LEVELLING THE DIPLOMATIC PLAYING FIELD
HIGHER EDUCATION APPROACHES TO ENHANCE SMALL STATE DIPLOMACY

PLUS
GOVERNING THE CLIMATE: New Approaches to Nationality, Power and Politics

United Nations Secretary-General Appointment Process
Time for a female Secretary-General?

ACUNS
ACADEMIC COUNCIL ON THE UNITED NATIONS SYSTEM

QUARTERLY NEWSLETTER
ISSUE 3 > 2014

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THE UN AT 70: GUARANTEEING SECURITY AND JUSTICE

2015 ACUNS ANNUAL MEETING
THURSDAY – SATURDAY > June 11-13, 2015
The Hague Institute for Global Justice and the
International Institute of Social Studies
The Netherlands
Not-so lazy days of summer

Attending the ACUNS/ASIL Summer Workshop, participating in the inaugural ACUNS-Global Governance-OEF Workshop, looking ahead to AM15 and celebrating ACUNS new Chair-Elect

Dr. Alistair Edgar, ACUNS

As usually happens in our annual ‘cycle’ of newsletters, I am writing this note while attending the 2014 ACUNS-ASIL Summer Workshop. This year, we are in The Netherlands at The Hague Institute for Global Justice, where ACUNS Chair Dr. Abiodun Williams also serves as President of the Institute. This year’s participants have given their own research presentations on our theme of ‘Local Standards and Global Justice’, while engaging with excellent visiting speakers from the ICC, ICTY, Special Tribunal for Lebanon, and office of the SRSG Iraq as well as having the chance to speak to the diverse research teams at the Institute. It also was a reunion of sorts, with 5 previous SWIOS participants from various years – including our Chair, who participated in the very first workshop. Thanks to all of those who came to speak, and of course many thanks to both the Institute and UN-OHRM for their material and financial support without which the workshop could not have taken place.

While on the subject of The Hague, just as a reminder – ACUNS members will know that we are holding the 2015 Annual Meeting here, 11-13 June 2015, on the theme “The UN at 70: Guaranteeing Security and Justice”. The title is part factual, and part about aspirations and ideals. As the only city outside of New York to host one of the five principal organs of the UN, The Hague is a perfect location to mark the 70th anniversary and to focus attention on those aspirations.

Before travelling to The Hague, I was delighted to participate in the first ACUNS-Global Governance-OEF workshop in New York, hosted very generously by the Permanent Mission of Singapore and looking at the “3G and G-20” in global governance. We hope that this will be the first of a regular series – perhaps two each year – of workshops that feature a policy-oriented article recently published in Global Governance, and which bring together the article’s author(s) with the diplomatic, scholarly and UN staff communities. Thanks to Ambassador Karen Tan for her interest and generous hospitality, and to One Earth Future for supporting the authors’ (Bessma Momani and Andrew F. Cooper) attendance.

Looking ahead, our next event will be participating in the 2014 UN DPI-NGO Meeting, which takes place in late August after a two-year hiatus. It is very good to see this event return to our calendars, as a valuable chance to connect with other NGOs and with the UN, thanks to the efforts of the organizing committee and UN-DPI. In mid-September, we will hold the next in our regular series of New York Seminars. The theme for this iteration is “Climate Change and Small Island States” (to coincide with the SIDS Year and the Climate Summit).

December will take us to Kyoto, Japan, for the annual East Asia UN Studies Symposium of JAUNS, CANUNS and KACUNS – the UN studies associations of Japan, China and South Korea, respectively. It is a great privilege for ACUNS to be invited to attend this event each year. I look forward to the opportunity to listen to the ideas of all of those speaking at the symposium, and to learn from them.

Our first major event in 2015 will be the annual ACUNS Vienna conference, in mid-January 2015, organised each year since 2011 by the tremendous team of ACUNS collaborators led by our “very own” Michael Platzer. Thanks to their efforts over the past 4 years, ACUNS has become a household name in UNOV and with the government of Austria, and has supported real accomplishments – in awareness, and in policy – in the areas of femicide, violence against women, and the death penalty.

Last but certainly not least, ACUNS members will know that you have approved a new Chair Elect, Professor Lorraine Elliott of the Australian National University (ANU). Lorraine will serve as Chair Elect for one year, and then will take over as Chair from Abi Williams immediately following the end of the 2015 Annual Meeting. Abi will remain on the Board for two years as Past Chair. This also means that Christer Jonsson now has left the Board, after six years of service as Chair Elect, Chair, and Past Chair – it was a pleasure for me to work with Christer, and we all look forward to maintaining our connections with him as we continue to move ahead.
LEVELLING THE DIPLOMATIC PLAYING FIELD

HIGHER EDUCATION APPROACHES TO ENHANCE SMALL STATE DIPLOMACY

LAURENT CLEENEWERCK
FACULTY MEMBER AT HUMBOLDT STATE UNIVERSITY, UKRAINIAN CATHOLIC UNIVERSITY, AND EUCLID

ROBIN VAN PUYENBROECK
EXECUTIVE VICE-PRESIDENT OF THE UNITED NATIONS ASSOCIATION OF NEW YORK, NEW YORK REPRESENTATIVE AND UNDERSECRETARY-GENERAL OF EUCLID
The United Nations system is a forum in which complex multilateral instruments are drafted, finalized and ratified. A recent example is the landmark Arms Trade Treaty adopted by the General Assembly on April 2, 2013, which was not only highly symbolic and visible but will also have a significant practical impact on international trade and domestic processes.

The intense diplomatic activity within the UN system often results in a binding agreement, which can stretch the capacity of many Small or developing States. Indeed, a State may not be small in size or population but still experience severe constraints in its ability to deploy a large diplomatic team due to budgetary limitations. As a result, major international instruments and conventions are generally drafted and finalized without significant contributions from representatives of these Small States. It is the diplomats working for “high budget” States that are effectively in charge of writing international law, a practice that is increasingly causing concern.

This situation of minimal representation of Small States prior to the signature stage affects the legitimacy of these international instruments.

In addition to the above, all States, regardless of size and capacity, are at all times engaged in some level of the treaty-making process. An exchange of minutes between two governments may very well turn out to be binding and relevant to international legal processes. The case of the Agreed Minutes between Qatar and Bahrain, which led to a major International Court of Justice case with territorial implications, should be etched into the minds of all negotiating diplomats. This kind of intergovernmental paper may not be as visible as other major conventions negotiated within the framework of multilateral institutions, but are nevertheless of great importance to national and global governance.

Last but not least is the issue of mere numerical capacity, which can be compounded by a lack of resources to provide adequate and advanced training to Small State diplomats and their wider civil service. In today’s intergovernmental discussions and negotiations more expert knowledge in a broadening field of civil service expertise is required. Departments ranging from Treasury to Justice and Environmental Protection increasingly put their mark on the creation of international legal instruments.

Yet, for global governance to be inclusive and equitable, all UN Member States should be able to be effectively involved in treaty-making processes with the level of expertise that guarantees fair representation.

The United Nations Institute for Training and Research (UNITAR) is an important UN instrument beginning to address some aspects of this challenge. This autonomous UN body uses a ‘nano-degree’ approach, consisting of certificate courses aligned with current trends and needs in higher education. In 2010, the United Nations University successfully transitioned to degree-granting status and began to offer capacity building support to the Member States through a variety of courses and programmes. EUCLID, another treaty-based institution with a university mandate and charter created a no-cost treaty-making skills development program for diplomats and the civil service working for Small States. In order to level the playing field and ensure training is successful it is important to recognize that in the case of Small States there are a fewer number of diplomats who are required to be more productive. Ideally, Small State diplomats should be able to review large numbers of documents, quickly identify their legal standing and identify areas of ambiguity or adverse impact for their country. Further, when unable to participate in the drafting process, they should be able to enter declarations and reservations on their national concerns.

It is a mistake to underestimate the risks associated with a possible sense of alienation from global governance. Small States often experience international structures as imposed by a small group of ruling States. Small States ought to be an integral part of the development of global governance, with their interests represented equally. A lack of legitimacy has shown to be detrimental to the success of and respect for international as well as domestic norms and rules. In this area as in many others, higher education, especially affordable and professionally oriented, is a major component of the solution, which continues to call for ongoing recognition, engagement and support from the global community.

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2. Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain)
GOVERNING THE CLIMATE: New approaches to rationality, power and politics

Edited by Johannes Stripple and Harriet Bulkeley

In much of the discussion of climate politics, especially those related to the United Nations Framework Convention of Climate Change (UNFCCC), it is frequently assumed that states are the responsible agencies and that international negotiations are the key focal point for both policy advocacy and academic analysis. Governance is understood as a matter for states and international agreements are key to providing necessary coordination for solving problems such as climate change. This focus is so obvious as to usually pass without much engaged commentary by analysts of either climate or the United Nations system.

However, as the contributors to this volume suggest in various ways, the conventional view is not the whole story. Nor, as the international negotiations proceed painfully slowly in the face of increasingly urgent warnings from climate scientists, is the suggestion that leaving climate governance to technical experts and international agreements any longer a convincing argument about how to proceed. More, perhaps much more, is needed if carbon emissions are to be brought under control soon. Much more will certainly be needed soon if serious programs to reduce carbon concentrations are to be introduced. Additional modes of governance are apparently going to be needed. And, as this volume suggests, we will also need many new modes of thinking about governance.

Critical social scientists and now political theorists too are starting to pay attention to the climate discussion. In the process they are raising questions about governance understood much more broadly than technical exercises and international negotiations.

UN system, negotiations and the construction of environmental regimes. This debate is in a preliminary stage and this volume presents thirteen exploratory essays drawn from papers initially presented to a workshop in Lund in June 2011. Apart from Ronnie Lipschutz’s foreword to the volume emphasizing the inescapable political dilemmas that climate presents, the twenty contributors come from a variety of academic backgrounds in European universities. The contributions reflect the rapidly evolving climate debate in that continent.

All the essays in this volume pose the questions of how the global is to be governed and how attempts to measure and control behaviour and consumption are to be understood. Global governance is about much more than international relations. Four essays form the first part of the book with Eva Lövbrand and Johannes Stripple discussing climate governance in terms of governmentality, Anders Blok thinking through how actor network theory might helpfully contribute to the analysis, Benjamin Stephan, Delf Rothe and Chris Methmann investigating how theories of hegemony are also relevant and
As the seriousness of climate change is becoming clear and empirical studies of how its ramifications have already spread into everyday life are published, the issue can now no longer be ignored as a matter of political theory as well as public administration.

Carl Death exploring the relationships of climate discussions to the larger discussions of global environmental politics.

The second part of the volume focuses on specific modes of climate governance. Mark Whitehead, Rhys Jones and Jessica Pykett investigating neoliberal modes of governmentality, Sally Eden looking at how the practicality of calculating carbon footprints actually works, Tom Hargreaves investigating smart meters and household energy usage, Jarmo Kortelainen and Moritz Albrecht thinking through the loops and rationalities of bio energy governance, Juliet Fall exploring the dilemmas of measuring forest carbon and Angela Oels shows how climate security has recently changed from a focus on precaution to discussing preparedness.

A final section offers an essay by Olaf Corry that thinks through whether, taken together, these modes of governance are effectively constituting a global climate polity. A companion chapter by Samuel Randalls struggles to find a vocabulary to adequately express the multiple modes of governance in current climate politics and offers a cautionary tale about the temptations to think about climate politics as a singular activity. The diversity of perspectives and empirical examples in the earlier chapters make this point easy to sustain.

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UNITED NATIONS SECRETARY-GENERAL APPOINTMENT PROCESS

TIME for a female Secretary-General?

Time gives good advice.
(El tiempo da buen consejo.)
~Maltese Proverb

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UNITED NATIONS SECRETARY-GENERAL APPOINTMENT PROCESS

FEATURE STORY

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We must use time wisely and forever realize that the time is always ripe to do right.

~Nelson Mandela

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he Secretariat, comprising of the Secretary-General and such staff as the United Nations may require, is listed as one of the principal organs of the UN (Articles 7 and 97 of the UN Charter). Over the years the Secretary-General of the UN has become a very important feature in the landscape of international politics. From a rather limited role as the ‘Chief International Civil Servant’ during the time of Eric Drummond, the first Secretary-General of the League of Nations, the predecessor of the UN, the S-G of the UN’s role has greatly expanded. Apart from being ‘the chief administrative officer of the Organisation’ (Article 97 of the Charter), the S-G has multiple roles as an impartial arbitrator, a diplomat, world spokesman, commander-in-chief of the UN peacekeeping operations, norm entrepreneur, etc. This influential post with its multifarious responsibilities was described by Trygve Lie, the 1st S-G of the UN, to his successor Dag Hammarskjöld as ‘the most impossible job on this earth.’ In recognition of the possibility of multiple roles for the S-G, though the UN Charter itself does not specify particular skills and abilities required by a person to be appointed as an S-G, the United Nations Preparatory Commission identified, amongst other things, administrative and executive abilities; leadership qualities; ability to build team spirit; moral authority; ability to play the role of a mediator and to act as confidant and informal adviser to governments; political judgment and tact and communication and representation skill as some of the required qualities and skills for the position. (See section 28, PC/20, of 23 December 1945). In addition, the General Assembly resolution A/RES/60/286 of 9 October 2006 emphasizes that the candidate for the position must possess and display commitment to the purposes and principles of the Charter (para.22).

All that the Charter provides for by way of appointment of the Secretary-General is that the position holder is to be appointed through a highly politicised manner by the General Assembly upon the recommendation of the Security Council. (Article 97). Under this process the General Assembly is unable to make such appointment without the Security Council’s recommendation. In relation to a similar provision on the admission of new members to the UN the International Court of Justice (ICJ) in its advisory opinion in the Competence of the General Assembly for the Admission of a State to the United Nations (1950), pointed out that the ICJ could not admit a State to membership unless the Security Council had recommended the admission of the State. In relation to the appointment of the S-G, various supplementary resolutions have been adopted which complement the Charter and in some ways seek to promote such cooperative milieu. Such resolutions include the United Nations General Assembly resolutions A/RES/11(1) of 24 January 1946, A/RES/51/241 of 25 August 1997 and A/RES/60/286 of 9 October 2006. Further, there is the highly influential ‘Wisnumurti Guidelines’ put together for the Security Council by the Permanent Representative of Indonesia, H.E. Ambassador Nugroho Wisnumurti, when he was President of the Security Council in 1996.

The past 8 S-Gs so far have all been men: Trygve Lie (Norway)(1946-1952), Dag Hammarskjöld (Sweden)(1953-1961), U Thant (Myanmar) (1961-1971), Kurt Waldheim (Austria)(1972-1981), Javier Pérez de Cuéllar (Peru)(1982-1991), Boutros Boutros-Ghali (Egypt)(1992-1996), Kofi A. Annan (Ghana)(1997-2006) and Ban Ki-moon (South Korea)(2007 to date). Clearly, the world is long overdue for a female S-G. Although, the 1946 resolution states the candidate must be ‘a man of eminence and high attainment’(Article 1) there is nothing in the Charter to suggest that this position should be limited to men. This would be contrary to the UN’s core purpose of promoting and protecting human rights - prohibition of discrimination and promotion of gender equality. (See Articles 1, 8 and 55 of the Charter) Fortunately, this slip has been corrected in subsequent General Assembly resolutions which emphasize that in appointing a Secretary-General that due regard be given not only to regional rotation but also to gender equality. (See Para.59 of A/RES/51/241 and Para.18 of A/RES/60/286). There is really no reason why the next S-G after the end of Ban Ki Moon’s tenure on the 31 December 2016 should not be a woman. The absence of a female S-G, so far, is a smudge on the UN’s profile as the foremost organisation promoting and protecting human rights, especially since there are potential female candidates both within and without the UN system who have the necessary skills, qualities and profile for the job.

Fortunately, no actual situation has arisen whereby the Security Council has been unable to recommend a candidate to the General Assembly. However, in any such eventuality the General Assembly would need to specifically adopt a resolution similar to the Uniting for Peace resolution to deal with such prospect. Clearly, the indispensable competence given to the Security Council to make recommendations opens up the process to the use or threat of the use of veto power by the P-5 members of the Security Council. For instance, Boutros Boutros Ghali was not reappointed to a second term because his re-appointment was vetoed.

Technically the General Assembly, though required to make the appointment on the recommendation of the Security Council, arguably may reject the candidate recommended by the latter organ and continue to do so until it is happy with the candidate recommended. However, such Ping-Pong process would seriously delegitimize and weaken the standing of any S-G who eventually emerges out of such an acrimonious process. It is therefore imperative for these two important organs of the UN to favour a cooperative rather than competitive atmosphere in the appointment process. Although the Charter has a rather limited stipulation on the appointment of the S-G, various supplementary resolutions have been adopted which complement the Charter and in some ways seek to promote such cooperative milieu. Such resolutions include the United Nations General Assembly resolutions A/RES/11(1) of 24 January 1946, A/RES/51/241 of 25 August 1997 and A/RES/60/286 of 9 October 2006. Further, there is the highly influential ‘Wisnumurti Guidelines’ put together for the Security Council by the Permanent Representative of Indonesia, H.E. Ambassador Nugroho Wisnumurti, when he was President of the Security Council in 1996.

I DID NOT FILL JOBS WITH WOMEN JUST FOR THE SAKE OF IT— I LOOKED FOR THE BEST POSSIBLE CANDIDATE AND I FOUND THAT IF YOU STRIP AWAY DISCRIMINATION, THE BEST POSSIBLE CANDIDATE IS OFTEN A WOMAN.

~BAN KI-MOON

Continued on page 10 >
What is far less easy is to write a synthetic conclusion to such a collection. Clearly in their conclusion to the volume Harriet Bulkeley and Johannes Stripple are entirely correct to emphasise that these essays do little more than point the way to a much more ambitious intellectual agenda, one that the social sciences are only now taking up. As the seriousness of climate change is becoming clear and empirical studies of how its ramifications have already spread into everyday life are published, the issue can now no longer be ignored as a matter of political theory as well as public administration. The implications of such thinking matter greatly in terms of governance. They do so because climate is so ubiquitous that singular modes of attempting to control it are not going to be enough. Yes the UNFCCC process matters, and a binding agreement in Paris in 2015 would be very helpful. But posing governance in the complicated social theory ways that scholars are now doing makes it very clear that much more will be needed in many spheres of social life if decarbonization is to be moved ahead quickly. If it isn’t then the fear is that much more drastic modes of action will be needed that will inflict much hardship on future generations.

Climate change is simply too important to leave solely to conventional modes of governance. The kind of theoretical work in this volume can’t solve climate problems, nor can it provide clear administrative blueprints for policy makers, but it does show forcefully that in the face of rapid climate change thinking in new ways about many things is now unavoidable both in the United Nations system and beyond.

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UNITED NATIONS SECRETARY-GENERAL
APPOINTMENT PROCESS: TIME FOR A FEMALE SECRETARY-GENERAL?

Continued from page 8 ->

It is not enough to merely increase the number of women in senior management positions in the UN. At the last count the number of women in senior management positions has increased by more than 40 per cent (there are 16 women out of 40 in the UN senior management board).\(^1\)

In addition, the first female Force Commander of the UN’s Peacekeeping Missions, Major General Kristen Lund of Norway was recently appointed. S-G Ban Ki-moon at a lecture delivered at the Charles University in Prague, pointed out: ‘Within the UN itself, I have appointed a record number of women to high-level positions. I did not fill jobs with women just for the sake of it – I looked for the best possible candidate and I found that if you strip away discrimination, the best possible candidate is often a woman.\(^2\) While all these appointments to senior positions are a step in the right direction they certainly are not adequate. It is time for the General Assembly to begin to consult Member States to identify potential female candidates and to forward the results to the Security Council (See Para. 60 of A/RES/51/241 and Para 19 of A/RES/60/286). Further, the Security Council in order to showcase the UN as an organisation that truly promotes gender equality needs to draw up an all women short list of capable female candidates. As noted in the GA resolution A/RES/11(1), it is desirable for the Security Council to proffer one candidate only for consideration of the General Assembly. They therefore need to consult amongst themselves with a view to recommending a female candidate to the General Assembly acceptable to all, notably the P-5 members. It is indeed time for a female United Nations Secretary-General!

1 http://www.un.org/sg/management/

2015 DISSERTATION FELLOWSHIP AWARD
CALL FOR APPLICATIONS

Eligible candidates may be citizens of any country and must be entering the writing stage of a Ph.D., J.S.D., or LL.M level degree – for example, a doctoral candidate who has defended her/his dissertation proposal and who has completed the majority of field research, and who now is writing a first draft of the dissertation. It is not intended for students who already have completed, or who are about to complete, the writing, or who are about to defend their thesis. Applications not related to the UN and/or UN system will not be considered.

An important component of the Award for its winner is the recognition of excellence that this entails throughout ACUNS’ global community of scholars and practitioners. As such, the winner is encouraged to submit some written product to Global Governance, though use of any materials remains at the discretion of the journal editorial team.

The Award also includes a monetary component in the amount of $1,500.00 US.

In addition, the winner is encouraged to attend the ACUNS Annual Meeting in that same year, where she/he will be introduced and recognized as the Award winner. In that case, the winner will receive an Annual Meeting registration fee waiver (worth up to $150 of the registration fee) plus an additional award of up to $500 following the Meeting for the reimbursement of related travel and accommodations costs.

The winner will be notified February 14, 2015. Due to the large volume of applicants, the Secretariat will contact only the Award winner. Details of the winning research project will be posted on the ACUNS website after February 14.
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