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This series of background briefs have been written by scholars from around the world who are members of the Academic Council on the United Nations System (ACUNS). The paper reflects the view of the author, in her or his individual capacity. It has been solicited as a contribution to the 1 for 7 billion campaign to make the appointment process of the United Nations Secretary General more open and inclusive, and thereby more accountable.

The briefs are available at <http://www.1for7billion.org/resources/>. The OWT is grateful for the support provided by ACUNS in this effort.

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Transparency and accountability in the UN Secretary-General appointment process measured against the UN's own best practices

One World Trust background briefs for the 1 for 7 billion campaign

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The year 2016 is marked by the selection of the Secretary-General of the United Nations (UN), whereby the movement to find the best candidate has grown and a series of changes has been implemented with the aim to enhance transparency and accountability through a more competitive and inclusive process. Despite these changes, much remains to be done in order to advance further on these two criteria. This brief explores the question: Can other selection processes of high positions in the specialized agencies of the UN provide ideas for how to make the election of the Secretary-General more transparent and accountable?

The process of selecting the Secretary-General is regulated by article 97 of the UN Charter and numerous resolutions. However, these do not regulate the process to the extent required to select such an important post. A number of common elements, also referred to as "best practice", are often present in the appointment processes of other international organisations.¹ They are consistent with recommendations given by the Joint Inspection Unit (JIU) of the UN in 2009² for improvement in the selection processes in the UN system and some of them form part of the reforms suggested by the campaign 1 for 7 Billion.³ A compilation of these recommended "good practices" include:

- Selection criteria
- Nominations
- List of candidates
- Vision statements
- Hearings
- Openness of the process
- Inclusivity (equal participation of all member states in the election)
- Timeline (including closing date for nominations)
- Ban unethical practices

1. David Peretz. "The Process for Selecting and Appointing the Managing Director and First Deputy Managing Director of the IMF." (2008). (available from: <http://www.ieso-imf.org/ieso/files/whatsnew/BP071.pdf>) (accessed 19 April 2016).
2. Zahran Mohamed Mounir, Papa Louis Fall, and Enrique Roman-Morey. "Selection and Conditions of Service of Executive Heads in the United Nations System Organizations." Joint Inspection Unit (2009).
3. See <http://www.1for7billion.org/ten-urgent-reforms/> 1 for 7 Billion proposed reforms for the Secretary-General selection (accessed 19 April 2016).

On their own initiative, and that of the Board of Auditors, JIU developed this evaluation with the aim of assessing the legal and institutional framework and practices regarding the appointment of the Secretary-General of the UN and executive directors in the UN system. In order to strengthen the selection process and with the aim of finding the best candidate for the post, many UN agencies have implemented several of these recommendations. However, the question in focus here is how appropriate they could be for the selection process for the UN Secretary-General. The report of the JIU acknowledges that although the process of selecting the Secretary-General is unique, due to the leading role of the Security Council in the process, it still argues that “the prevailing practice in other organizations is also suitable for the election of the Secretary-General.” However, the need to enhance transparency, accountability and inclusivity in selection processes is given in every organization of the UN system. Thus certain practices that aim to tackle these issues would be beneficial if implemented in the Secretary-General appointment process.

When the UN General Assembly (GA) passed a new resolution⁴ in September 2015 on the Secretary-General appointment process, it showed significant progress and included some of the so-called “good practice” previously mentioned, such as selection criteria, nominations, list of candidates, vision statements, hearings and openness of the process. However, inclusiveness in the selecting group, the implementation of a timeline, with deadline for nominations, and a ban on unethical practice have not yet been included in the election of the Secretary-General. An analysis of these practices, which are a core part of other selection processes in UN specialized agencies, shows that they enhanced transparency and competitiveness as well as increased legitimacy when selecting their executive directors.

Inclusivity is a desirable characteristic for any selection process, thus equal participation of all Board members of an organization should be considered essential for any multilateral election process. Organizations such as the IMF, FAO, WHO, ILO, UNESCO, ICAO, IFAD and IMO⁵ – select their candidates through their governing bodies, which include all of the member states that comprise the organization. In the JIU report the majority of Member States supported greater involvement of the GA in the selection process of the Secretary-General. According to the UN Charter the GA, with all UN member states, appoints the Secretary-General; however, this is subject to the recommendation of the Security Council, which only holds 15 Member States and puts forward just one candidate.⁶ Therefore, those Member States which are not currently holding a seat in the Security Council have no participation in this stage of the process. Several civil society groups such as “The Elders” and “1 for 7 Billion”, are calling for the Security Council to put forward more than one candidate to the General Assembly. The implementation of this recommendation would ensure that the final decision is not in the hands of a few members, but that all the member states that comprise the organisation participate in the election of the Secretary-General ensuring the inclusive nature of the organisation.

A timeline with deadlines for nominations for the appointment process is a common practice in several organizations. This includes a set period of time for nominations. The need to establish a timeline is mentioned in the report of the JIU as a tool used to primarily avoid not electing a candidate on time and to make the transition as smooth as possible, providing the successor with enough time to prepare for the post. Benefits of this implementation extend to the possibility for the nominees to build a broader support and for everyone to have a clearer idea of the

4. General Assembly resolution 69/321, Revitalization of the work of the General Assembly, A/RES/69/321(22 September 2015), available from: www.securitycouncilreport.org/atf/cf/6D27/a_res_69_321.pdf (accessed 19 April 2016).

5. IMF: International Monetary Fund, FAO: Food and Agriculture Organization, WHO: World Health Organization, ILO: International Labour Organization, UNESCO: United Nations Educational, Scientific and Cultural Organization, ICAO: International Civil Aviation Organization, IFAD: International Fund for Agricultural Development, IMO: International Maritime Organization.

6. Decision adopted by the General Assembly in GA RES. 11 (1) 1946, where the GA states it would be “desirable” to put forward just one candidate.

stages of the process, thus increasing transparency. Among the specialized agencies that have a clear timeline are FAO, ILO, ITU, UNESCO, UNIDO, WHO, WIPO, IFAD and IMO⁷ where they also have a period for nominations, usually of between three to four months. On the other hand, the case of the IMF only allows nominations for a period of three weeks and another three weeks for the selection. In the case of the Secretary-General there is only a rough idea, based on previous practices, of when the different stages will happen. The timeline in this case is a subject that has not been clearly addressed in any of the documents that regulate the Secretary-General appointment process. Thus Resolution 69/321 urges the candidates to present their candidacies “in a timely manner”. Likewise the Joint Letter⁸ mentions that early presentation of candidates would help the Council in its deliberations, and that it plans to make its recommendation to the GA in due course to allow sufficient time for the new Secretary-General to prepare for the job. Ultimately however the process can be delayed until one month before the end of the term of the current Secretary-General.⁹ However, recently, in a letter to the President of the GA, the Security Council announced the start of the first straw poll on the 21st of July.¹⁰ The possibility that other candidates can emerge over the year has prevented this timeline and deadline for nominations from being established, although in this case, the President of the GA has committed to hold informal dialogues with candidates that may emerge along the process. Opening and closing dates for nominations can prevent the politicisation of the process and the “strategic nomination by governments outside of public scrutiny.”¹¹ This strategic nomination from a member state includes voting against the strongest candidate in order to put another candidate forward on a later stage.

The banning of unethical practices aims to prevent any horse trading occurring behind closed doors during the selection process. Unethical practices were brought to the attention of the JIU and are described in the report as “promises, favors, invitations and gifts, etc. provided by candidates for the post of executive head or their supporting governments during the selection/ election campaign, in return for favourable votes for certain candidates.” In the case of the Secretary-General selection process there is no express prohibition stipulating that Member States or delegates should not receive any favours from candidates, such as the promise of senior positions in the UN for their nationals in exchange for a vote in the Security-Council’s straw poll, or that Member States cannot offer other Member States favours, such as debt reduction or money, in exchange for support of their preferred candidate. The degree of regulation of such practices in UN organizations varies depending on the agency. Thus we find that the ILO, and the WHO have expressly prohibited promises and favours in exchange of support.¹² The FAO’s Director-General has shown his support for the recommendation of condemning these unethical practices being implemented in order to increase accountability, ethics and transparency when selecting their executive director, however this has not yet been put in place.¹³

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7. FAO: Food and Agriculture Organization, ILO: International Labour Organization, ITU: International Telecommunication Union, UNESCO: United Nations Educational, Scientific and Cultural Organization, UNIDO: United Nations Industrial Development Organization, WHO: World Health Organization, WIPO: World Intellectual Property Organization, IFAD: International Fund for Agricultural Development, IMO: International Maritime Organization.
 8. Joint letter of the President of the General Assembly and President of the Security Council Available from: http://www.un.org/pga/70/wp-content/uploads/sites/10/2015/08/15-Dec-2015_Appointment-of-Secretary-General-15-December-2015.pdf (accessed 19 April 2016).
 9. A/RES/51/241 22 August 1997 Available from: <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SGE%20A-1997-51-241.pdf> (accessed 19 April 2016).
 10. Letter from the Security Council announcing the beginning of deliberations. Available from: <http://static1.squarespace.com/static/5399cc0ae4b0705199b37aa3/t/576a4feb5e23175ba4e00dd/1466585070641/Letter+from+PGA+-+SC+Process+Announcement+15+June+2016.pdf> (accessed 19 April 2016).
 11. Tony Fleming, Improving Global Leadership Selection (January 2007) Available from: <http://globalmemo.org/docs/Improving%20Global%20Leadership%20Selection.pdf> (accessed 19 April 2016).
 12. Chart comparing different UN selection processes. Available from: <http://www.1for7billion.org/resources/> (accessed 19 April 2016).
 13. Comments FAO’s Director-General on the JIU report of 2009, <http://www.fao.org/docrep/meeting/021/ma458e.pdf> (accessed 19 April 2016).

Conclusion

The implementation of accountability and transparency mechanisms increases the chances of selecting the best candidate possible for what has been called “most impossible job” in the world. The UN has taken significant steps towards this goal in several of the specialized agencies, but it has failed to apply those principles to the same extent in the Secretary-General selection process. Although it is going in the right direction, a transparent and accountable selection process needs to implement as many recommendations of “good practice” as possible made by the UN’s own JIU, and other members of the UN family of organizations have gone further in applying these.

The One World Trust promotes education, training and research into the changes required within global organisations in order to make them answerable to the people they affect and ensure that international laws are strengthened and applied equally to all. Its guiding vision is a world where all peoples live in peace and security and have equal access to opportunity and participation.

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