

## ACT's 2023 Non-Paper

### On the selection and appointment of the Secretary-General and Executive Heads of the United Nations

The second term of Mr. António Guterres will come to an end on 31 December 2026. The process of selecting a new Secretary-General should start well in advance in 2025. The ACT Group calls on Member States to continue working for more rigorous, open, transparent, and inclusive processes for the selection of the Secretary-General of the United Nations and its executive heads. The ACT group considers the 2015-2016 process a landmark of positive developments that introduced important improvements to the selection process in full alignment with the provisions in the UN Charter. The ACT Group calls on all Member States to consolidate those advances and see them as the foundations for further critical improvements.

The previous contributions of the ACT Group have been detailed in the following documents:

1. ACT Group's lessons learned note from the 2015-2016 selection process addressed to the Secretary-General, the President of the General Assembly, and the President of the Security Council dated October 9, 2017. A/72/514-S/2017/846.
2. ACT Group's non-paper on the selection and appointment of the Secretary-General for the term beginning in 2022 addressed to the President of the General Assembly dated February 17, 2021. A/75/755
3. ACT Group's position paper on the selection and appointment process of the Secretary-General of the United Nations addressed to the Secretary-General, the President of the General Assembly, and the President of the Security Council dated September 16, 2022. A/76/950-S/2022/695.
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This document is intended to build on ACT's strong track record on this issue and urge states to use the opportunity of the 2023 AHWG on the Revitalization of the General Assembly to take meaningful steps to further strengthen the processes for the selection and appointment of Secretaries-General and executive heads of the United Nations.

### THE SECRETARY-GENERAL SELECTION PROCESS

#### The official call for nominations:

In the 2015-2016 process, the joint letter dated December 15, 2015, of the PGA and the President of the Security Council (A/70/623-S/2015/988) formally started the process of soliciting candidates and set in motion the process of selecting and appointing the next Secretary-General. The letter invited states to present candidates for the position of Secretary-General, described the overall process and established a defined nomination procedure. It also unequivocally stated that the process would be guided by the principles of transparency and inclusivity. This was a critical first step in bringing clarity, transparency and inclusivity to what hitherto was an opaque and outdated process.

The ACT Group believes that a hard deadline should be established for future processes, both for the issuance of such a letter as well as for the presentation of candidatures as part of a transparent timeline for the overall process. Candidates must be nominated by at least one Member State. ACT encourages the early presentation of qualified candidates as late nominations do not allow sufficient time for a full evaluation.

#### Timeline

ACT proposed the following timeline for future processes:

1. October of the year preceding appointment: Joint letter from the PGA and the PSC to all Member States encouraging nominations of qualified candidates.
2. March 31<sup>st</sup> of the appointment year: deadline for the submission of candidatures to enable sufficient time for candidates to consult widely and communicate their vision.
3. June 30<sup>th</sup> of the appointment year: deadline for the completion of General Assembly hearings with all candidates.
4. October 1<sup>st</sup> of the appointment year: deadline for the Security Council recommendation and the resolution from the General Assembly regarding the appointment of the SG, in order to allow the SG-designate sufficient time to prepare for the job.

#### The official nomination of female candidates

Noting that there has never been a female Secretary-General, the ACT Group welcomes the acknowledgment of this historical disparity in General Assembly resolution 75/325, in paragraph 68: "*Notes that there is yet to be a woman Secretary-General and invites Members States to bear this in mind in the future, when nominating candidates for the position of Secretary-General.*" The ACT Group firmly supports the invitation extended to Member States in the aforementioned paragraph and strongly encourages Member States to put forward female candidates in order to guarantee that the historical imbalance is addressed during the next selection process. The ACT Group calls on the President of the General Assembly and the President of the Security Council to reinforce this call for future processes. We further call on members of the Security Council to prioritize the recommendation of female candidates to the General Assembly if a situation were to arise whereby two candidates were tied on other factors.

#### List of candidates

In the 2015-2016 process, the PGA insisted on following the same procedure for all of the candidates. That prevented any attempts of selecting a candidate from outside the existing list, or who did not follow the process including informal dialogues with the broader membership. ACT considers this a good practice. The ACT Group welcomes language adopted in General Assembly Resolution 75/325 encouraging Member States to "*publicize the call for nominations, including with civil society and other stakeholders with the aim of*

*identifying potential candidates.*” In this vein, the ACT Group calls on all states to work with civil society and other stakeholders in a timely manner to identify qualified candidates and bring them into the official selection process. As well as circulating candidatures as they are received, a joint General Assembly/Security Council list of candidates should be issued containing the names (in alphabetic order), the member state or states nominating the candidacy, vision statements, and CVs. The ACT Group also welcomes the decision of some candidates during the 2015/16 selection process to voluntarily disclose any funding sources they have relating to their candidature. We believe this adds an indispensable element of transparency to the selection process and such practices should become a condition sine qua non during future processes.

### **Role of the General Assembly**

The General Assembly, as the main, most democratic, and representative body of the organization should exert a stronger, more assertive, and decisive role<sup>1</sup> in one of the most important decisions in the UN: the selection and appointment of the Secretary-General. For the 2015-2016 selection process, ACT promoted a discussion that empowered the General Assembly and its President (PGA) to engage directly with candidates, set expectations on the selection criteria (which were reflected in the joint letter soliciting candidatures), and encourage the Security Council towards a more inclusive and transparent selection, among other relevant developments.

Mindful of the increasingly frequent inability of the Security Council to make decisions as a consequence of the lack of unanimity of its permanent members, the ACT Group encourages the General Assembly to revisit its 1946 Resolution 11(1) observation that *“it would be desirable for the Security Council to proffer one candidate only for the consideration of the General Assembly.”*

### **Informal dialogues/candidate hearings**

It is important to highlight as a major improvement for the process the inclusion of open hearings in the General Assembly revitalization resolutions 69/321 and 70/305.<sup>2</sup> Informal dialogues and meetings with the candidates are crucial for the selection process. The ACT Group believes that all candidates must take part in the informal dialogues with the General Assembly and circulate a vision statement outlining their policy priorities in advance. It is essential that the candidates engage with member states in frank and open dialogues on the world’s most pressing challenges and their vision of the role of the organization. In this sense, a paragraph that mandates this type of open hearing must be part of all resolutions on the revitalization of the General Assembly for future processes. For future processes, the ACT Group recommends improving the format of the informal dialogues by making them more interactive, for example by increasing the time available to candidates to provide responses, allowing states supplementary questions based on the candidate’s responses, and having the PGA play a more active role, including by seeking to avoid the unnecessary duplication of questions. The ACT Group also sees value in an expanded role for civil society and other stakeholders during informal dialogues with candidates including through a greater number of questions and the possibility of live participation as opposed to pre-recorded questions. The ACT Group encourages the consideration of other possible ways to assess the level of General Assembly support for the candidates throughout the process as well as opportunities to facilitate engagement between candidates and other UN Headquarters around the world.

### **Term**

The ACT Group invites all Members States to consider the merits of establishing a single, longer, non-renewable term for future Secretaries-General. The Secretary-General's independence is instrumental in fostering a more focused and policy-oriented mandate.

### **Straw polls**

The ACT Group calls on the Security Council to enhance transparency during its deliberations on candidates. In particular, the practice of straw polls whose results are not officially disclosed casts a shadow over the process and should be curtailed. Instead, the results of any deliberative mechanism should be officially announced to ensure the UN’s wider membership is kept well-informed to promote principles of transparency and coherence. In 2015-2016 the PGA played an important role in pushing the Security Council to make public the results. The regularized meetings between the PGA and the PSC could be used a channel to inform the GA membership of the results.

### **Civil society**

The ACT Group recognizes the important role played by civil society that strongly advocated for changes in the 2015-2016 selection process and encourages civil society to continue providing contributions towards improving the selection process of the Secretary-General. ACT also acknowledges the participation of civil society and other stakeholders in previous Secretary-General election processes, including by publicizing the call for nominations, enhancing knowledge of candidates through informal events, participating in the informal dialogues and mobilizing public interest in the role of the Secretary-General. The ACT Group encourages continued contributions on this front. The ACT Group further advocates an enhanced role for civil society and other stakeholders in future selection processes including by working with states to identify qualified candidates, pursuant to General Assembly Resolution 75/325. ACT also encourages candidates to interact with civil society organizations and other stakeholders to communicate their vision for the role and respond to feedback.

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<sup>1</sup> By article 97 of the Charter and General Assembly resolutions 69/321 and 70/305.

<sup>2</sup> Resolution 70/305 in paragraph 36 strongly welcomed “the implementation of paragraph 42 of resolution 69/321 through the organization of informal dialogues to which all candidates for the position of Secretary-General have been invited.”