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United Nations Issues: Appointing the U.N. Secretary-General

The second five-year term of United Nations (U.N.) Secretary-General (SG) Ban Ki-moon ends on December 31, 2016. For the past several months, the U.N. Security Council and General Assembly have considered candidates to serve as the ninth SG. On October 6, the Council recommended António Guterres of Portugal, and the Assembly appointed him on October 13. Guterres served as the Prime Minister of Portugal from 1995 to 2002 and as the U.N. High Commissioner for Refugees from 2005 to 2015. His term will begin on January 1, 2017.

The United States maintains a significant interest in the SG appointment process, with the hope that the perspectives and policies of the new SG align with U.S. foreign policy and national security priorities. As one of five permanent members of the Council with veto power, it has considerable influence in the selection of the SG.

Role of the Secretary-General

The duties of the SG are both administrative and political. Article 97 of the U.N. Charter describes the SG as the “chief administrative officer” of the United Nations and head of the U.N. Secretariat. His or her administrative responsibilities include recruiting and hiring staff, coordinating with U.N. entities, preparing the organization’s budget, and reporting to the General Assembly. The political functions of the office often fall under Article 99 of the Charter, which authorizes the SG to “bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.” In addition, Article 98 states that the SG shall perform “such other functions as are entrusted” to him or her by the Council, Assembly, and other U.N. bodies. In practice, these guidelines have provided the SG with opportunities to use his influence and “good offices”—which draw on the perceived independence, moral authority, and impartiality of the position—to bring attention, publicly or privately, to conditions or events that might threaten global peace and security. Over the years, SGs have defined and adapted their role to address challenges faced during their tenure.

Appointment Process

Pursuant to Article 97 of the U.N. Charter, the SG “shall be appointed by the General Assembly upon the recommendation of the Security Council.” Additional processes and procedures were adopted by the General Assembly in 1946 (resolution 11(I)) and in subsequent resolutions and documents. Many procedures have also been implemented through precedent and practice.

Security Council. The 15-member Security Council is the primary U.N. body responsible for selecting the SG. According to Assembly resolution 11(I), it is desirable for the Council to recommend one candidate to the Assembly

for consideration. The Council’s deliberations generally occur in private meetings, with decisions taken by secret ballot by an affirmative vote from at least seven Council members, including the five permanent members (P-5). When a decision is made, the Council adopts a resolution recommending a candidate; generally, the resolution is considered during a private Council meeting.

In years when there have been multiple candidates, the Council has developed the practice of conducting informal straw polls to indicate member states’ initial level of support for individuals. (In the current process, Guterres won all six straw polls held by the Council.) In years when there has been one candidate (for example, when an SG is being considered for a second term), the Council generally adopts a resolution without prior polling, usually by acclamation. Following the adoption of the Council’s resolution, the Council President writes a letter informing the Assembly President of its recommendation.

General Assembly. With few exceptions, the Assembly’s role in the selection of the SG has been limited to adopting a resolution appointing the Security Council’s recommended candidate. To date, the Assembly has not challenged the Council’s recommendation. Resolution 11(I) provides that the Assembly may adopt the Council’s recommendation by secret ballot by a simple majority vote. In practice, the Assembly has held a public meeting to appoint the SG by acclamation.

Term length. Assembly resolution 11(I) specifies that the SG shall serve a five-year term, with the possibility of reappointment for a second term. It also states that the Council and Assembly are free to modify the term length of future SGs. The term start and end dates (usually January 1 to December 31) are typically included in the Council resolution recommending appointment. With the exception of Boutros Boutros-Ghali, whose second term was vetoed by the United States, every SG has been reappointed for a second term. The length of terms has varied depending on circumstances and events (see **Table 1**).

Timing. The timeline of the SG selection is not specified in the U.N. Charter or Assembly resolution 11(I); instead, the process is based on custom and practice and has varied depending on the circumstances of the appointment. In general, when the current SG’s term is scheduled to end on December 31, the Security Council has recommended appointment of a new SG between October and December of that year. The Council has recommended reappointment of a current SG between June and December.

Increasingly, the Council has recognized the benefits of providing a new SG with sufficient transition time. The appointment of Ban Ki-Moon in October 2006, nearly three

months prior to the beginning of his term in early January, represented a key change in previous Council practice.

Geographic distribution. The U.N. Charter does not specify that the selection of the SG be based on geographic distribution; however, various resolutions adopted by the Assembly over the years have expressed support for regional rotation or geographic balance when considering candidates. There does not appear to be a clear or consistent practice in this regard: SGs have been from Western Europe (six terms); Africa (three terms); Asia (four terms); and Latin America (two terms). There has not yet been a SG from Eastern Europe, and some countries have suggested that the next SG should be from that region.

Gender. Some observers and policymakers suggested that the next SG should be a woman. In March 2016, for example, a group of U.S. Senators wrote to Secretary of State John Kerry urging the Administration to support a woman to serve as SG. In August, Ban stated that it was “high time” the United Nations had a female leader.

Table 1. U.N. Secretaries-General: 1946–Present

	Country	Term
Ban Ki-moon	S. Korea	Jan. 2007–present
Kofi A. Annan	Ghana	Jan. 1997–Dec. 2006
Boutros Boutros-Ghali	Egypt	Jan. 1992–Dec. 1996
Javier Perez de Cuellar	Peru	Jan. 1982–Dec. 1991
Kurt Waldheim	Austria	Jan. 1972–Dec. 1981
U Thant	Burma	Nov. 1961–Dec. 1971
Dag Hammarskjöld	Sweden	Apr. 1953–Sept. 1961
Trygve Lie	Norway	Feb. 1946–Nov. 1952

Source: U.N. Office of the Secretary-General.

Notes: Lie resigned in 1952. Hammarskjöld served until his death in a plane crash in September 1961. His successor, Thant, was appointed acting SG and was formally appointed in November 1962.

Reform of the Appointment Process

Over the years, some governments and U.N. observers have expressed concern that the aforementioned procedures lack transparency and inclusivity, making it difficult for the broader U.N. membership to engage in the SG selection process. They maintain that the P-5 (with veto power) have a disproportionate role in selecting the SG and might prioritize their own interests rather than those of the broader membership. Others maintain that the appointment process, which is generally based on custom and practice, is at times unstructured and unpredictable—making it difficult for members to ascertain the selection timeframe, the identities of the candidates, and the selection criteria.

New Procedures (2015 and 2016). In an effort to address some of these concerns, the Assembly adopted resolution 69/321 in September 2015, which

- requested that the presidents of the Assembly and Council keep members informed of the selection process and regularly circulate a candidate list;

- decided to conduct informal dialogues with candidates;
- stressed the importance of certain qualifications, including leadership and managerial abilities, extensive experience in international relations, and strong diplomatic and multilingual skills; and
- called for equal and fair distribution based on gender and geographical balance.

Other reform proposals. Some member states and U.N. observers contend that while recent changes to the selection process are an improvement, additional measures are needed to enhance transparency and inclusivity. Some have proposed opening Council meetings about SG selection to all member states and the public. Others maintain the Council should provide two or more candidates to the Assembly, with the final candidate elected by all countries. The P-5, with its disproportionate influence on the selection process, has generally resisted these proposals.

U.S. Policy

As the largest financial contributor to the United Nations and a permanent member of the Security Council, the United States has both a substantial interest and role in the appointment of a new SG. Historically, U.S. policymakers, including many Members of Congress, have preferred an SG who is responsive to U.S. concerns and priorities and does not overstep the responsibilities of the office or take overly political or proactive positions.

Congressional role and considerations. Congress’s role in appointing the next SG is limited. The U.N. Participation Act of 1945 (22 U.S.C. 287 et seq.) provides that the executive branch is responsible for representing the United States in U.N. fora. Nevertheless, over the years some in Congress have sought to influence the process by supporting or opposing candidates based on their record or other considerations. Perhaps most notably, some Members opposed the reappointment of then-SG Boutros Boutros-Ghali in 1996 due to his perceived inability to achieve U.N. reform. (The United States vetoed his reappointment.)

Administration actions. Obama Administration officials have emphasized the importance of the SG’s appointment process. In July 2016, U.S. Permanent Representative to the United Nations Samantha Power stated that there “could not be a more important job,” and that the ideal candidate would have great leadership and management skills and be committed to fairness and accountability. The Administration supported the adoption of Assembly resolution 69/321; however, it also emphasized that the U.N. Charter provides a “straightforward and clear process” that should be respected. On October 13, Ambassador Power called Guterres “uniquely qualified” to serve as SG.

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