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The UN Secretary-General and the call for representation

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

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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.

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The campaign to reform the selection process for the 2016 appointment of a new Secretary-General for the UN has raised the issue of representation. While representation highlights the importance of good governance, such as accountability and transparency, it is its association with democracy and democratic politics, in particular the nature of the relationship between the representative and the represented, that poses new questions and significant challenges to the way in which multilateral politics are conducted. In their campaigns these groups have focused in the first instance on the former, that is transparency (of the selection process) and accountability (of those involved in the selection and the selected candidate). Other campaign aims, such as making the Secretary-General's term in office non-renewable, pursue an agenda of enhanced representation that challenges existing institutional constraints of UN politics and the role of the UN Secretary-General.

Despite its wide recognition, the concept of representation remains difficult to define. At its heart is the question of the nature of the relationship between the representative and the represented. According to Pitkin,¹ representation is the process of making visible the invisible. This could be done by either 'acting for' the represented, that is acting in their interest, or 'standing for' the represented. Representatives 'stand for' the represented by either resembling the represented in important aspects (e.g. gender, race, religion) or by invoking a particular meaning for the represented. Implied here is a form of mandate that the representative either claims on behalf of those they represent or that which they are given by the represented (for example through elections). Campaign groups' proposals have addressed both aspects of representation – 'standing for' and 'acting for' – but have not always explored in detail the extent of reform that may be required to achieve their aims or taken into account that established practices also carry representational claims. In the following I will discuss the tension between 'standing for' and 'acting for', and how these dimensions of representation are expressed in existing practices and campaign group proposals.

The question of representation as 'standing for' has been raised in regard to the candidates for the Secretary-General position, that is the person who represents. The UN Charter does not specify criteria for candidates

1. Pitkin, Hanna Fenichel (1967), *The Concept of Representation* (Berkeley, CA: University of California Press).

although the general understanding has been that the candidate should be 45-55 years of age, of a medium-size country and have diplomatic experience.² While descriptions may refer to 'he/him', nothing restricts women from nomination and selection. Indeed, the UN has committed itself as an employer to gender equality since 1996 and with resolution 1325 (2000) it also called on member states and other organizations to include more women in decision-making at all levels.³ The question of representation in the case of gender is significant in that it symbolises the participation of women – one half of the global population – in global governance. The representation of gender thus meets Pitkin's definition of representation to make visible that which is not (yet) made visible. The symbolic effect of a woman's presence and thus the representation of gender can operate in multiple ways: from signalling women's participation in decision-making roles to challenging gender stereotypes in member states. Moreover, the appointment of a woman Secretary-General means that the UN can be held to account for its own goals to achieve gender equality. However, while campaign groups' call for a woman Secretary-General may call for representation through resemblance, this call does not necessarily include representation as 'acting for' women. A similar relationship between 'standing for' and 'acting for' can be found in existing role descriptions and practices of selection.

While the question of 'acting for' any kind of constituency is anathema according to the UN Charter, the question of 'standing for' is one that is often overlooked or misunderstood. Existing selection processes follow the practice of regional rotation. The African, Asian and the Western Europe & Others regional group have all been 'represented' by two Secretaries-General and the Latin America group by one. The 2016 election is generally considered to be the turn of the Eastern Europe group, which has not yet seen any representation in this role and only two of its citizens in leadership roles in the UN system since 1945. While regional rotation is not a requirement set out in the Charter, its practice has been recognized and called for in various resolutions⁴. Campaign groups have included the practice of regional rotation in their call for change, portraying regional rotation as another aspect of the secrecy and horse-trading that surrounded past selection and appointment process. Instead, they demand that candidates are chosen on merit alone. In doing so they challenge a diplomatic practice that to member states may also embody Art. 2(1) of the UN Charter⁵ – sovereign equality. The Secretary-General 'stands for' the principle of equality when each region is given the opportunity to field a candidate. Thus, the practice of regional rotation reaffirms the participation of regions in UN politics, symbolizing regions' voices and their legitimate participation in the process of global governance. Reform proposals therefore challenge an important element of representation.

This representative link, however, does not create a mandate or other formal link between region and Secretary-General that would require them to 'act for' their region as Art 100(1) states that "In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization." Indeed, leaders of UN agencies who have shown preference for or prejudice against certain member states have undermined the institution and its reputation. This not only applied to cases such as WHO Director-General Hiroshi Nakajima, who was accused of financial mismanagement, cronyism and racism against African states, leaving member states disillusioned and staff with low morale⁶, but also saw Ban Ki-moon criticised for giving Korean nationals UN jobs⁷.

2. Urquhart, Brian and Childers, Erskine (1990), *A World in Need of Leadership: Tomorrow's United Nations* (Uppsala: Dag Hammarskjöld Foundation).

3. Available at <http://www.un.org/womenwatch/osagi/wps/>, (accessed 25 May 2016).

4. See also brief no. 2 in this series, *Appointing the Next Secretary-General: The Relevance of Geographic Rotation*.

5. Charter of the United Nations, available at <http://www.un.org/en/charter-united-nations/index.html>, (accessed 1 May 2016).

6. Freedman, Tani (1998) "Brundtland wins the top job at the WHO, becoming its first woman chief", *Agence France Press*, 27 January.

7. Lynch, Colum (2007) "Under U.N. Chief, Koreans in Key Posts", *Washington Post*, 21 October, available at <http://www.washingtonpost.com/wp-dyn/content/article/2007/10/20/AR2007102001008.html>, (accessed 23 May 2016).

This neutrality, that is the requirement to refrain from ‘acting for’ someone, is challenged by campaign groups that call for changes in the length of term and process transparency, which also poses challenges to international relations more broadly.

The scope to ‘act for’ a specific group or interest is significantly limited by the formal limitations set out in the Charter, as well as by member states (especially the five permanent members of the Security Council, the P5) and their willingness to allow independent action by the Secretary-General. In their role as ‘chief administrator’ (Art. 97), the Secretary-General may ‘represent’ the Secretariat and the needs of its staff in relation to member states (the employer), however, their political role is limited as defined by Art. 99 (bringing to the attention of the Security Council any threat to international peace and security) and Art. 33 (mediation, good offices). Here, representation is implied in that the Secretary-General ‘represents’, or gives voice to UN values where member states may not uphold them. This ‘acting for’ the UN is more generally assumed by the individual than it is prescribed by the Charter or member states. In other words, office-holders differed in the extent to which they were able or willing to challenge both formal and political constraints.⁸ Indeed, attempts by previous Secretaries-General to become too political; for example, by advancing their own agenda linked to what they saw as core UN values or by challenging the interests of the P5, in particular the United States, meant that Secretaries-General have found themselves side-lined or, in the case of Boutros Boutros-Ghali, did not see their term renewed.

Interestingly, while academic analysis often tends to err on the side of caution, stressing the limitations of the Charter⁹, the UN describes the Secretary-General’s role on its webpage in broader terms that suggest a requirement to ‘act for’ UN values and for people:

“Equal parts diplomat and advocate, civil servant and CEO, the Secretary-General is a symbol of United Nations ideals and a spokesperson for the interests of the world’s peoples, in particular the poor and vulnerable among them. [...] The Secretary-General would fail if he did not take careful account of the concerns of Member States, but he must also uphold the values and moral authority of the United Nations, and speak and act for peace, even at the risk, from time to time, of challenging or disagreeing with those same Member States (emphasis added).¹⁰”

Campaign groups that have called for greater transparency in the selection process, including open nominations and public interviews, as well as a reduction in the Secretary-General’s tenure to one term, have generally followed this ideal of representation and thereby challenged the post-1945 settlement of institutional power distribution. In wresting the selection process out of the hands of the P5, they emphasise that the Secretary-General represents “We the peoples”, as outlined in the preamble of the Charter. This ‘more independent’ Secretary-General¹¹ is understood as ‘standing for’ and ‘acting for’ the people, not governments of this world. Thus, following Pitkin, this ‘new’ role is to make visible what is often not visible: the plight of people around the world linked to acts committed by member states, the failure of powerful states to adhere to international law and UN values, and the values that states committed to in the Charter but which often fall victim to short-term considerations.

In conclusion, while representation is in the main associated with democratic politics and elections, the politics of institutional leadership in international relations and indeed calls to reform

7. Kille, Kent J. (2006) *From Manager to Visionary. The Secretary-General of the United Nations* (Basingstoke: Palgrave Macmillan).

8. See Chesterman, Simon (ed.), (2007), *Secretary or General? The UN Secretary-General in World Politics* (Cambridge: Cambridge University Press); Haack, Kirsten and Kent J. Kille (2012), ‘The UN Secretary-General and Self-Directed Leadership: Development of the Democracy Agenda’, in Joel E. Oestreich (ed.), *International Organizations as Self-directed Actors* (London: Routledge).

9. United Nations (2014) “The role of the Secretary-General”, available at http://www.un.org/sg/sg_role.shtml, (accessed 18 May 2016).

10. The Elders (2016) “A UN fit for purpose”, available at <http://theelders.org/un-fit-purpose>, (accessed 18 May 2006).

the institution, reframing the process of selecting the Secretary-General in these terms highlights a range of political relationships (and values) in which the office-holder represents different aspects and constituencies in different ways, including regions and sovereign equality, gender and 'we the peoples'.

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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