

A stylized world map composed of a grid of grey dots, with several dots highlighted in red to represent specific countries.

Ban Ki-moon Successor

A Democratic UN Starts With a Democratic Election of its Leader

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- The process to select the UN Secretary-General (SG) is outdated, non-transparent, and dominated by the Permanent Five Members of the Security Council (P5). They use their veto power in secret negotiations, until they can agree on a compromise candidate who is then recommended to the General Assembly (GA) for rubber-stamp approval.
- A global movement of civil society groups, former political leaders, and UN Member States has called for a substantial overhaul of the process. They demand, inter alia: a transparent nomination procedure; a formal list of selection criteria based on merit, gender balance, and ethnic and geographic diversity of candidates; public debates; at least two candidates for the GA to choose from; and a single, but longer term for the SG.
- In the run-up to the end of Ban Ki-moon's term on 31 December 2016, the P5's main interest is to maintain the status quo. Yet by ignoring the reform movement, the P5 run the risk that the election of the SG may become a lightning rod for the UN Member States' broader frustration with the P5's overwhelming dominance.
- Japan and Germany should follow the other two so-called G4 states—Brazil and India—which have already thrown their weight behind a reform of the SG selection process. This would benefit their reputation as constructive UN actors and, if successful, increase credibility and effectiveness of the global organization.

Ban Ki-moon's days as UN Secretary-General (SG) are numbered. Although his term of office does not end until 31 December 2016, preparations for the era after Ban Ki-moon are in full swing, and the names of possible successors are already circulating. Dubbed as the »most impossible job on earth« by Trygve Lie, who was the first holder of the highest UN office, global affairs have not become simpler since he stepped down in 1952. On the contrary: climate change, internal and parastatal armed conflicts, as well as global inequalities are all increasingly complex problems that do not stop at national borders.

The solutions thus require the participation and involvement of all the countries in this world; never before in the history of humanity has a truly »United« Nations worthy of the name been so sorely needed. At the same time, the requirements that UN leadership is confronted with have never been as manifold and wide-ranging as at present. More than 40,000 people are currently working for the UN throughout the world. The SG now acts as a go-between for 193 member countries, coordinating 30 UN funds, programmes, and special organizations such as the children's rights organization UNICEF and the Food and Agriculture Organization (FAO).

No Formal Qualifications Required

That being the case, it is all the more remarkable that there is no formal qualifications profile for the office of the UN Secretary-General. Nor is there any transparent public election procedure. The job description and selection process are still based on the unchanged, generally worded, formal provisions laid down in the UN Charter from 1945, in which exactly one sentence is devoted to the selection of the SG. Chapter 15, article 97 states: »The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council«.

In 1946, the UN General Assembly (GA) adopted its one and only specification to this process. Resolution 11/1 described the qualifications needed by this person in that most eloquent, lofty bureaucratic jargon of the 1940s as a »man of eminence and high attainment«. It also recommended a secret ballot in electing the SG and preliminary selection of a single candidate by the Security Council (SC) for approval by the GA.

It is on the basis of these antiquated provisions that an informal procedure has developed over the years—»common law«, so to speak—to determine and elect the UN's highest diplomat. The candidates have to be nominated by a UN Member State, after which the Permanent Five Members of the Security Council (P5)—China, France, the United Kingdom (UK), Russia, and the United States (US)—reach an agreement on who the sole candidate is to be in secret negotiations, while wielding the veto right. Most UN Member States and civil society—not to mention the general public—are not privy to the actual selection of candidates, because no reporting whatsoever takes place on this diplomacy behind closed doors.

Unsurprisingly, this process is geared towards the lowest common denominator candidate—i. e., someone who is not expected to significantly challenge the P5. In the case of the vote for Ban Ki-moon, US Secretary of State Condoleezza Rice was alleged to have regarded him as a suitable candidate for the post, by saying: »I am not sure we want a strong secretary general« (Lynch 2014). Indeed, all that is left for the GA to do is to apply its rubber stamp to the compromise candidate.

As part of the law of custom for elections at the UN, the right to nominate candidates alternates between regional groupings that subdivide UN Member States as follows: African Group (54 states); Asia-Pacific Group (54 states); Eastern European Group (23 states); Latin American and Caribbean Group (GRULAC, 33 states); Western European and Others Group (WEOG, 29 states, including Australia, Canada, Israel, New Zealand and the US). Admittedly, regional rotation has never worked particularly well with regard to the Secretary-General: in the UN's history, on most occasions candidates from different regional groupings were advanced and seriously considered,¹ which suggests that neither the candidates nor the nominating countries took the requirement for regional rotation seriously. Moreover, three of the eight SGs have been from Western Europe (see Table 1). Therefore for the upcoming election, Eastern European countries are laying claim to the office. Nevertheless, their chances for success are unclear because Moscow has already indicated its resistance to the Eastern European proposal.

1. Candidates from only one regional grouping were nominated in 1946 (WEOG), 1961 and 1966 (Asia), and 1996 (Africa).



Table 1: UN Secretaries-General (1946–2015)

Name	Country and Region	Tenure
Trygve Lie	Norway (WEOG)	1946–1952
Dag Hammarskjöld	Sweden (WEOG)	1953–1961
U Thant	Burma/Myanmar (Asia-Pacific Group)	1961–1971
Kurt Waldheim	Austria (WEOG)	1972–1981
Javier Pérez de Cuéllar	Peru (GRULAC)	1982–1991
Boutros Boutros-Ghali	Egypt (African Group)	1992–1996
Kofi Annan	Ghana (African Group)	1997–2006
Ban Ki-moon	South Korea (Asia-Pacific Group)	2007– (Term ends 31/12/2016)

Women Need Not Apply

Yet even if regional rotation were to be adhered to more rigidly, there will never be any real diversity of candidates under this system. Just to take one example: not a single woman has become Secretary-General.² This recruitment record is severely out of step with contemporary hiring practices. In his own words, current Secretary-General Ban Ki-moon appointed »a record number of women to high-level positions [in the UN]. I did not fill jobs with women just for the sake of it—I looked for the best possible candidate and I found that if you strip away discrimination, the best possible candidate is often a woman« (Ban 2014).

In 1997, the GA passed resolution 51/241, thereby agreeing that, »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«.³ While this decision undoubtedly elevated gender equality to the same level as regional rotation, almost two decades later there is yet to be a female Secretary-General.

2. There are only three female candidates known to have been considered at all: Vijaya Lakshmi Pandit (India) in 1953; Gro Harlem Brundtland (Norway) in 1991; and Vaira Vīķe-Freiberga (Latvia) in 2006.

3. A/51/241 (1997) Para 59.

The Secrecy Council

Although the GA Resolution 11/1 of 1946 waived the Assembly’s rights regarding the SG selection process in favour of the SC, the UN’s main body has not always been entirely passive. In 1950, for example, the selection of the SG was completely deadlocked by vetoes in the SC, resulting in a failure to issue a recommendation to the GA. Consequently, the GA took matters into its own hands and extended the tenure of Secretary-General Trygve Lie by a majority vote. It was only after this incident that the GA submissively accepted the recommendation of the SC to be voted up or down (the latter never happened).

While there is nothing in Article 97 or elsewhere in the UN Charter that requires the GA to forego its role in appointing the SG so completely, the current practice provides the veto-wielding P5 the sole privilege of selecting the final candidate in de facto terms. With the exception of U Thant’s selection in 1961 and the first appointment of Boutros Boutros-Ghali in 1991, the power to cast a veto has remained a significant factor. Most prominently, Boutros Boutros-Ghali was prevented from a second term due to a veto by the United States (US). It is less known that his successor, Kofi Annan, was rejected at least seven times by one of the P5 before finally being selected. Detailed information is missing, because

at that point the SC had informally switched over to a system of so-called straw polls for the SG selection. This procedure has eased the work of the SC, because it made many of the formal ballots on candidates superfluous. For that same reason, it made the SC's work even more non-transparent, because unlike the formal voting results, straw poll votes were cast anonymously and without officially recorded documentation.

Change We, the Peoples of the United Nations, Can Believe In

Even if the prerogative of the P5 regarding the SG selection to a certain extent reflects the realities of power politics, this degree of power in the hands of these five countries is politically counterproductive over the long term, because it is detrimental to the UN's credibility and legitimacy.

The world's highest international civil servant has been selected in an undemocratic, secretive manner for far too long. »We, the peoples of the United Nations« deserve something better than the P5 once again foisting a single compromise candidate on the world to head the most global of all organizations at the end of 2016. Many countries that would otherwise support UN reform to increase the organization's accountability and managerial efficiency are hesitant to do so as long as they see the person at the top beholden to a few powerful states. Hence, reforming the SG selection process points to two fundamental challenges for the UN—one structural, the other political. Structurally, an effective intergovernmental body needs a functioning system of checks and balances. In the UN—at least in theory—the Secretary-General can fulfil such a function by mediating between the main UN bodies, but also between the politicized self-interests of Member States. Yet, this capability is hampered by the SG's undemocratic selection, which overstates the P5's selection power vis-à-vis the GA's agreement with the final decision. Politically, the way the SG is selected is in stark contrast to the values of democratic governance that the UN tries to promote throughout the world.

By the same token, it is clear that without increasing political and public pressure, China, France, Great Britain, Russia, and the US will not willingly give up their privileged position in the selection of the Secretary-General. The international community has a historical opportuni-

ty at present—with a run-up period of 18 months—to render the selection of the next Secretary-General more transparent and democratic. There is definitely enough latitude available for such reforms; for years, well-known former UN diplomats and officials at the Secretariat have been underscoring the fact that current practice is merely based on informal custom.⁴ This non-transparent procedure also clashes with practices by many other international bodies, such as the World Trade Organization (WTO) and the Organisation for Economic Co-operation and Development (OECD). In both cases, merit-based and transparent selection mechanisms have been established, by advertising the position and holding consultations with member states.

The selection process needs to be reformed to open the venue for constructive proposals from UN Member States and global civil society. To make the selection of the next UN Secretary-General more transparent, a group of international non-governmental organizations have initiated a campaign dubbed »1 for 7 Billion—Find the Best UN Leader.«⁵ This global initiative presents an opportunity for global democracy in actual practice. It does not call for utopian, unrealistic reforms at some time in the distant future, but changes that would lend credence and legitimacy to the United Nations now.

The following specific proposals for reform seem auspicious:

- The office of Secretary-General should be opened for applications in every member country and linked with a deadline for nominations to be forwarded by governments, legislatures, and civil society.
- The UN should publish a list of formal selection criteria to ensure a selection based on merit, gender balance, as well as the ethnic and regional diversity of candidates. The Presidents of the GA and the SC could then jointly issue a time schedule for the election guaranteeing a structured procedure. The selection procedure should take place in ample time before the election.

4. See for instance Brian Urquhart and Erskine Childers (1996): *A World in Need of Leadership: Tomorrow's United Nations*, 2nd rev. ed. Uppsala, Sweden: Dag Hammarskjöld Foundation; and Colin Keating (2007): *Selecting the World's Diplomat*, in: Chesterman, Simon (ed.): *Secretary or General? The UN Secretary-General in World Politics*. Cambridge University Press: 47 f.

5. For more information, see www.1for7billion.org

- The Presidents of the GA and SC should then publicly announce which candidates are to be included in the select group of candidates to be recommended by the SC. This would make the selection procedure more transparent.
- The GA must then organize a series of public debates allowing member countries, the media, and the public to gain an impression of the candidates.
- The GA and the SC should also increase transparency by prohibiting the current practice of reserving leading jobs in the UN for certain Member States in exchange for support of a particular SG candidate.
- The GA must insist that the SC nominate at least two candidates for election to the office instead of merely one, as has been the case to date.
- The Secretary-General's term in office should be extended from five to seven years. At the same time, however, the possibility of re-election should be eliminated in order to ensure that the office-holder devotes his or her attention to the fulfilment of his or her mandate instead of lobbying for re-election.

The General Assembly Needs to Act Up

The proposals for change described above are possible. They would not require a Charter amendment, which is hard to achieve because it entails the adoption and the domestic ratification of two-thirds of the Member States, including the P5. A change in the procedures can be initiated by the GA simply by adopting a resolution on the SG election.

In fact, Member States have repeatedly adopted resolutions that are reflective of the proposals above. For example, in 1997, UN Member States reasserted the GA's power enshrined in the Charter for the appointment of the SG, such as by identifying potential candidates to be forwarded to the Council.⁶ That same resolution also demanded considering the option for the SG to serve one single term only, before the next SG appointment. However, during the selection process in 2006, the GA did not follow through with this or any other of its own

recommendations. Ban Ki-moon's selection offered little improvement of the process, with the exception of a more formalized straw poll procedure in the SC and a modest proposal by Canada to increase transparency and the formal requirements for the SG (Canadian Mission to the UN 2006).


Almost ten years later, there are signs that a vast range of reform proposals are gaining enough momentum to have a real impact on the election of Ban Ki-moon's successor in 2016. The campaign »1 for 7 Billion«, for instance, is being helped by a recent call for a broad UN reform package from the Elders—a group of world-renowned politicians brought together in 2007 by Nelson Mandela, and currently chaired by Kofi Annan. Like the »1 for 7 Billion« campaign, the Elders call for an immediate overhaul of the selection process and propose: an open search; the recommendation by the SC of more than one candidate to the GA; a single term of seven years; and no promises by candidates in return for support. Not in contradiction to this, but more limited in scope, is »Woman SG«, a campaign to elect a woman as UN Secretary-General.⁷

Reform proposals for the SG selection process are increasingly gaining traction among UN Member States also because of a heightened awareness of the SC's working methods in general. This is in no small part due to the activities of the so-called ACT Group, comprised of 27 member states from every regional group, which promotes accountability, coherence, and transparency of the SC's work. As part of this mission, ACT is making proposals on the appointment of the next Secretary-General of the UN due next year. For instance, at a GA debate on 27 April 2015 about improvements to the process for appointing the UN's next leader, ACT made a practical—albeit rather modest—proposal to increase transparency: the selection process should be initiated by a joint letter from the Presidents of the GA and the SC, which calls for nominations and an end date.

That debate provided a litmus test for the range of motions that will likely carry Member States towards nominating a successor for Ban Ki-moon. Almost all delegates called for a more open and inclusive process to replace the outdated and non-transparent procedure that currently leads to the appointment of the UN's chief. But the

6. (A/51/241 (1997) Paras 57 and 60).

7. For more information, see www.womansg.org



discussions were also indicative of the challenges ahead of real, systemic change of the proceedings—the P5. To date, among the P5 countries, China, Russia, and the US appear to be most clearly in favour of the status quo, whereas the UK appears to favour a more open process. The extent to which the P5 risks further alienating the rest of the UN Member States on this matter cannot be underestimated. In that sense, a general frustration over the increasingly intransigent P5 could develop on the issue of the SG selection process, perhaps leading to a situation in which the GA would indeed take its right of approval seriously. One can only imagine the embarrassment if the UN Security Council selects a single candidate who is subsequently rejected. This scenario may not come to fruition in reality, but as is the case with the veto in the SC, the sheer possibility of wielding such a powerful tool is powerful in itself.

Conversely, it is too easy to make an obstinate P5 block the sole culprit. In past SG selection processes, the non-permanent members of the SC sided all too easily with the will of the Council's permanent Members, rather

than with the majority of the general UN membership. For the SG election reform effort to gain traction, it would be helpful if current and upcoming elected members of the SC saw their involvement as an opportunity to improve their standing in the UN. This holds true especially for the so-called G4 States—Brazil, Germany, India, and Japan. Instead of continuing to demand a permanent seat on the SC—which is unrealistic—here is an opportunity to invest political capital in a much more prudent manner. To date, India and Brazil belong to the front runners of Member States calling for an end to the GA's »rubber-stamping« function, urging the SC to give the UN's wider membership a real choice by putting forward more than one candidate. Japan and Germany, who have so far remained on the sidelines, should follow suit. A lot would be gained—both in terms of the countries' reputation as constructive global UN actors, and in terms of the global organization's credibility and effectiveness. This would pave the way for an urgently needed improvement in the multilateral order. A more democratic UN begins at the top: with a more democratic election of its Secretary-General.



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