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Appointment of the Secretary-General for a longer single term

"The fundamental role of the Secretary-General is to uphold the interests and aspirations of all the world's peoples. This requires leadership of the highest calibre... Above all... we need a Secretary-General who is independent and not beholden to the interests of individual member states. To help achieve this, the Elders believe strongly that the Secretary-General should serve only one term in office ... perhaps seven years."

Mary Robinson, on behalf of The Elders group of world leaders, chaired by former UN Secretary-General Kofi Annan¹.

"He or she should have the courage to maintain independence and the wisdom to exercise independence constructively. I believe that future Secretaries-General should be appointed to a seven year, non-renewable term to lessen their vulnerability to pressure from Member States."

Javier Perez de Cuellar, former Secretary-General².

"A single term of seven years would have many advantages. It would give a Secretary-General the opportunity to undertake far-reaching plans, free from undesirable pressures. It would make possible a more orderly and considered process for selecting the best possible successor ... The seven year, single term of office is the key to improving the appointment process. It should be established as soon as possible."

Brian Urquhart, former Under-Secretary-General who served under five Secretaries-General³.

- **Why a single, non-renewable term**

The UN needs leadership of the highest quality and moral authority if it is to remain the leading international organization to tackle major world crises in the 21st century. We need the best possible person for the job: an authoritative and visionary leader who firmly stands up for the principles of the UN Charter and the aspirations of the world's seven billion people. She or he must be able to act decisively in moments of crisis and have the political space to act effectively to promote peace and security, development and human rights for all.

The *1 for 7 Billion* campaign was created to promote a more open, transparent and inclusive selection process that serves to increase the chances that an outstanding new Secretary-General would be appointed, able to carry out her or his functions in optimal circumstances with full responsibility to *all* Member States. That requires an independent Secretary-General who does not have to run for re-appointment and is not beholden to the interests of individual Member States, notably the most powerful members of the Security Council who dominate the – to date – largely secret selection process.

The general practice since this was first decided by the General Assembly in 1946 has been to appoint Secretaries-General for a five-year term, once renewable. This effectively creates dependency on the veto carrying members of the Security Council, which recommends reappointment to the General Assembly. During the first term, a Secretary-General works under the shadow of pressures to be re-appointed. As one of the most senior former UN officials found: *"As regards re-eligibility, an incumbent Secretary-General clearly desiring to be reappointed may be subjected to undesirable pressures; some have been, and some have yielded to them....."*⁴. A single term appointment of sufficient length would help guard against that. Member States should seriously consider the public statements of former Secretaries-General supporting the single, longer, non-renewable term.

¹ 'A Secretary-General to serve all the world's peoples', Address by Mary Robinson, UN Headquarters New York, 30 June 2015

² The Delphi Symposium Report "The United Nations in the 21st Century: The Role and Selection of the Secretary-General." Delphi, May 2010, Annex, page 9.

³ Brian Urquhart and Erskine Childers, *A World in Need of Leadership: tomorrow's United Nations*, Dag Hammarskjold Foundation, Sweden, 1996, page 30, first published in 1990.

⁴ Brian Urquhart in Urquhart and Childers, page 30.

A single term would provide future Secretaries-General with the necessary political space to get her or his commitments achieved without the distraction of consideration of re-appointment. Without the politics of re-appointment, the Secretary-General would have more leeway to discharge her or his functions effectively. The need for the Secretary-General to be perceived as being independent, for example, when undertaking mediation, is also relevant.

The adoption of historic General Assembly Resolution 69/321 last September - which provides broad selection criteria, publication of candidates' CVs and meetings for all candidates with all Member States - represents major progress towards an improved selection process. No improvements can fully guarantee that an appointed candidate may not under-perform. But they do provide an unprecedented degree of scrutiny by all Member States and enhance the prospect of a highly capable candidate being appointed. Yet to try to apply these new provisions to the re-appointment process could seriously disrupt the work of an incumbent Secretary-General, already carrying out 'the most impossible job on this earth'⁵, when seeking re-appointment. This makes a longer single term of office preferable.

A non-renewable term longer than five and less than ten years would strengthen the hands of the next Secretary-General in developing policies to ensure the UN can support delivery of the major agreements on sustainable development and climate change adopted last year, and to ensure that the UN is able to manage the serious peace and security, human rights, and humanitarian challenges it faces. Moreover, a single term would provide for more regular testing of the office against evolving global requirements. It would better serve the need for renewability and innovation of the UN, and its Secretary-General. In short, a longer single term would strengthen the Secretary-General's ability to perform her or his highly complex global leadership responsibilities in a rapidly changing world.

- **The single term option does not require amendment of the Charter**

The length of term is clearly open to revision. In 1946, the General Assembly, which is assigned the responsibility of appointing the Secretary-General under Article 97 of the UN Charter, assumed its authority to set the term length. The Assembly decided that the term of office for the first Secretary-General should be five years with the possibility of a further term of five years (Resolution 11 (1)). However, the resolution also specified that "*there being no stipulation on the subject in the Charter, the General Assembly and the Security Council are free to modify the term of office of future Secretaries-General in the light of experience*".

The convention of a term of five years, renewable once, has mostly been observed, but there have been exceptions. Trygve Lie was re-appointed for three, not five years. U Thant was initially appointed for a year as acting Secretary-General, then appointed for a further four years. Kurt Waldheim had support from some Member States when he ran (unsuccessfully) for a third term.

Since 1976, the Security Council has included the term of office in its resolution recommending a candidate for appointment and the General Assembly has invariably reflected the same in its resolutions appointing Secretaries-General. However, it is clear from resolution 11 (1) that the Security Council is free to recommend or the General Assembly to decide to change the term to one longer than five years.

- **Urgent need for serious debate on term length**

The length of term has been debated since 1944 when various options were proposed ranging from three to ten years, including the option of a single term.⁶ In early 1996 there was strong support in the General Assembly for establishing a single term, including for a maximum of seven years. The Assembly was close to reaching consensus when discussions were overshadowed by disagreements about the possible reappointment of then Secretary-General Boutros Boutros-Ghali. In 1997 the General Assembly agreed that "the duration of the term or terms of appointment, including the option of a single term, shall be considered before the appointment of the next Secretary-General".⁷ However, consideration of this issue did not take place before the appointment of Secretary-General Ban Ki-moon in 2006.

Preliminary discussions on the term length in the Ad Hoc Working Group on Revitalization of the General Assembly during its 69th session were inconclusive. 2016 is the year that a full debate should take place and the General Assembly will be able to do so at an informal meeting, scheduled to take place at the end of February.

- **Length of single term**

It has been argued that the current system of renewable appointments has the advantage that the term of capable Secretaries-General can be doubled. In this regard, the length of a single term becomes important. The

⁵ Trygve Lie, the first Secretary-General of the United Nations, welcoming his successor at Idlewild airport in New York on April 9, 1953.

⁶ Mexico proposed a single 7-10 year term at the San Francisco Conference in 1945.

⁷ General Assembly Resolution 51/241 of 1997.

term should be long enough for an effective Secretary-General to make her or his contribution and take forward the objectives agreed with Member States. Any Secretary-General will need time to get up to speed and to reach full effectiveness. A longer single term would provide a Secretary-General with an uninterrupted timeline to implement her or his vision for renewal.

A single term of sufficient length would also allow the UN to benefit from an outstanding leader's best contributions while reducing the risk of routine re-appointment of a less competent Secretary-General. The ten years served by recent Secretaries-General may be too long a time for a job that is so demanding and so physically and mentally strenuous. A term of seven years has been recommended by several UN and other experts⁸.

- **Single term facilitates merit-based appointments in senior positions**

"Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities." (Art. 100(2) UN Charter)

1 for 7 Billion opposes backroom deals on senior UN appointments forced upon candidates or incumbent Secretaries-General seeking re-appointment in exchange for support from powerful Member States that dominate the selection process. Such practices contravene the letter and spirit of Article 100(2) of the Charter. A single term appointment would enhance the independence of the Secretary-General in making senior appointments solely based on merit from among all regions and regardless of nationality. The importance of a strong leadership team for the United Nations as a whole cannot be overstated.

- **The process of re-appointment is defective**

There are no rules or timetable governing the re-appointment process. Decisions on re-appointment are taken by the most powerful members of the Security Council and handed to the General Assembly for formal appointment, often at very short notice. The process is at best a perfunctory exercise, and at worst an opportunity to exert influence on the incumbent Secretary-General. The principles now agreed for the appointment of the Secretary-General cannot be satisfactorily applied to a re-appointment process without the possibility of greater distraction from the Secretary-General's implementation of her or his commitments.

- **Accountability under a single term**

It has been argued that the current system of re-appointment is necessary to hold Secretaries-General to account. Linking accountability to re-appointment implies that a single or second-term Secretary-General is not accountable. On the contrary, accountability should rest on the regular interaction between Secretaries-General and the Security Council and the General Assembly, bodies which have various means to hold a Secretary-General to account on a regular basis. The current practice of re-appointment does not contribute to accountability to all Member States.

- **Support for the single term**

A number of Member States from all regions have affirmed their support for the single term. The proposal also enjoys widespread support from UN experts and high-profile individuals, such as The Elders. Potential candidates for the post have also begun to express support.⁹

- **Options for action by the General Assembly**

The General Assembly could decide to vary the term. It could stipulate a single (longer) term for the next Secretary-General in its resolution appointing her or him. It could also decide to include a commitment to a single (longer) term in its annual resolution on revitalization of the General Assembly.

1 for 7 Billion urges Member States to appoint the next Secretary-General of the United Nations for a single longer term.

⁸ UN experts meeting at the Delphi Symposium; 'Strengthening the United Nations', Statement by the Elders, 7 February 2015; Urquhart and Childers, page 30; "Leading UN experts call for 'courageous' UN leader to serve single term of office" 20 January 2016. See: <http://www.1for7billion.org/news/2016/1/20/leading-un-experts-call-for-a-courageous-un-leader-to-stand-for-single-term-of-office>

⁹ "Leading UN experts call for 'courageous' UN leader to serve single term of office" 20 January 2016.