In this regard, it is significant that a number of international organisations, including the International Labour Organisation and World Health Organisation, have had successful experiences with early appointment decisions and the consequential opportunities for planned transitions.

### Regional Rotation and Gender Equality

The UN Charter, in Article 97, provides no guidance regarding rotation of the post of Secretary-General.

There is disagreement as to whether there is any requirement for rotation. The actual history of the terms allocated between the regional groups does not establish anything that might be called a clear practice. The distribution of Secretaries-General by region has been: Western Europe, 6 terms; Africa, 3 terms; Asia, 4 terms; Latin America, 2 terms; and Eastern Europe, no terms.

The pattern of candidacies that have been presented over the years is also an important indicator. It reveals that on the majority of past occasions candidates from multiple regions were presented and seriously considered, suggesting that both the candidates and the governments nominating them did not accept the existence of a norm of rotation at least until 1996. The pattern is as follows, with the country of the winning candidate in italics:

- 1946 *Norway*
- 1953 *Canada*, India, the Philippines, Poland, *Sweden*
- 1961/62 *Burma*

- 1966 *Burma*
- 1971 *Argentina*, *Austria*, Finland
- 1976 *Austria*
- 1981 *Austria*, Iran, *Peru*, Tanzania
- 1986 *Peru*
- 1991 *Burundi*, Cameroon, Canada, *Egypt*, Gabon, Iran, the Netherlands, Nigeria, Norway, the Philippines, Sierra Leone, Zimbabwe
- 1996 *Côte d’Ivoire*, *Egypt*, *Ghana*, Mauritania, Niger
- 2001 *Ghana*
- 2006 *Afghanistan*, India, Jordan, Latvia, *Republic of Korea*, Sri Lanka, Thailand
- 2011 *Republic of Korea*

The list of candidates over the years shows that particularly in the early years regional rotation was clearly not a factor. U Thant’s appointment as Acting Secretary-General came in the aftermath of Hammarskjöld’s tragic death and does not indicate a decision by Asia to field a candidate for the post.

There is evidence that at the time of Pérez de Cuéllar’s selection in 1981, Latin American delegations invoked a principle of rotation. But as the range of candidates indicates, there seemed to be no agreement at that time on such a principle. Furthermore, his candidacy only emerged at a very late stage, after candidates from other regions were eliminated in a bruising process involving many vetoes.

The range of candidacies that emerged before Boutros-Ghali’s appointment in 1991 raises further doubt as to whether Pérez de Cuéllar’s selection was based on any accepted policy of conscious rotation. However, the outcome of the voting indicates that many members were open to it being Africa’s “turn”.

In 1996, there was a very strong feeling that if Boutros-Ghali was refused a second term, his successor should also be from Africa. That was clearly reflected in the way that member states from other regions held back from offering candidates.

The history now needs to be seen in light of the developments in 1996/7 in the High-Level Working Group. On 22 August 1997, the General Assembly endorsed its conclusions on rotation in resolution 51/241:

*59. In the course of the identification and appointment of the best candidate for the post of Secretary-General, due regard shall continue to be given to regional rotation and shall also be given to gender equality.*

This decision carried important

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implications for the next appointment. It speaks of:

- Identifying “the best candidate for the post”
- Due regard for “regional rotation”
- Due regard for “gender equality”

Regional rotation is thus mentioned for the first time in a resolution regarding the appointment of the Secretary-General. This carefully balanced decision was the result of significant negotiation in which merit (“the best candidate”) was established as the primary criterion, but the resolution also introduced two principles to which “due regard” must be given: regional rotation and gender equality. It is hard to read into the 1997 decision the conclusion that either of these principles should necessarily trump the other. Nor is it possible, on the language approved by the General Assembly, to claim that either of these two principles trumps the first criterion—that of “best candidate.”

There continues to be disagreement on the matter, including on the interpretation of the words approved in resolution 51/241 and on the weight to be given to the various principles. There seem to be quite different positions held by at least three different groups of member states:

- Those who assert that a principle of rotation exists and should be followed strictly.
- Those who believe that no principle of rotation binds the Security Council, but who in practice are prepared to vote on an ad hoc basis in a manner that supports wider diversity.
- Those who reject any principle of rotation and support the freedom to champion the best candidate from whatever region.

Notwithstanding the principle of gender equality, in the history of the Secretary-General selection process there appears to have been only three formal nominations of female candidates. The first time a female candidate was nominated was in 1953. Following Trygve Lie’s announcement that he was resigning from the post of Secretary-General, the Soviet Union nominated Vijaya Lakshmi Pandit, an Indian diplomat who went on to become the first female president of the General Assembly, later that year. Thirty-eight years later, in 1991, Gro Harlem Brundtland, who was Prime Minister of Norway, was added to the list of candidates during one of the straw polls conducted in the search for Javier

Pérez de Cuéllar’s successor. In 2006 Vaira Vīķe-Freiberga, the President of Latvia, was nominated jointly by three countries—Estonia, Latvia and Lithuania. She was the only candidate not from the Asia Group in the selection process that resulted in the appointment of Ban Ki-moon.

### Multiple Candidates

Since 1946, the Council has consistently followed the practice of proffering only one candidate. Arguments have been raised that it would be contrary to the UN Charter for the General Assembly to adopt a resolution indicating that the Council should proffer more than one name.

The Charter itself provides little guidance in Article 97. There seems to be no disagreement that the Charter does impose some limits on the capacity of the General Assembly with respect to the appointment. For instance, the General Assembly has no power (except perhaps in the emergency situation which it faced in 1950, when the Council was deadlocked due to vetoes and unable to make a recommendation):

- to act without a recommendation of the Council; or
- to appoint a person who had not been included in a recommendation of the Council.

However, Article 97 of the Charter does not make clear what is meant by the differentiated roles of the General Assembly and the Council, or what is meant by the word “recommendation”.

The UN Preparatory Commission, in its report PC/20 of 23 December 1945 gave consideration to the practical implementation of the appointment provision in Article 97. The Commission decided to recommend that:

*It would be desirable for the Security Council to proffer one candidate only for the consideration of the General Assembly...*

The use of the words “it would be desirable” suggests fairly conclusively that the Commission was not convinced that the Charter required the proffering of a single candidate.

The terms of General Assembly resolution 11(I) of 24 January 1946 do not take the issue any further. The resolution simply provided that the conclusions of the Preparatory Commission be “noted and approved”.

It may be, therefore, that the Charter is open to the possibility of the Security Council proffering either one or multiple candidates in its recommendation.

The simple repeal by the General Assembly of resolution 11(I), which would remove the 1946 statement that a single candidate was “desirable”, would seem to be possible and valid.

The General Assembly is the plenary organ of the UN and is the body entrusted with the widest range of functions. Nevertheless, the Charter does give distinct roles to each of the UN organs. And it is also relevant that under Article 10 of the Charter, the General Assembly can only make “recommendations” to the member states or the Security Council.

There do seem to be possibilities of valid General Assembly action short of seeking to impose a binding obligation on Council members. In this regard resolution 11(1) seems to establish an important precedent. As is evident in that resolution, in 1946 the General Assembly did consider that it was competent to make far reaching recommendations about institutional issues affecting the Security Council, including relating to the procedure and methods of work in the Security Council as they applied to the appointment decision. The members of the Security Council seem to have concurred in this.

This precedent seems to be consistent with Article 10 of the Charter. It would indicate that a resolution of the General Assembly could recommend a new practice to the Council, but not seek to decide the matter.

One practical issue of which many delegations are conscious is that if multiple names are included in the recommendation, there is a risk that a new Secretary-General could be appointed after a closely fought election campaign in the General Assembly by a slim majority, and then have to work with a polarised organisation, many of whose members had voted against him or her.

On the other hand, others point out that most of the past Secretaries-General have had to deal with situations in which the Council has been polarised even to the point of prolonged exercise of the veto or the “red straw ballot” by permanent members, including the repeated “veto” of Kofi Annan in 1996 by one permanent member. And although the straw ballots are nominally

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secret the origin of the votes is well known. Yet despite this he (and his predecessors who had to deal with similar and even more polarised situations) managed to quickly develop effective working relationships with all of the permanent members.

A second practical point raised by some delegations is that if multiple candidates are recommended, the level of confidence which is thought desirable between the Secretary-General and the P5 would be diminished. On the other hand, others point out that the process whereby the Council must affirmatively recommend the candidates, thus allowing the application of the veto to each name, means that all of the P5 can satisfy their need to ensure that each of the candidates they recommend for consideration by the General Assembly is one that they can live with.

### The Deputy Secretary-General and other Senior Appointments

The proposal for a Deputy Secretary-General position emerged in the discussions in the High-Level Working Group in 1996 and 1997. It had very strong support, but there was no agreement when the report of the Working Group was finalised in mid-1997, mainly due to disagreement over whether there should be a single deputy or more than one.

The issue was promptly resolved by Kofi Annan a few months later. Some bold proposals for reform were set out in his report “Renewing the United Nations: A Programme for Reform” (A/51/950) of 14 July 1997, including the appointment of a single Deputy Secretary-General.

The proposal was for the Deputy Secretary-General to be a staff member, appointed by the Secretary-General, for a period not to exceed his own term of office. Remuneration was to be set at the midpoint between the Secretary-General and the next most senior position in the system. The position was to be established on the basis that the Deputy would derive authority by delegation from

the Secretary-General and, as a result, would not be elected, appointed or confirmed by the General Assembly.

A further report from the Secretary-General on 7 October 1997 (A/51/950/Add.1), explained the job description:

- Assisting in leading and managing the operations of the Secretariat.
- Acting for the Secretary-General during his absences from headquarters.
- Ensuring inter-sectoral and inter-institutional coherence of activities that cross functional sectors.
- Assisting with public awareness and contact with member states.
- Representing the Secretary-General at conferences and functions.
- Overseeing UN reform.
- Harmonising the work of the UN on the economic and social side with its work in the field of peace and security.
- Helping the Secretary-General elevate the leadership of the UN as a leading centre for development policy and development assistance.

On 19 December 1997, the General Assembly established the post of Deputy Secretary-General (A/RES/52/12B) as proposed by the Secretary-General.

### Criteria and Qualifications for Appointment

Criteria and qualifications for appointment of the Secretary-General were discussed at some length in 1945 and are set out in the report by the United Nations Preparatory Commission, PC/20, of 23 December 1945, in section 2B.

The Preparatory Commission identified the following qualities that would be required for appointment of a Secretary-General:

- Administrative and executive qualities to integrate the activity of the whole complex of United Nations organs. (para 12)
- Leadership qualities to determine the character and efficiency of the Secretariat.

(para 15)

- Skills to lead a team recruited from many different countries and build the necessary team spirit. (para 15)
- Moral authority to model the independent role required by Article 100 of the Charter. (para 15)
- Ability to play a role as a mediator. (para 16)
- Capacity to act as an informal adviser—or confidant—to many governments. (para 16) and (para 19)
- The highest qualities of political judgment, tact and integrity, because of the need at times “...to take decisions which may justly be called political”, not only because of the political role that is expected, but also because of the power “to bring to the attention of the Security Council any matter (not merely any dispute or situation) which in his opinion may threaten international peace and security.” (para 16)
- Communications and representation skills to represent the United Nations to the public at large and secure the “active and steadfast support of the peoples of the world” without which “the United Nations cannot prosper nor its aims be realised.” (para 17)
- Overall qualities which demonstrate to the world at large that personally the candidate “embodies the principles and ideals of the Charter to which the Organisation seeks to give effect.” (para 17)

It is interesting to note from the list above just how far-sighted member states were in 1945 about the full range of skills which they expected to see associated with the role of the Secretary-General. The 1945 job description in effect mandates a very wide ranging political and representational role for the Secretary-General—way beyond the narrow confines of a pure administrator.

There was little further discussion of the criteria and qualifications for the Secretary-General until 2006.

## Part II: Highlights of the 2006 Process

It may be useful as the process for the next Secretary-General gets underway to highlight key steps of the 2006 process.

On 30 January 2006, the P5 met to discuss the issue of the Secretary-General selection. In February, the US as president of the Council began consultations with the elected members on this issue, and at the end of that month Council members had their first discussion. In March, under the presidency of Argentina, and again in April, under the presidency of China, the Security Council discussed the possibility of some wider role in the selection process for member states not represented on the Council. China, Argentina, Japan, France and the UK all made public statements during this period expressing openness to some review of the process. It seems that while there was wide support for the need for the Council to show greater openness, some P5 members, in particular Russia and the US, were more cautious than others. Eventually, Council members agreed that the president of the Council should meet with the president of the General Assembly to discuss the issue.

Meanwhile, in February 2006, the Canadian delegation circulated an informal paper calling for the General Assembly to revisit the appointment process. The paper called attention to the lack of transparency and inclusiveness of the selection process and raised the question of a possible role for the wider membership of the UN, including some actual participation in the selection process prior to receiving the Security Council recommendation.

In particular, the Canadian paper proposed:

- The selection should be “anchored in agreed criteria/qualifications”.
- A search committee should be asked to identify potential candidates.
- There should be opportunities for candidates to meet with all members of the General Assembly—perhaps through regional group meetings.
- The presidents of the General Assembly and the Security Council should organise some informal events, under their joint auspices, to permit an “exploration of the perspectives and positions of the candidates”.

The first substantive meeting between the Council and General Assembly presidents

was held on 18 April. At the meeting the following points were canvassed, on behalf of the Council, by its president that month, Ambassador Wang Guangya (China):

- Preliminary agreement had been reached to start the process in June/July with a view to completing the selection by September/October.
- Agreement had been reached on further increasing transparency and interactions with the General Assembly, but the Council would continue to recommend only one candidate.
- Measures which the Council may consider could include ongoing informal briefing meetings between the two presidents.
- Candidates may be encouraged to present to regional groups and/or to informal external events.

President of the General Assembly Jan Eliasson briefed the co-chairs of the Ad-Hoc Working Group and subsequently circulated informally a note of his conversation with the president of the Security Council to member states.

On 19 April, a meeting of the General Assembly’s Ad Hoc Working Group on Revitalization of the work of the General Assembly was convened. The co-chairs relayed to the members an oral account of the 18 April meeting between the two presidents. The Working Group meeting itself was relatively low key. Interventions were for the most part cautious. However, a number of important opinion leaders, such as Canada and India, spoke forcefully of the need for real change in 2006. India suggested repealing the 1946 General Assembly resolution 11(I) which requested that only one name be recommended by the Security Council. India proposed instead adopting a decision that three names should be recommended, thereby leaving the final choice to the General Assembly.

It seems that the Working Group discussion left many delegations with a growing sense, after the debate, that much more was required than had been suggested by the Security Council. However, there was relatively little attempt by other delegations at that meeting to develop the practical implications of either the Canadian proposals, or of the 1997 decisions of the General Assembly on the appointment process in resolution 51/241.

However, the raising of the issue of agreed criteria/qualifications in the Canadian paper

did lead to a statement of the criteria for Secretary-General in General Assembly resolution 60/286 of 8 September 2006. The resolution “emphasises the importance of candidates for the post of Secretary-General possessing and displaying, inter alia, commitment to the purposes and principles of the Charter of the United Nations, extensive leadership, and administrative and diplomatic experience”.

Other developments included a formal position adopted by the Non-Aligned Movement (NAM) that the next Secretary-General should be selected from the Asian region. This was communicated to the Security Council in a letter from the Chair of the NAM Coordinating Bureau, Malaysia (S/2006/252). Asian countries were firmly of the view, based on their position that there is an applicable principle of rotation, that it was now Asia’s “turn” for a Secretary-General.

In May, NAM delegations in New York met to discuss the Indian approach. Elements of a draft resolution were prepared. The most significant element envisaged was a proposed operative paragraph which would decide that the Security Council “...will proffer two or more well qualified candidates for the consideration of the General Assembly...”

Many observers had suggested that there is a case for repealing resolution 11(I) and starting again. Most of the resolution is now redundant and every paragraph has key provisions that are obsolete:

- para 1 assumes the SG will be a “man”;
- para 2 sets a salary that has long since been overtaken by other decisions;
- resolution 51/241 mandates a review of para 3 before the appointment of Kofi Annan’s successor, which should have taken place in 2006;
- para 4 no longer reflects the Charter in terms of the required majority to take decisions in the Council (due to the amendment of the Charter adopted in 1963);
- the practice of the General Assembly regarding its meetings on appointments has evolved, they are now open; and
- the references to procedure are unnecessary since the Provisional Rules of Procedure of the Council now exist. (They did not exist when 11(I) was adopted.)

Eventually, however, NAM members did not push for a vote on the matter in the General Assembly.

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## Part II: Highlights of the 2006 Process (con't)

The issues raised by the draft resolution, and the prospect of it being voted through the General Assembly by the 116 NAM members, led to a number of private discussions amongst Council members, including discussion at meetings of the P5. While there was a range of views within the P5 regarding their respective willingness to accord a greater role for the General Assembly and greater transparency, a firm position apparently shared by all five was that the General Assembly cannot dictate to the Security Council whether it recommends one or more candidates.

The elected members of the Council, while generally open to finding more effective options for wider involvement of the General Assembly, seemed in many cases to agree with the P5 on this specific point.

It was not surprising, therefore, that at the end of May the Council developed the text of a draft letter which was agreed on 1 June 2006 and transmitted on 2 June 2006 to the president of the General Assembly.

The letter carefully signalled on the one hand a willingness to pursue cooperation—within certain parameters—but also, on the other hand, it demonstrated a degree of firmness and Council unity. The letter:

- underlined the fact that the Charter assigned different roles to the Council and the General Assembly on the question of the selection of the Secretary-General;
- confirmed a desire to work closely with the General Assembly in the spirit of transparency and dialogue, keeping the General

Assembly informed through its president;

- noted that member states may present candidates at any stage of the process; but
- stated that in early July the Council would “...start the process of consideration of candidacies...”.

The president of the General Assembly was notified of the start of the selection process by the president of the Security Council, Ambassador Jean-Marc de La Sablière (France), orally on 2 July 2006. The General Assembly president then circulated a letter on 6 July to all member states with a memo of his meeting with the Council president. According to the memo, the Council president confirmed that the Council had decided to start the process by conducting straw-polling in the second half of July. He noted that straw polls are not formal votes and are only indicative, but have been helpful in the past to facilitate agreement between Council members and allow candidates to assess the support they enjoy.

It also set out the following guidelines for the straw ballot:

- The straw polls will permit Council members to encourage or discourage candidates and also to express no opinion.
- The number of “encouragements/discouragements” or “no opinion” expressed received by candidates will be communicated to the candidate as well as to the permanent representative of the state presenting that candidate.
- The candidate and the permanent

representative concerned will also be given the highest and lowest scores received by a candidate without attributing these to any individual candidate.

The Security Council agreed informally that prior to actually considering names, France, the president for July, should circulate a paper setting out the way the process would work. This was essentially a description of past practice which was produced as a “guideline” for the process in 2006.

On 25 July 2006, the first straw poll was held for four candidates: Ban Ki-moon (Republic of Korea), Jayantha Dhanapala (Sri Lanka), Surakiart Sathirathai (Thailand) and Shashi Tharoor (India). The second straw poll was on 14 September, by which time Zeid Ra’ad Zeid Al-Husseini (Jordan) had entered the race. The third straw poll, adding Ashraf Ghani (Afghanistan) and Vaira Vīķe-Freiberga (Latvia) as candidates was conducted on 28 September 2006. Throughout, Ban was leading the candidates in “encourage” votes (12 in the first round, 14 in the second and 13 in the third), but also consistently had one discourage in each round. On 2 October, a differentiated straw poll was held and Ban got 14 “encourage” and 1 “no opinion” (i.e., there would be no veto). Finally, on 9 October the formal vote on a resolution recommending Ban as the next Secretary-General was held.

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## Part III: Developments Since 2006

Since the last contested election in 2006, there has been debate at various times among member states on the process by which the Secretary-General is selected. In recent years this has taken place largely through the Ad Hoc Working Group on Revitalization of the work of the General Assembly.

Two significant endeavours since the 2006 Secretary-General selection process were the 2009 evaluation of the selection of the Secretary-General and other executive heads in the UN system conducted by the Joint Investigation Unit (JIU) as part of the agenda on Strengthening the United Nations System,

and the 2010 Delphi Symposium.

There has also been much discussion and criticism by civil society that the selection process lacks transparency and needs updating as it is out of touch with best practices in high-level public sector appointments in most countries and other international organisations.

In this section we cover the suggestions emerging from the JIU evaluation and 2010 Delphi Symposium, current civil society proposals and the latest developments in the General Assembly.

### Joint Investigation Unit Evaluation

In 2009, as part of the agenda on Strengthening of the United Nations System, the JIU evaluated the legal and institutional framework and practices in the selection of the Secretary-General and other executive heads in the UN system. The report, transmitted in A/65/71 on 8 April 2010, examines conditions of service with the objective of establishing harmonised selection criteria and ensuring the highest quality leadership and management at the executive levels. The report contains recommendations based in part on the opinions expressed by member states on the selection

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## Part III: Developments Since 2006 (con't)

process and evaluates relevant and oft-debated aspects of the process such as transparency, criteria for candidates and timing.

The JIU evaluation found that there was consensual understanding among member states that the selection of the Secretary-General is unique in comparison to other executive appointments, given the leading role of the P5 and their right to oppose any candidate. The majority of member states supported the call for increased transparency and for the process to be made more inclusive of all members at an earlier phase. Many believed that the General Assembly, which represents the whole UN membership, should be more involved in identifying candidates at an early stage and ought to hold formal hearings or meetings with candidates.

According to the JIU report, while many member states strongly supported the call for increased transparency in the selection process, other members believed that a more transparent process may not necessarily lead to a more credible one and may hamper the decision-making process. These states expressed the view that in practice most of the candidates aspiring for the position are already known within the diplomatic community and as such, increased transparency is not a major concern.

Regarding qualities and qualifications, the JIU evaluation noted that member states had divergent views on the issue of criteria. Some member states felt that the criteria outlined in resolution 60/286 were too general, and that if more detailed requirements were elaborated it would contribute to a more transparent and effective process. Others felt that additional requirements could lead to the process becoming too rigid and preferred to maintain the flexibility afforded by the current criteria.

The report also found that many member states supported the idea of holding hearings with candidates in the General Assembly to allow members to interact more closely with prospective appointees, so long as this occurred in compliance with the roles of the principal organs outlined in Articles 7, 27 and 97 of the UN Charter. The report recommended utilising such a forum.

The JIU inspectors discovered that there were varying perspectives on the matter of timelines among member states. Some felt that the adoption of clear timetables would be advisable as this would minimise the

possibility of having a Secretary-General's mandate expire before a replacement has been appointed. Alternatively, others argued that clear timetables are not necessary as member states are aware of the terms of office and that the flexibility of the selection process ought not to be compromised unnecessarily by timeline restrictions. However, the JIU inspectors recommended that "legislative bodies of the UN system organisations, which have not yet done so, should establish timetables for the selection process of their executive heads ending at least three months before the expiring date of the mandate of the incumbent, in order to ensure a smooth transition".

### The Delphi Symposium

The Delphi Symposium, organised in honour of Javier Pérez de Cuéllar, the fifth Secretary-General of the UN, was held in Delphi, Greece on 27-30 May 2010. The Symposium engaged 21 participants (including former foreign ministers, former ambassadors and UN secretariat officials) in discussions on strengthening the role of the Secretary-General and improving the process of selection.

At the Symposium, the qualities necessary in an effective Secretary-General were discussed. Participants agreed that there was an urgent need to consider the role and qualities of the Secretary-General in relation to the enormous challenges of the 21st century, and that the most important qualities in a Secretary-General included:

- integrity, independence, moral courage and impartiality;
- capacity for moral and intellectual as well as political leadership;
- the sophisticated diplomatic skills essential for a mediator and crisis manager;
- capacity to manage the organisation effectively and provide leadership to the wider UN system;
- strong problem-solving capacity and political instincts; and
- charisma and contemporary media skills of a global communicator.

The participants firmly agreed that a strong and independent Secretary-General should be accepted and "even demanded", and stated that in the past it has been clear that some member states have been reluctant about the appointment of a strong and independent post-holder.

The group recommended that prior to the

search for a new Secretary-General, and in an effort to select the most effective candidate, the General Assembly might commission a small group to study the challenges likely to be faced in the near future.

The participants of the Symposium stressed that the selection process ought to be more transparent and that the General Assembly should be involved in a more active way and at a much earlier stage. It was suggested that, in the interest of respecting the independence and authority of the General Assembly, the Council should consider forwarding more than one name to the General Assembly for its selection.

Symposium participants generally agreed that in order for the best candidates to emerge, a search and screening process was desirable, such as establishing an international committee of distinguished and experienced persons set up by the Council to identify and interview candidates, or having the Council consult with representatives of regional groups. The group generally felt that formal nominations should only be made by sovereign governments, and individual campaigns, even if supported by a government did not contribute to an effective selection process. It was also agreed that more effort should be made to include women among candidates for consideration.

The Delphi Symposium also addressed the issue of the length of term in office of the Secretary-General. There was wide support among the group for a single term of office, perhaps of seven years duration, "on the grounds that such an arrangement would strengthen the position and independence of the Secretary-General and give the incumbent a clear run to achieve long term goals".

### Accountability, Coherence and Transparency (ACT) Group and Civil Society Groups

In 2015, there has already been a groundswell of attention and interest in the process to select the Secretary-General who will replace Ban Ki-moon. The selection process got off to an early and active start, partly due to the efforts of the 25 member states that are part of ACT, and to civil society groups including 1 for 7 Billion, an alliance of NGOs, and The Elders, a group of global leaders working to promote peace and human rights. These groups have provided concrete suggestions for improving the transparency and openness

## Part III: Developments Since 2006 (con't)

of the selection process, and through their activities have raised awareness among member states of the need for reform.

The desire for a woman Secretary-General after eight male Secretaries-General has led to the formation of groups advocating this goal, including the “Campaign to Elect a Woman Secretary-General” made up of women academics and civil society leaders, and the “Group of Friends in Favor of a Woman for Secretary-General of the United Nations” initiated by Colombia and made up of 48 member states (as of October 2015).

All these groups are likely to intensify their activities as the selection process moves towards the nominations phase.

ACT, 1 for 7 Billion and The Elders have worked together to organise events on the selection of the Secretary-General. The first such event was a panel discussion on 30 June organised by ACT, where representatives from The Elders and 1 for 7 Billion, as well as the UK permanent representative, presented their views on different aspects of the selection process. On 26 September, ACT and The Elders co-hosted a high-level discussion among a panel comprising the President of Costa Rica, Luis Guillermo Solís-Rivera, Estonia’s Minister for Foreign Affairs, Marina Kaljurand, Finland’s Permanent Representative to the UN, Kai Sauer, together with two of The Elders, former Prime Minister of Norway Gro Harlem Brundtland and former President of Mexico Ernesto Zedillo. The panel, as well as member states and civil society representatives, focused on the implementation of the recent resolution and on ways of improving the process. Among the topics covered were the Secretary-General’s term of office, the need to hear from the candidates and the qualities needed in the next Secretary-General.

ACT, The Elders and the 1 for 7 Billion campaign have all focused on issues that would bring greater transparency and inclusiveness to the selection process. Regarding the nomination process, ACT has pressed for a joint letter by the presidents of the General Assembly and the Council inviting UN member states to present nominations, particularly female candidates. The 1 for 7 Billion campaign is asking for the position and qualifications to be advertised in all countries with proposed candidacies coming from member states, but also from parliaments and civil society organisations. Both groups have advocated

a deadline or closing date for the nominations.

The 1 for 7 Billion campaign would like candidates to provide a manifesto of their policy priorities. Hearing from candidates is another priority for both, with ACT suggesting formal presentation of the candidates in the General Assembly, as well as Council hearings and Arria-formula meetings. The 1 for 7 Billion campaign is advocating that the General Assembly organise open sessions with the candidates. Both groups also believe that it is important to encourage female candidates.

Both ACT and 1 for 7 Billion have strongly suggested the need for a timetable, with ACT asking for the selection process to be finalised preferably three months prior to the assumption of the office. The issue of timing is likely to be a difficult one in this selection process, as some permanent members have indicated opposition to a rigid timetable and in particular to a closing date.

With respect to geographical distribution, ACT proposes that due regard be given to equal and fair geographical distribution through rotation, while The Elders and 1 for 7 Billion argue that the best person should be chosen irrespective of his or her country of origin. The Group of Eastern European (EEG) states are of the view that there is an applicable principle of rotation, and that it is now Eastern Europe’s turn for a Secretary-General. The Chair of the EEG states wrote to UN member states in November 2014, reiterating the EEG’s interest in holding the position of the next Secretary-General, and recalling that Eastern Europe is the only regional group that has not had a Secretary-General. This issue is likely to be widely discussed once the candidates are announced.

Two of the most controversial issues for this selection process are expected to be the proposals for a single term of office and for multiple candidates to be recommended by the Council to the General Assembly. Both the 1 for 7 Billion campaign and The Elders argue that the term of office should be limited to a single, non-renewable period of seven years—according to The Elders, this is “in order to strengthen his or her independence and avoid the perception that he or she is guided by electoral concerns.” Without taking a position, ACT has suggested that there is merit in discussing the term of office. On the issue of multiple candidates, ACT is silent, while the 1 for 7 Billion campaign and The Elders suggest that

the Council should be encouraged to present two or more candidates to the General Assembly. Both issues are strongly opposed by permanent members of the Council.

Reference is likely to be made to how high-level appointment processes are conducted in other international organisations. ACT and the 1 for 7 Billion campaign have asked that identification and appointment of the Secretary-General be in line with best practices of other international organisations.

The Elders and the 1 for 7 Billion campaign have also focused on the need for candidates not to make promises to individual countries on senior appointments. The Elders state that the Secretary-General “must not be under pressure, either before or after being appointed, to give posts in the Secretariat to people of any particular nationality in return for political support, since this is clearly contrary to the spirit of the Charter.”

Another issue where there is likely to be increasing interest as the selection process gets underway is the Deputy Secretary-General position. The term of appointment of the Deputy Secretary-General is linked to that of the Secretary-General. This established linkage between the two posts raises interesting issues about the nature of the “top team.” The independence of the Secretary-General with respect to the appointment is clearly established. However, that does not preclude the possibility that some aspirants for the post of Secretary-General, wishing to enhance the attractiveness of their candidacy, may find it useful to present—at least behind the scenes—not only their own candidacy but also that of a “running mate.” Clearly such a “package” approach would increase the ways in which a balance of skills, rotation and gender could be achieved. But this possibility may further increase interest in greater transparency of process.

Related to this is the proposal for a second Deputy Secretary-General. The High-Level Panel on Threats, Challenges and Change in 2004 proposed establishing a second Deputy Secretary-General in charge of peace and security activities. However, there was opposition to this idea, particularly from countries of the South. More recently, the High-Level Panel on Peace Operations made the same proposal in its report to the Secretary-General. It was not, however, referred to in the Secretary-General’s report which outlined his

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priorities in taking forward the panel's recommendations between now and 2016, and is generally regarded as an issue for the next Secretary-General. There appears to be concerns about whether this would create another level of bureaucracy in the UN. This issue may be debated in the coming months as the selection process gets going.

### Recent General Assembly Developments

Many of the themes contained in proposals over the years by the General Assembly, as well as more recently by ACT and civil society, featured in this year's discussions of the Ad Hoc Working Group on the Revitalization of the work of the General Assembly.

Members expressed their views publicly on this issue on 27 April, when the Ad Hoc Working Group held a thematic debate on the selection and appointment of the Secretary-General. Thirty-three delegations spoke, with many calling for specific improvements in the process, particularly in relation to strengthening the General Assembly's role and, thereby, enhancing transparency. Areas that were covered include regional rotation and gender equality, establishing a clear timetable and open exchanges with candidates including through the timely holding of informal meetings of the General Assembly, interactive dialogues, or a Security Council process open to member states. Multiple candidates and a single term of office were also raised by some members, while others emphasised the importance of early deadlines and a list of candidates.

Of the permanent members, only the UK spoke positively about the reform of the Secretary-General selection process, suggesting a clear "structure", including a deadline for candidate declarations and a timetable for the appointment. Russia and the US made statements in favour of the status quo using the Charter to underline the Council's primary responsibility in choosing the Secretary-General. China was similarly in favour of not making any changes to past procedure. France did not express strong views at this stage.

Negotiations on a draft resolution led by the co-chairs of the Ad Hoc Working Group, Croatia and Namibia, began in June, and revealed clear divisions on a number of key issues. The US was keen to keep the language on the format for interaction with candidates

flexible. It also argued for inclusion of the idea that not taking part in these informal dialogues would not be prejudicial to candidates who chose not to participate, so as to show that the dialogues are not an official part of the selection process.

On the criteria for a Secretary-General, Russia and the US felt it was too prescriptive to present a very specific list of characteristics expected in a future Secretary-General. Other issues that required some negotiation related to language on female candidates and the timeframe for the selection process. Some members wanted stronger language on gender equality. Some, including Russia and the US, were clearly opposed to a rigid timeline that could prevent candidates entering at the late stages. Agreement was eventually reached on having candidates presented in a timely manner, although there is no reference to a specific timetable, and encouraging member states to present female candidates for the position.

Resolution 69/321 on the revitalisation of the General Assembly, which includes significant language on the selection of the Secretary-General, was thus adopted on 11 September. The resolution includes new language on themes which had been raised over the years in relation to this issue. ACT members worked together during the negotiations on resolution 69/321 and were successful in getting inclusion of a number of their key demands in the final text. Some NAM members who had strong views on a number of issues, including multiple candidates, raised the possibility of putting the resolution to a vote, but it was eventually adopted by consensus.

The resolution includes:

- a call for the Security Council and General Assembly presidents to start the process through a joint letter describing the selection process and inviting candidates to be presented in a timely manner;
- a request for the two presidents to jointly circulate information on candidates on an ongoing basis;
- selection criteria for candidates that include "proven leadership and managerial abilities, extensive experience in international relations, and strong diplomatic, communication and multilingual skills";
- a decision that the General Assembly would conduct informal dialogues or meetings with candidates;

- "equal and fair distribution based on gender and geographical balance" to be taken into consideration, and member states to consider presenting women as candidates; and
- the need for a Secretary-General, besides displaying a firm commitment to the purposes and principles of the UN, to embody "the highest standards of efficiency, competence and integrity".

For the first time in a General Assembly resolution, joint activity by the General Assembly and Security Council and a decision for the General Assembly to hear from candidates is clearly spelled out. It should also be noted that for the first time since resolution 60/286 of 2006, a General Assembly resolution elaborated on the qualities expected in a Secretary-General.

Two areas that were not explicitly addressed in the final draft were multiple candidates and a single term of office. The NAM group pushed for language on multiple candidates but this was opposed by Russia and the US. Regarding the Secretary-General's term of office, there was an attempt by Costa Rica and Liechtenstein to include language that would limit the Secretary-General's term to a "single, non-renewable period of seven years". This was, however, opposed by a number of member states.

However, resolution 69/321:

*44. Affirms its readiness to continue discussing all issues relating to the selection and appointment of the Secretary-General in all their aspects within the Ad-hoc Working Group on Revitalization of the work of the General Assembly during its 70th session, including those contained in the Report of the Ad-hoc Working Group on Revitalization of the work of the General Assembly in document A/69/1007.*

The report of the Ad Hoc Working Group notes that during the thematic debate on the selection of the Secretary-General, "some speakers were in favour of reviewing resolution 11 (I) in relation to proffering only one candidate..." and that "some members raised the issue of a single term..." . Thus the president of the General Assembly has a clear mandate to take up issues that were not resolved by the time of the adoption of the resolution.

## Part IV: Council Activity in 2015

Discussion on the selection process for the next Secretary-General has started in the Council earlier than at any other time in the history of the appointment.

During the 30 June public wrap-up session on the Council's activities for June the Secretary-General selection process was raised by several members. On 1 June, ACT had sent a letter to the president of the Council, as well as to the president of the General Assembly, with the group's proposals, including that the process should be initiated by a joint letter from the two presidents. Malaysia, as president of the Council for June, had circulated a concept note for the wrap-up session which included the selection of the Secretary-General among the topics that members might want to focus on. In their statements, Chile, Spain, the UK and Venezuela supported a transparent and inclusive process for the next selection. Spain additionally spoke about the possible establishment of a list of candidates and the presentation of candidates "in sufficient time to allow for interaction with member states". The UK said that the broadest selection of candidates should be encouraged and was open to the process being widened so that member states and civil society could assess the candidates' credentials, while stressing that it is the Council that should take the lead in

this process. Venezuela suggested that the official presentation of candidates should be done early enough to "ensure better interaction between the Security Council and the General Assembly." Russia, on the other hand, made clear that it felt it was too early to start this discussion, and that any proposals for greater participation by member states in the process required careful study.

Council members had their first informal discussion on the process for selecting the next Secretary-General during the presidency of New Zealand on 22 July under "any other business". This meeting provided an opportunity for Council members to express initial views on this issue in a closed setting.

These meetings, together with positions taken during the negotiations and open debate on revitalisation of the work of the General Assembly earlier in the year, provide an indication of current positions of Council members. Many of the elected members are in favour of a more transparent process, with ACT members like Chile and New Zealand, as well as Venezuela being particularly supportive.

The P5 are divided on a number of issues. Russia does not see the need to move away from how things have been done in the past. It also argues that it would be better to start this discussion next year when the full membership

of the Council that will decide on the next Secretary-General is in place. Both Russia and the US are opposed to a rigid timeline as they do not want to close off the possibility of candidates coming in at a later stage.

The UK explains its position through three principles: equality, clarity and transparency. It would like to see a wide field that includes women so that the best possible candidate can be chosen, a clear indicative timetable for clarity and increased interaction with leading candidates as a way of increasing transparency. The UK has also said that it plans to hold an Arria-formula meeting next year with the candidates. France has indicated openness to a more transparent process but has not made concrete proposals for improving transparency. China, too, has been relatively low key in its views.

The P5 are likely to be united in their resistance to recommending multiple candidates to the General Assembly and to the idea of a single, non-renewable term. It is unclear at this stage how much the idea of the best candidate for the job versus considerations of geographic rotation and gender is going to be a divisive factor among the P5. Russia has shown support for the idea that it is Eastern Europe's turn, while others, like the UK, have argued for the best candidate for the job, regardless of region or gender.

## UN Documents

### SECURITY COUNCIL RECOMMENDATIONS AND RESOLUTIONS

[S/RES/1987](#) (17 June 2011) recommends the reappointment of Ban Ki-moon.

[S/RES/1715](#) (9 October 2006) recommends the appointment of Ban Ki-moon.

[S/RES/1358](#) (27 June 2001) recommends the reappointment of Kofi Annan.

[S/RES/1091](#) (13 December 1996) acknowledges Boutros Boutros-Ghali's contributions.

[S/RES/1090](#) (13 December 1996) recommends the appointment of Kofi Annan.

[S/RES/720](#) (21 November 1991) recommends the appointment of Boutros Boutros-Ghali.

[S/RES/589](#) (10 October 1986) recommends the reappointment of Javier Pérez de Cuéllar.

[S/RES/494](#) (11 December 1981) recommends the appointment of Javier Pérez de Cuéllar.

[S/RES/400](#) (7 December 1976) recommends the reappointment of Kurt Waldheim.

[S/RES/306](#) (21 December 1971) recommends the appointment of Kurt Waldheim.

[S/RES/229](#) (2 December 1966) recommends the reappointment of U Thant.

[S/RES/227](#) (28 October 1966) recommends temporary rollover of the appointment of U Thant.

[Security Council Official Records, Seventeenth Year, 1026th Meeting](#) (30 November 1962) recommends the appointment of U Thant.

[S/RES/168](#) (3 November 1961) recommends the appointment of U Thant as acting Secretary-General.

[Letter recommending renewal of appointment of Dag Hammarskjöld: Official Records of the Security Council, Twelfth Year, 792nd Meeting](#) (26 September 1957).

[Letter recommending appointment of Dag Hammarskjöld: Official Records of the Security Council,](#)

[Eighth Year, 617th Meeting](#) (31 March 1953).

[Letter recommending appointment of Trygve Lie: Official Records of the Security Council, First Year, First Series, no. 1 page 44](#) (30 January 1946).

### GENERAL ASSEMBLY RESOLUTIONS

[A/RES/69/321](#) (11 September 2015) on the revitalisation of the work of the General Assembly included decisions on the selection of the Secretary-General.

[A/RES/65/282](#) (21 June 2011) renews the appointment of Ban Ki-moon.

[A/RES/61/3](#) (31 October 2006) appoints Ban Ki-moon.

[A/RES/60/260](#) (8 May 2006) is on management reforms.

[A/RES/60/286](#) (8 September 2006) includes decisions on revisions to the process for appointing the Secretary-General.

[A/RES/55/277](#) (6 July 2001) renews the appointment of Kofi Annan.

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## UN Documents (con't)

[A/RES/52/12B](#) (19 December 1997) establishes the post of Deputy Secretary-General.

[A/RES/51/241](#) (31 July 1997) adopted decisions on strengthening the UN system.

[A/RES/51/200](#) (17 December 1996) appoints Kofi Annan.

[A/RES/49/252](#) (23 September 1994) establishes the Working Group on the Strengthening of the UN System.

[A/RES/46/21](#) (3 December 1991) appoints Boutros Boutros-Ghali.

[A/Res/41/1](#) (10 October 1986) renews appointment of Javier Pérez de Cuéllar.

[A/RES/36/137](#) (15 December 1981) appoints Javier Pérez de Cuéllar.

[31/60](#) (8 December 1976) renews appointment of Kurt Waldheim.

[2903 \(XXVI\)](#) (22 December 1971) appoints Kurt Waldheim.

[2161 \(XXI\)](#) (2 December 1966) renews appointment of U Thant.

[2147 \(XXI\)](#) (1 November 1966) briefly extends appointment of U Thant.

[1771 \(XVIII\)](#) (30 November 1962) appoints U Thant.

[1640 \(XVI\)](#) (3 November 1961) appoints U Thant as Acting Secretary-General.

[1229 \(XII\)](#) (14 December 1957) renews appointment of Dag Hammarskjöld.

[709 \(VII\)](#) (7 April 1953) appoints Dag Hammarskjöld.

[492 \(V\)](#) (1 November 1950) extends appointment of Trygve Lie for three years, without a Security Council recommendation.

[64 \(II\)](#) (1 February 1946) appoints Trygve Lie.

[11 \(I\)](#) (24 January 1946) establishes terms and process for appointment.

### SECURITY COUNCIL MEETING RECORDS

[S/PV.7479](#) (30 June 2015) is the record of the wrap-up session of the Council activities in June.

[S/PV.6556](#) (17 June 2011) is the communiqué of the meeting where the Council decided to recommend the appointment of Ban Ki-moon to a second term as Secretary-General.

[S/PV.5547](#) (9 October 2006) is the communiqué of the meeting where the Council recommended Ban Ki-moon be appointed as Secretary-General.

[S/PV.4337](#) (27 June 2001) is the communiqué of the meeting where the Council recommended the reappointment of Kofi Annan.

[S/PV.3725](#) (13 December 1996) is the communiqué of the meeting where the Council recommended Kofi Annan be appointed as Secretary-General and adopted a resolution acknowledging Boutros Boutros-Ghali's contributions.

[S/PV.1026](#) (30 November 1962) is the communiqué of the meeting where the Council recommended the appointment of U Thant.

[S/PV.612](#) (11 March 1953) is the communiqué on the private meeting on the recommendation for the appointment of the Secretary-General which contains the names of several candidates.

[S/PV.613](#) (13 March 1953) is the communiqué of the private meeting on the recommendation of the Secretary-General containing information on candidates and voting, including that there was a negative vote by a permanent member.

[S/PV.614](#) (19 March 1953) is the communiqué of the private meeting where the Soviet Union proposed that the Council should recommend the appointment of V.L. Pandit.

[The 617 meeting of the Security Council](#) (31 March 1953) is the communiqué of the private meeting on the recommendation of the Secretary-General containing the results of the vote which led to Dag

Hammarskjöld being appointed Secretary-General.

### SECRETARY-GENERAL'S REPORTS

[A/51/950](#) (14 July 1997) is the report of the Secretary-General Renewing the United Nations: a Programme for Reform proposing the post of Deputy Secretary-General.

[A/51/950/Add.1](#) (7 October 1997) is the report explaining the job description for the Deputy Secretary-General.

### OTHER

[A/69/PV.103](#) (11 September 2015) is the record of the meeting where resolution A/RES/59/321 was adopted.

[A/69/1007](#) (3 September 2015) is the report of the Ad Hoc Working Group on the Revitalization of the work of the General Assembly.

[A/65/71](#) (8 April 2010) is the letter transmitting the report of the Joint Inspection Unit entitled "Selection and conditions of service of Executive Heads in the United Nations system organizations".

6 July 2006 letter from the president of the General Assembly to member states on his meeting with the President of the Security Council.

2 June 2006 letter from the president of the General Assembly to member states attaching letter from the President of the Security Council on the Secretary-General selection process.

[S/2006/252](#) (20 April 2006) is the letter from Malaysia, Chair of the NAM Coordinating Bureau, to the Security Council, communicating NAM's formal position that the next Secretary-General should be from Asia.

[A/50/24](#) (23 July 1996) is the report of the Open-ended High Level Working Group on the Strengthening of the UN System.

[PC/20](#) (23 December 1945) is the report of the UN Preparatory Commission.

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## Useful Additional Resources

*The Procedure of the UN Security Council, Lorraine Sievers and Sam Daws, Fourth Edition*, (Oxford:Oxford University Press, 2014) and its update website [www.scprocedure.org](http://www.scprocedure.org)

*Secretary or General, The UN Secretary-General in World Politics*, Simon Chesterman (Ed), Cambridge University Press, 2007

*Selecting the Next UN Secretary-General*, A UNA-USA Report, May 2006, New York

*The Horseshoe Table, An Inside View of the UN Security Council*, Chinmaya R Gharekhan (Pearson Education), 2006

*Surrender is Not an Option: Defending America at the United Nations*, John Bolton, (Simon and Shuster), 2007

### WEBSITES

1 for 7 Billion, <http://www.1for7billion.org>

The Elders, <http://theelders.org>

Campaign to Elect a Woman Secretary-General, <http://www.womansg.org>



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