About Form and Function: An Overview and Typology of UN Reforms Since the 1990s

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About Form and Function: An Overview and Typology of UN Reforms Since the 1990s

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The article examines UN reform efforts over the last quarter-century, during the tenures of Secretaries-General Boutros Boutros-Ghali, Kofi Annan and Ban Ki-moon. The harvest of innovations introduced into the UN during this period proves to be quite rich, including the creation of new institutions like UNAIDS, UN Women and the International Criminal Court, new intergovernmental bodies like the Human Rights Council and the Peacebuilding Commission, new concepts like the responsibility to protect, new goals like the MDGs and the SDGs, and much more. All this is presented in the form of a typology, in response to the questions what, how & when, who and why. This approach helps analyse, in addition to the many forms that reform may take, the modalities, timing, actors and root causes that lead to it. The article ends with a brief assessment of reform trends in the first months of Antonio Guterres’ tenure as UN Secretary-General and some overall remarks on the past, present and future of UN reform.

Introduction

As a student of John Groom I remember him often saying that “you have to run to stay still”. What he meant, he explained to us, was that both individuals and institutions need to be constantly on the move to justify their roles and successfully perform the tasks assigned to them. Underlying this metaphor is the fact that things move fast, the world changes, and even to maintain one’s position and remain “in the game” one has to make a continuous effort to keep up.

This advice is relevant par excellence for the one organisation in the world that is the most comprehensive in terms of both membership and issues that it covers. The United Nations, with the system of specialised entities around it (“the United Nations system”), virtually covers the entire population of the planet and every possible issue of collective and individual concern, from peace and security to poverty and inequality, human rights, climate change, health, education and culture—to name but a few.

How can such a mammoth remain agile, conceptually as well as structurally and operationally, instead of being fossilised and left behind in some kind of Stone Age? The fact that the organisation remains relevant more than 70 years after its creation is a tribute to its founders, as well as to those who have been running it all these years, both member state governments and international civil servants. And of course the UN at its best is not just them but reflects and mobilises the creative
energies and resources of the world’s citizens, individually and through associations such as NGOs, businesses, universities, etc.

In this article the focus is on UN reform initiatives over the last quarter-century—basically during the terms of Secretaries-General Boutros Boutros-Ghali, Kofi Annan and Ban Ki-moon. To put order into chaos, so to speak, grasp the range of such initiatives and make sense of actors involved and underlying interests, some key questions are used as classification guides: what, how & when, who and why. “What” refers to the form that reform has taken, “how & when” refers to the modalities and timing of introducing the reform, “who” refers to the agent or driving force behind it, and “why” refers to the reason or root cause of the change. Under each question we present concrete cases of UN reform, briefly examining the context within which they emerged and their intended or unintended impact. It would be impossible in a single article to also include a comprehensive assessment of the ultimate success or failure of each of these reforms, although relevant references are occasionally provided. The article ends with a brief assessment of reform trends in the first months of Antonio Guterres’ tenure as UN Secretary-General and some overall conclusions on the past, present and future of UN reform.

Answering the “What” Question: The Many Forms That UN Reform Can Take

UN reform comes in many forms and shapes, as well as sizes. There are major reforms that create new UN system bodies, introduce ground-breaking norms or goals that impact the functioning of the entire multilateral system, and other reforms that are related to the UN’s internal organisation and functioning, which are not visible to the broader public. Of course, in such a political organisation, even reforms that prima vista seem of a managerial or administrative nature are often the result of political processes, pressures or calculations. We will examine the motives for reform in a subsequent section. The typology offered here proposes categories for the grouping of reforms according to the form they take, trying to be conceptually helpful and inclusive, without claiming to be exhaustive.

Creation of New UN System Entities

The UN system of specialised agencies, funds and programmes is a whole universe of entities of various sizes, different legal status, diverse specialisations and variable capacities and strengths. The number grows exponentially if one adds the hundreds of Multilateral Environmental Agreements (MEAs) and other multilateral bodies in some way associated with the UN, as well as independent entities that have an observer or similar status, such as the European Union (EU), the African Union (AU), the Organisation for Economic Cooperation and Development (OECD) and even the North Atlantic Treaty Organisation (NATO). This expanded version actually reflects to a large extent the multilateral system of global governance that we have in the world today.

While closing an intergovernmental entity, once established, is near impossible, because of entrenched interests that led to its creation in the first place or developed afterwards, merging entities or establishing new ones to respond to new challenges is a regular expression of reform, as exemplified by the establishment in recent years of UN Women and UNAIDS respectively. UN Women, in full the United Nations Entity for Gender Equality and the Empowerment of Women, was established in 2010 by the UN General Assembly through the merger of four pre-existing entities, namely the Division for the Advancement of Women (DAW), the International Research and Training Institute for the Advancement of Women (INSTRAW), the Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI) and the United Nations Development Fund for Women (UNIFEM).\(^2\) UNAIDS, or the Joint United Nations Programme on HIV/AIDS, was established in 1996 by six co-sponsoring UN system organisations, namely the United Nations Children’s Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO) and the World Bank.\(^3\) It took on the responsibility of leading the fight against HIV/AIDS from WHO’s Global Programme on AIDS and is helping countries strengthen their long-term capacity to cope with the challenge.

Another organisation related to but not under the UN that was established during the period covered by this article is the International Criminal Court (ICC). Following decades of on-and-off discussions, systematic preparatory work done by the International Law Commission, and in light of genocide and war crimes perpetrated in Rwanda and the former Yugoslavia, the UN General Assembly decided to convene the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court in 1998 in Rome. The conference adopted the Statute of the International Criminal Court, which entered into force in 2002, following ratification by the required minimum of 60 states.\(^4\) Initial euphoria about its establishment has now been replaced by a more sober realisation of the Court’s shortcomings, including its inevitable politicisation due to its association with the UN Security Council and the latter’s power of (selective) referral of non-state parties to the Court, even as three of the Council’s five permanent members are not parties to the Rome Statute themselves.\(^5\)

**Creation of Subsidiary Bodies by Existing Institutions**

After several years of exposure to intense debates and changing circumstances, existing bodies may come to be or at least appear ineffective, or get tainted by political differences that remain chronically unresolved and severely curtail their capacity to produce results. The decision to establish a Human Rights Council was

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promoted most fervently by those who were dissatisfied by the performance and political leanings of the Council’s predecessor, the UN Commission on Human Rights.\(^6\) The decision to replace the Commission with the Council was eventually taken at the 2005 World Summit in September 2005 in New York.\(^7\) The Council was actually established several months later, by a UN General Assembly resolution that resulted from intense negotiations on specific provisions.\(^8\) The Council’s work is not free of controversy, quite the opposite, but it has arguably been an improvement on its predecessor, not least due to the peer review mechanism enshrined in its Universal Periodic Review.\(^9\)

Similarly, the Commission on Sustainable Development (CSD), established after the Earth Summit in 1992, eventually lost its lustre and decision-making capacity and was replaced by a universal-membership *High-level Political Forum on Sustainable Development* following a decision at the Rio +20 Conference of 2012.\(^10\) The format and organisational aspects of the Forum were determined through negotiations that culminated in a General Assembly resolution more than a year later.\(^11\) A big test for the Forum is its successful or not stewardship of the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs).

A third example of a new intergovernmental body is the *Peacebuilding Commission*, another product of the 2005 World Summit. In this case it did not replace any existing body but was established to oversee the transition from UN interventions in conflict situations/peace operations in countries towards eventual development under conditions of peace. It was actually established by resolutions of the General Assembly and the Security Council issued in December 2005, and has a complicated membership structure that also involves ECOSOC.\(^12\) There have been calls for the Commission’s reform, as it is considered to be “far less effective than it should be”, and several efforts have been made in this direction.\(^13\)

Of special interest is the creation by the Security Council of subsidiary bodies with significant authority under Chapter VII of the UN Charter (“Action with respect to threats to the peace, breaches of the peace, and acts of aggression”).

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Thus in 1993 the Council established the *International Criminal Tribunal for the former Yugoslavia* (ICTY) to prosecute atrocities committed on the territory of the former Yugoslavia during the 1990s. It was the first international war crimes tribunal established since the Nuremberg and Tokyo tribunals at the end of World War II. A year later, in response to the carnage perpetrated that year in Rwanda, the Security Council, acting again under Chapter VII of the UN Charter, established the *International Criminal Tribunal for Rwanda* (ICTR) to “prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and neighbouring States.” These innovations filled an important gap at the time of their creation but also constitute judicial aberrations that hopefully do not need to be repeated following the establishment of the International Criminal Court (ICC) mentioned earlier.

*Introduction of Major New Concepts, Norms or Goals That Influence One or More Key Sectors of UN Activity*

The UN does not only consist of intergovernmental bodies that issue resolutions and bureaucracies that shift around resources for implementation. In fact, perhaps the UN’s most important strength lies in its capacity to set norms, formally through treaties and other international agreements and informally through concepts, principles and common objectives that it promotes. UN doctrinal reform and innovation has been setting the standards of behaviour and action for public authorities, private actors and individuals alike in the post-World War II years, even if with varying degrees of success in terms of compliance.

At a request of the Security Council that marked a new-found sense of unity among the major powers at the end of the Cold War, Secretary-General Boutros Boutros-Ghali produced in 1992 a report entitled “An Agenda for Peace”. The report systematised the UN’s involvement in conflict situations by identifying the appropriate tools depending on the stage of the conflict, from preventive diplomacy and preventive deployment to mediation though political means, more traditional peacekeeping, peace enforcement if necessary, and eventually peace building. It also called for greater cooperation between the UN and regional organisations in peace and security activities. The Agenda for Peace is still a reference document, despite the overdrive that was witnessed in UN interventions after that and the inevitable failures, in places like the former Yugoslavia, Rwanda and Somalia. Its companion report, *An Agenda for Development*, issued a couple of years later, did not have the same recognition or impact.

A significant breakthrough at the 2005 World Summit was the adoption by the UN membership at the highest political level of the norm of the “responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity”. The term “Responsibility to Protect” or “R2P” had already

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19. See UN General Assembly resolution A/RES/60/1, *op. cit.*, paras. 138–140.
been coined by the International Commission on Intervention and State Sovereignty, which had used this as the title for its report issued in 2001.\textsuperscript{20} The Commission had been convened by the Government of Canada in response to the Secretary-General Kofi Annan’s plea to the international community for an answer to the question: “... if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that affect every precept of our common humanity?”.\textsuperscript{21} The operationalisation of the concept has proven difficult, and perhaps as controversial as “humanitarian intervention” had been before.\textsuperscript{22} Despite the continuing “compliance gap”, the fact that R2P officially exists on the UN books is a significant achievement, as it “fill[s] a crucial normative gap”.\textsuperscript{23}

While both of the above examples concern advancements in the peace and security and partly the human rights/humanitarian area, a major set of innovations has been introduced in recent years into the UN’s development pillar through the successive introduction of the \textit{Millennium Development Goals} (MDGs) and the \textit{Sustainable Development Goals} (SDGs). The former resulted from the development, poverty eradication and environmental protection parts of the Millennium Declaration issued by world leaders in September 2000 in New York.\textsuperscript{24} The actual eight MDGs\textsuperscript{25} were compiled at the initiative of Secretary-General Kofi Annan and were gradually accepted as the foremost planning and public information tool for development work of the UN system and beyond till 2015. The 17 SDGs, which are of universal applicability and not only targeting developing countries as do the MDGs, were adopted by world leaders at the UN General Assembly in New York 15 years later, in September 2015, as part of the 2030 Agenda for Sustainable Development.\textsuperscript{26} They had been meticulously negotiated by UN member states in a geographically balanced working group of the General Assembly following a decision to that effect at “The UN Conference on Sustainable Development”—UNCSD or Rio + 20.\textsuperscript{27} They are rapidly becoming the new reference framework for development cooperation among countries and sustainable development action within countries and regions the world over, with multilateral and non-state actors also on board.

\textit{Reorganisation of the UN Secretariat Departments and Coordination Mechanisms}

The structure of the UN Secretariat evolves with time, in response to the changing nature of the UN’s work, demands by intergovernmental organs and member


\textsuperscript{21} Ibid., p. vii.


\textsuperscript{23} See Weiss and Thakur, \textit{op. cit.}, pp. 322 and 328, and the entire Chapter 10 dedicated to The Responsibility to Protect (pp. 308–340).

\textsuperscript{24} See UN General Assembly resolution A/RES/55/2 of 8 September 2000 entitled “United Nations Millennium Declaration”.


\textsuperscript{27} See the Rio+20 Outcome, “The Future We Want”, \textit{op. cit.}
states, as well as the preferences of the person occupying the Secretary-General’s post, whose extended office the Secretariat is. Boutros Boutros-Ghali established the Department of Peacekeeping Operations (DPKO) out of the former Office of Special Political Affairs. Secretary-General Ban Ki-moon in turn decided to take logistics out of DPKO and place them under a new Department of Field Support (DFS), while strengthening the overall resources available to the UN for carrying out peace operations.  

Kofi Annan established the mammoth UN Department of Economic and Social Affairs (DESA) by merging three smaller departments.

The proverbial Caesar’s wife does not only have to be honest but also to look like it. To maintain the world’s respect the UN Secretariat has to prevent or at least deal swiftly and effectively with any sign of corruption or abuse. The need for this is even greater in light of the often charged political environment at the UN and the pressure that the Secretariat is under by member states that want to divert attention from real political issues or use it as a scapegoat in their antagonisms. The Office of Internal Oversight Services (OIOS) was established in 1996 by the General Assembly “recognizing the increased importance, cost and complexity of United Nations activities”, in order “to assist the Secretary-General in fulfilling his oversight responsibilities in respect of the resources and staff of the Organization through internal audit, monitoring, inspection, evaluation and investigation services”. The Office was established under the authority of the Secretary-General but with operational independence. Its head, at Under-Secretary-General level, can serve only one five-year term without renewal, while for his/her removal the Secretary-General needs to provide justification and get the approval of the General Assembly.  

Kofi Annan, in turn, in a follow-up to the 2005 World Summit Outcome, established in 2006 an Ethics Office within the Secretariat to ensure the highest standards of integrity among UN staff. Nonetheless, “systemic pathologies” continue, cries in despair a seasoned UN administrator in retirement, mentioning among other things repeated cases of sexual exploitation and abuse perpetrated by UN peacekeepers and their inadequate handling, which he ultimately ascribes to bad and non-ethical management.

The origin of many of the Secretariat reforms that took place during Kofi Annan’s years is a report entitled “Renewing the United Nations: A Programme for Reform” that he issued a few months after he took office. In a mix of measures that he could adopt within his powers as Secretary-General, and other measures that needed the approval and/or funding of member states, Kofi Annan inter alia proposed establishing the position of Deputy Secretary-General, a Senior Management Group and a Strategic Planning Unit. The UN System Chief Executives Board for Coordination (CEB) was established in 2001 as the main coordination mechanism of the UN system secretariats, succeeding the Administrative Committee on Coordination.

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(ACC) that existed since 1946.\textsuperscript{33} Such coordination increasingly went well beyond administrative and organisational matters, as demonstrated by the UN system effort through the CEB and its High-level Committee on Programmes (HLCP) to “deliver as one” on climate change.\textsuperscript{34} Other coordination mechanisms were also progressively established within the smaller circle of the UN Secretariat, funds and programmes that administratively report to the Secretary-General, and now include the Senior Management Group, the Policy Committee and the Management Committee.\textsuperscript{35}

In its report entitled “Delivering as One”, the High-level Panel on United Nations System-wide Coherence in the Areas of Development, Humanitarian Assistance and the Environment, established by Annan in the follow-up to the 2005 World Summit Outcome, recommended that the UN system deliver as one at the country level, through shared leadership, programme, budget and even offices.\textsuperscript{36} Implementation began in eight countries, with an increasing number of countries appreciating the benefits and requesting that this approach be implemented in their cases too (more than 55 countries by 2016).\textsuperscript{37}

Changes in Secretariat Management and Personnel Rules

As “chief administrative officer of the Organisation” (UN Charter, Article 97), the Secretary-General and his senior colleagues dealing with management periodically introduce changes to the UN administrative and personnel rules. These can be of a comprehensive, deliberate character or ad hoc, in response to emerging needs. A frequently used mantra to demand or justify managerial reforms is the need to ensure value for money for the global taxpayer who ultimately pays for the UN expenses, especially the taxpayers and voters of the rich Western countries. An example of a major attempt at management reform took place during the tenure of Secretary-General Ban Ki-moon. A Change Management Team (CMT) that he appointed produced in 2011 a draft \textit{Change Plan} with 61 recommendations on programme effectiveness, human resources, information and communications technology, procurement and common services, innovation in business processes and governing body processes. This attempt at sweeping reform was met with resistance from staff and sparked a protracted debate with and among member states, which eventually agreed on some of the recommendations but disagreed on others.\textsuperscript{38} Among the changes agreed was a “refined managed mobility framework” for UN staff, adopted by the General Assembly in 2014.\textsuperscript{39}


\textsuperscript{35} \textit{Ibid.}, p. 214.


Occasionally, Secretaries-General in their management of the Secretariat can break the diplomatic mould and place themselves at the forefront of culturally sensitive issues, like that of *same-sex partnerships*. Secretary-General Ban Ki-moon decided in June 2014 that from then on the UN would recognise such partnerships of its staff, if they had been concluded in a country where same-sex marriages are legal. He thus expanded the number of staff that could benefit, compared to the earlier rule by his predecessor, according to which “a staff member’s personal status was determined by the laws of the country whose passport he or she carried”.40

Although not a managerial issue as such but rather belonging to a whole different political level, we can include here the *new procedure for the selection of the UN Secretary-General*. Without challenging the UN Charter provisions (Article 97), which foresee the appointment of the Secretary-General by the General Assembly upon the recommendation of the Security Council, the new procedure jointly agreed by the Assembly and the Council involves the public submission of candidatures, informal dialogues of the candidates with the General Assembly and Security Council members, and even telecast debates among the candidates in a presidential candidate debate style. Moreover, during the selection process the results of successive “straw poll” votes in the Security Council get published, till the final emergence of a broadly acceptable selection.41 This was the procedure used in 2016 for the selection of the current UN Secretary-General, Antonio Guterres.

**Changes in Member State Contributions and Budgetary Rules**

The regular budget of the UN is paid for by its member states according to a scale of assessments approved by the General Assembly on the recommendation of the Committee on Contributions and largely reflecting each country’s “capacity to pay”. A ceiling was set already since the early UN years to avoid over-reliance on the contributions by any one member state. Since the 1970s this ceiling had been set at 25% of the budget. In 2000, the last year of the Clinton Administration, the US negotiated down its contribution, from 25% to 22%, which has since been the new ceiling for member state contributions.42 This can be seen as a US success in that it reduced the burden on the country’s budget. At the same time, it can be positively considered from the UN side too, as further reducing the dependence of the Organisation on any single country, notably the US that has often used the withholding of its contributions as a tool to extract concessions from the world body (see also reference to US President Trump’s policies towards the UN at the end of this article).

**Informal Arrangements and Partnerships**

When intergovernmental agreement is not forthcoming but action needs to be taken or at least some activity be manifested in a certain UN priority area,

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imaginative solutions have been found to do so. Often the Secretary-General goes ahead and launches a new initiative, such as the UN Global Compact established in 2000 by Secretary-General Kofi Annan in order to engage the business sector with the UN, on the basis of 10 principles having to do with respect for human and labour rights, the environment and anti-corruption. This was part of a broader attempt to “humanise capitalism” undertaken by Annan, the first-ever UN Secretary-General to be invited to the corporate-sponsored World Economic Forum in Davos.

The climate change challenge has been gaining attention and has become central to the global sustainable development discourse in recent years. Despite the recognised multidimensional character of the challenge and the need for decisions and action at the highest, whole-of-government level, the climate negotiations are monopolised by a certain kind of national representatives, which mainly come from environment and/or foreign ministries. To be able to elevate the issue to head of state or government level, without bypassing the official negotiating forum that is the UN Framework Convention on Climate Change (UNFCCC) but rather supporting and encouraging it from above, the solution was found to convene high-level events on climate change under the authority of the UN Secretary-General or the General Assembly President. The first-ever High-level Event on Climate Change was organised in September 2007 in New York by a small team put together by then Secretary-General Ban Ki-moon in his first year in office. Some 80 heads of state or government took the floor at the event, which also introduced the innovative method of parallel plenaries, in order to accommodate all high-level speakers in one day. The outcome was a non-binding “chair’s summary” read out by the Secretary-General that indicated the political will of those involved and provided soft guidance to the negotiators. Remember that this was the year that the Intergovernmental Panel on Climate Change (IPCC) issued its Fourth Assessment Report (AR4) and was awarded, together with former US Vice President and climate activist Al Gore, the Nobel Peace Prize.

The establishment of a high-level panel, usually by the UN Secretary-General, is a way of addressing a key issue that is too controversial to be discussed by member states in the intergovernmental bodies or for the Secretary-General to pronounce on his/her own, or when there is a genuine lack of ideas on how to proceed on a certain issue. The small size and generally representative character of these panels, that bring together high-level personalities from all regions and increasingly are gender balanced, allows for more productive discussions in a smaller setting under the authority of the Secretary-General and often with substantive support from his office. The number of panels boomed in the period covered by this article (see here references to the work of several panels, including the High-level

43. See <https://www.unglobalcompact.org/about> (accessed 30 September 2017).
Panel on Threats, Challenges and Change, the High-level Panel on System-wide Coherence, the High-level Panel on Global Sustainability), with 51 panels established over the previous 20 years, compared to a total of 65 panels established throughout the UN's existence. In the process, the high-level panel tool is in danger of losing its significance and the attention it should command, in order to be effective, among UN member states, media and the public, by becoming a matter of routine.

New Types of International Agreement

Even an innovative type of international agreement has apparently been introduced by the UN in recent years, to help advance consensus and action on a possibly contentious issue. The much-celebrated Paris Agreement on climate change (December 2015) is not called either a treaty or a protocol, intentionally so as to allow for the then US Administration of President Barak Obama to be able to ratify it through an Executive Order. Any other formal designation would have required the approval of the US Senate, which would probably be as forthcoming as in the case of the Law of the Sea Convention, lingering since 1994 and still not passed. The Paris Agreement innovation, in addition to its unspecified legal nature, also includes the adoption of a global target but no set individual country commitments. The latter are undertaken by each country itself, through “Nationally Determined Contributions”, which are subject to peer review and eventual adjustment by voluntary means.

Despite all the craftsmanship put into the Paris Agreement status and content, though, it did not escape the revisionist fervour of President Obama’s successor. On 1 June 2017 President Donald Trump announced his decision to pull the US out of the Agreement, serving the required notice to get the process started.

Answering the “How” and “When” Questions: Processes and Instances of Effecting Reform

We have now identified the main forms that reform may take and we proceed to the mechanics of actually instituting such reforms and the all so important issue of timing.

48. Ibid., p. 6.
"Package Deals” or “Grand Bargains” at Symbolic UN Summits and Other High-level Events

Several of the reforms presented in the previous section were introduced as parts of comprehensive efforts that included many interconnected elements. Thus the 2005 World Summit introduced the responsibility to protect, the Human Rights Council, the Peacebuilding Commission, as well as system-wide coherence, among other things. The Rio + 20 Conference started the process of establishing the Sustainable Development Goals, created the High-level Political Forum on Sustainable Development and universalised the membership of UNEP’s Board. They took place at moments with a symbolic value, which increased their visibility, broader sense of expectation and eventual legitimacy. Thus, the 2005 World Summit was convened on the 60th anniversary of the UN’s establishment, while the Millennium Summit that preceded it had marked the UN’s 55th anniversary and the momentous start of a new millennium, for the Western calendar at least. The Rio + 20 Conference marked the 20th anniversary of the historic Earth Summit held in Rio 20 years earlier. At the more practical level, the fact that on such occasions the reforms attempted covered many areas of institutional architecture and action, has allowed for the formation of package deals that appealed to all UN constituencies, offering something that each wanted.52

“Welcoming Gifts” for Secretaries-General and National Leaders

Reform proposals often appear at the start of the tenure of a new Secretary-General, as the newly-elected UN head wants to shape the organisation in his image and ensure that his declared priorities are served in the best possible way. Riding on the wave of enthusiasm and goodwill that normally marks the beginning of a new Secretary-General’s term, the newcomer can expect to have such reforms accepted by the UN membership, as well as by the UN staff and the broader UN-watching public, before the inevitable frictions of everyday politics, dissatisfaction and ruptures start to manifest themselves. At the same time, less gloriously but very practically, a new Secretary-General has to deliver on the promises he made to big and smaller powers in order to secure his selection. In addition to targeted senior appointments, some kind of reform measures are expected as a payback for that, notably management reforms introduced by all Secretaries-General with the promise of cost cuts and bureaucracy streamlining, to please member states, especially the USA.

A combination of the above has been the case with Kofi Annan and his “Renewing the United Nations: A Programme for Reform” set of proposals that he introduced in 1997, in the first months of his tenure, as explained earlier. His predecessor, Boutros Boutros-Ghali had also taken advantage of the goodwill of the UN Security Council members to get the mandate for and eventually produce his Agenda for Peace in his first year, 1992, while also consolidating departments of the secretariat. Ban Ki-moon proceeded with his major decision to split the Department of Peacekeeping Operations and create the Department of Field Support also in the first months of his first term, and took the

initiative to convene the first High-level Event on Climate Change in that same year, 2007.

It is not only UN Secretaries-General who take advantage of their “honeymoon” period immediately following their appointment to introduce UN reforms. National leaders also want to start their terms with a bang, and what better stage is there for an appearance as global leader, mover and shaker, than the United Nations? This was evident very recently in President Trump’s UN reform initiative and event convened the day before the opening of the high-level segment of the 72nd session of the UN General Assembly (18 September 2017), as well as in the initiative of French President Macron in support of a Global Pact for the Environment.53

Results of Long-running Negotiation Processes

Even when reforms are introduced with a bang at major global events, they are often the result of or need to be processed for the specifics of their implementation through delicate and time-consuming negotiation processes. The Rio + 20 Conference agreed in June 2012 on the development of new Sustainable Development Goals for the 2015–2030 period but it took another three years before these goals were fleshed out and globally agreed upon by world leaders at the opening of the 70th session of the UN General Assembly in September 2015.

The 2005 World Summit Outcome was preceded by several months of intense negotiations, following the publication of the UN Secretary-General’s reform proposals through his “In Larger Freedom” report. Once the package of those proposals had been agreed upon by the negotiators, in broad lines and with adjustments which made the package acceptable across the UN membership, the global leaders came by to put a few final touches and their seal of approval. Several months of further negotiations on various parallel tracks were needed for the resolutions to be passed actually establishing the Human Rights Council, the Peacebuilding Commission and other 2005 World Summit outcomes. Those negotiations focused on the many issues that had not been resolved through the rushed package deal of the Summit and led to complicated compromises that undermined the functioning and effectiveness of some outcomes, as mentioned earlier for the complicated arrangements around the Peacebuilding Commission.

Of course, the length of a negotiation process does not guarantee a successful conclusion. Note in particular the ongoing process of UN Security Council reform through the General Assembly’s Open-Ended Working Group on the Question of Equitable Representation on and Increase in Membership of the Security Council and Other Matters related to the Security Council, which has led to no tangible outcome since 1993 when the Group was established.54


Executive Decisions

Perhaps the easiest way to introduce reforms is through executive decisions of the UN Secretary-General or other administrative head of the UN system. The issues thus covered have to be within their spheres of competence, like personnel management and disciplinary matters. Such is the case of Ban Ki-moon’s decision to expand benefits for staff with same-sex partnerships, as mentioned earlier. Even such an administrative decision, however, and even more so bigger ones, such as the splitting of DPKO into DPKO and DFS, eventually have to go through the member states, especially the Fifth Committee of the General Assembly, which deals with administrative and budgetary matters and approves any structural or budget change. In fact, an attempt led by Russia to have a resolution passed that would oblige the Secretary-General to withdraw his decision on same-sex partnerships was rejected by the Fifth Committee in a vote in March 2015.55

As discussed earlier, having a reform package proposed early in the term of a new or re-elected Secretary-General has the advantage of forcing acceptance among member states, which have no appetite for a dispute with a chief executive basking in (re)election glory nor do they want to upset prematurely the broad consensus reached that led to this (re)election. As we have witnessed time and again, however, it does not take too long before things return to the usual wrangling between developed and developing countries, East versus West, the US versus the rest, etc.

Answering the “Who” Question: Agents/Driving Forces of Reform

In this section we try to identify the individual or collective actors who are the initiators of UN reform efforts. The actual reforms may take any shape indicated earlier and the motivation behind them may be any one of those described in the section that follows this one. Our focus here is on the diversity of such agents who, on their own volition or because they are compelled, end up instigating those reforms. We try not to stick only to the initial evidence of who the agent may be but to dig deeper into the background for traces of other agents and/or coercive factors that led the visible agent to act.

UN Principal Organs or Related Intergovernmental Bodies

Virtually in all instances, for any UN reform initiative to be formalised and acquire broad acceptability as well as funding, it has to go through the competent intergovernmental body or bodies. Thus the establishment of the Human Rights Council and the Peacebuilding Commission were part of the 2005 World Summit Outcome that took the form of a UN General Assembly resolution.56 The same resolution introduced formally into the UN the R2P norm, while another General Assembly resolution adopted the 2030 Agenda and the Sustainable Development Goals. It


56. See UN General Assembly resolution A/RES/60/1 of 16 September 2005 entitled “2005 World Summit Outcome”, op. cit.
was Security Council resolutions under Chapter VII of the UN Charter that established the special tribunals for Yugoslavia and Rwanda, ICTY and ICTR respectively.57

Many of these reforms, however, were initiated by other actors and came to the collective intergovernmental bodies for a lesser or greater degree of “rubber-stamping”. For example, R2P had a long history already before coming to the UN, and had been included in the proposals of Secretary-General Kofi Annan in his report “In Larger Freedom”, as well as in the earlier report of the Secretary-General’s High-level Panel on Threats, Challenges and Change entitled “A More Secure World: Our Shared Responsibility”,58 on which the “In Larger Freedom” report was based to a significant extent. It would be difficult to attribute ownership of any of these proposals to any single individual or body, as even in the case of the UN Secretary-General it is not about an actual person alone but an entire team of formal and informal advisors, plus other outside influencers.

UN Member States, Individually or in Groups

Member states are the ultimate masters of the UN, which they often see as an arena where war is waged by other means in support of national interests. This is pursued in more or less blatant ways, depending on the country and its government each time. Of course, the United States of America has a special role and weight, as the principal UN founder, top contributor and still major power worldwide. Those who experienced then US Permanent Representative John Bolton’s tirades during the negotiations leading to the 2005 World Summit can testify to how frustrating and counterproductive that can be. If those were the years of President George W. Bush, waters were certainly calmer under Presidents Clinton and Obama.

Now with President Trump at the helm, the USA convened a high-level meeting on UN reform in New York, on 18 September 2017. It was the day before the opening of the UN General Assembly’s high-level segment (“General Debate”) and the high-level meeting was chaired by President Trump himself. A Declaration of Support for United Nations Reform was presented “as a way to give momentum to Secretary-General Guterres’ efforts to bring greater efficiency, accountability, and transparency to the UN”, with at least 127 other countries joining the US in subscribing to it. Typically, the declaration focused on managerial and organisational reform, as if this were the primary reason for the UN’s ineffectiveness and not the antagonisms and shortcomings of its member states. Speaking at the meeting Mr Trump attributed the UN’s failure in recent years to reach its full potential to "bureaucracy and mismanagement" and declared that the US “seek[s] a United Nations that regains the trust of the people around the world. In order to achieve this, the United Nations must hold every level of management accountable, protect whistle-blowers and focus on results rather than on process”. Mr Trump also asked for more proportionate sharing of the financial and military burdens

57. See details in previous section.
58. The panel’s report was transmitted to the UN membership by the Secretary-General through UN Doc. A/59/565 of 2 December 2014, to which it was annexed. See also <http://www.un.org/en/events/pastevents/a_more_secure_world.shtml> (accessed 30 September 2017).
among UN member states and “clearly defined goals and metrics for evaluating success” of peacekeeping missions. If the US is the proverbial gorilla in the UN room, the Nordic countries cut more modest but also better looked-upon figures. Having clearly integrated multilateralism and the United Nations in particular into their national foreign, defence and survival strategies, these countries use their overall political neutrality, their generous development and humanitarian contributions, as well as the financial contributions that they make to the UN voluntarily, over and above their UN regular dues, to expand their popularity and influence. There is hardly any UN panel or serious discussion without a Nordic voice participating, and Nordic money supporting such initiatives through voluntary contributions, as was the case with the Secretary-General’s High-level Panel on Global Sustainability and its four Nordic members out of a total of 22 members from around the world.

Individual countries may take the lead on certain issues on the UN agenda, as was the case of Colombia with regard to promoting the concept of the SDGs in the lead-up to Rio+20. Of course, developing countries through their collective representation by the Group of 77 and China (G-77 and China) have a major say on whether proposed reforms can go ahead, not least at the stage of administrative and financial scrutiny at the General Assembly’s Fifth Committee.

The UN Secretary-General

An actor who is always involved in UN reform efforts, either because s/he takes the initiative or because s/he has to respond to initiatives by others, is the UN Secretary-General. Being at the meeting point of demands from all sides, be they member states, civil society, the private sector or well-known personalities, the Secretary-General has to act in some way to avoid disappointing one constituency or another, while keeping all constituencies reasonably satisfied, with member states and the most important ones among them as the first point of reference, of course. Some Secretaries-General have been more eager to submit reform proposals, notably Kofi Annan, whose term is dotted with such initiatives, including his 1997 proposals, the Millennium Summit and the MDGs, the “In Larger Freedom” report and the 2005 World Summit package. We have already discussed in previous sections the role of past Secretaries-General. A brief overview of reform efforts by the current Secretary-General, Antonio Guterres, is included at the end of this article.


61. See Felix Dodds, Jorge Laguna-Celis and Liz Thompson, From Rio+20 to a New Development Agenda: Building a Bridge to a Sustainable Future (New York: Routledge, 2014), pp. 87–89.

62. We have been using in this article the third person in its masculine form to refer to the UN Secretary-General because as of now only men have occupied the post. Of course, for future references we try to use s/he to include both genders.
Ad Hoc Bodies Set Up by UN Intergovernmental Bodies or the UN Secretary-General

High-level panels, expert groups, working groups, etc., once established and often with VIPs serving on them, have to come up with something intelligent and if possible ground-breaking to say. Their recommendations are transmitted to the UN authority that requested them in the first place, often the Secretary-General, who in turn examines them and forwards them with his comments to the member states for further action. If all goes well the reform proposals, at least some of them, in their original form or modified, will be agreed upon by the member states and will proceed to being implemented. Such recommendations that reached the implementation stage were several of the High-level Panel on Threats, Challenges and Change, as mentioned earlier.

Activist and Pressure Groups, and Other Civil Society and Private Sector Entities

Member states may be the ones making the big decisions at the UN, but determined activists, groups and individuals can and have made a difference on several occasions. The “1 for 7 billion” campaign was key to creating a climate conducive to changing the process for the selection of the new UN Secretary-General in 2016. Numerous civil society organisations supported the campaign, with the following serving on the informal steering committee: Avaaz, CIVICUS: World Alliance for Citizen Participation, Friedrich-Ebert-Stiftung—New York, United Nations Association—UK, World Federalist Movement—Institute for Global Policy.63 The Coalition for the International Criminal Court led the civil society campaign in support of the adoption of the Rome Statute in 1998 and its subsequent ratification by as many countries as possible.64

Established in 1998 as a US public charity through the donation of US$1 billion by then CNN owner Ted Turner, the United Nations Foundation has privileged access to the UN Secretary-General and the UN system. It “connects people, ideas, and resources with the United Nations by building expert coalitions, developing large-scale partnerships, and carrying out issue-based grassroots campaigns that make it easy for people to help the UN create a better world”, with priority areas such as global health, energy and climate change, girls and women, and advocating for the UN in the US.65 It has been playing a key role in supporting initiatives of successive Secretaries-General in these areas, providing funding and contacts but also influencing the content of the initiatives through its privileged access at the highest level already from the planning stages.

Answering the “Why” Question: Motives/Root Causes of UN Reform

Reform efforts can be categorised according to four key dimensions in terms of underlying motives.

63. See <http://www.1for7billion.org/who-we-are/> (accessed 30 September 2017).
**Functional Requirements and Neo-functional Dynamics**

UN reform offers opportunities to appreciate the “form follows function” axiom of David Mitrany’s functionalists, which has been a central pillar of John Groom’s teaching. UN peacekeeping has evolved over the decades out of necessity to monitor ceasefires and buy time for the peaceful resolution of disputes. Successful engagement in such endeavours creates a “neo-functionalist” spill-over dynamic, with ever more ambitious tasks and resources, evident in Boutros-Ghali’s Agenda for Peace, where in a climate of post-Cold War exuberance peace operations extended from preventive deployment to peace enforcement to peace building. Overstretch and disappointment are not far away, as experienced by the UN in the former Yugoslavia and Rwanda. But then another attempt is made to align requirements, assignments and resources, such as through the “Brahimi Report” and a continuous learning process. Among other reforms that can be seen as functional in nature are the establishment of UNAIDS and UN Women, both based on and transforming previous structures to better serve evolving needs. Also ad hoc arrangements, be they a high-level event on climate change or a new type of international agreement like the Paris Agreement, serve a purpose/perform a function even without a traditional or fully developed form.

**Reform as Necessary Adaptation to Changing Circumstances**

If UN Security Council reform ever takes place it will be possible to attribute to it the motivation of adjusting to a changed global environment, in which the five victors of World War II, who happen to be the five Permanent Members of the Security Council, are not the only or the most important actors on the international stage. In the meantime, other, easier to reform bodies, have been introducing improvements in their working methods, through efforts towards “revitalisation”, including the General Assembly and ECOSOC. Other bodies like the Commission on Human Rights and the Commission on Sustainable Development had to be replaced as no longer fulfilling their respective mandates; thus the Human Rights Council and the High-level Political Forum saw the light of day.

**Reform for Survival Under Political Pressure**

The least gracious or productive kind of reform comes when the UN is under pressure from one or the other country or coalition of countries, which have clearly defined objectives at a particular time and try to use their strength to extract favourable to them concessions from intergovernmental bodies and the UN Secretariat. The USA has been playing a prominent role in that regard, notably in the post-Cold War decades, when it established itself as the only remaining superpower, while at the same time found itself in a permanent voting minority compared to the developing country majority in the General Assembly.

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Appointment by successive UN Secretaries-General of US citizens in key Secretariat positions, in the past often the Department of Management, which is also responsible for the budget, and related Secretariat restructuring have taken place over the last couple of decades under pressure exerted by the US and with the threat of withholding budgetary contributions, thus threatening to cripple or even bring to a halt the UN machinery. This happened during the Reagan years in the 1980s, was repeated for part of the George W. Bush years with Ambassador John Bolton toning down reform proposals in the lead-up to the 2005 World Summit, and could happen again during the Trump Presidency, in a new era of pronounced US exceptionalism and isolationism.

Some initial signs: speaking a couple of days before the opening of the 72nd UN General Assembly on the US priorities, the US Permanent Representative, Ambassador Nikki Haley, described her record at the UN as follows: “in the last several months, we have taken every peacekeeping mandate and changed it. Basically, we have saved half a billion dollars in peacekeeping”. She went on to say that peacekeeping should be examined on a case-by-case basis, not instinctively throwing more money at difficult cases but making sure each is treated in the most effective way, in some cases also increasing the allocated resources if necessary. When, on Christmas Eve, 24 December 2017, after protracted negotiations the General Assembly agreed on the UN regular budget for the biennium 2018–2019, Ambassador Haley spoke of a “historic reduction in spending” and took credit for a “negotiated reduction of over $285 million” among “a host of other successes”. This came on the heels of votes against the US position on Jerusalem at the UN Security Council and the General Assembly, which had been met by no concealed threats by the Ambassador.

Forward Looking Leadership

While the previous three cases mainly concern reforms that are directly or indirectly imposed on the Organisation, this fourth category is more deliberate and often emanates from an activist Secretary-General with a distinct vision about the future of the Organisation. Boutros Boutros-Ghali’s Agenda for Peace can be considered, at least partly, as such an example. Kofi Annan’s tenure offers many more, from the development and promotion of the MDGs to the establishment of the Human Rights Council and the Peacebuilding Commission, as well as the introduction into the UN framework of the Responsibility to Protect. Ban Ki-moon’s support for climate action gave more political prominence to the fight against climate change and eventually helped bring about the Paris Agreement, despite an earlier failed attempt in Copenhagen in 2009. The development of the SDGs has been a more collective work, carried out by or under the very close supervision of the UN member

states. Nevertheless, the input of the UN Secretary-General, or in this case two high-level panels established by Secretary-General Ban, cannot be discounted.71

UN Reform in the First Months of Secretary-General Antonio Guterres’ Tenure

Already during his campaign for the position of UN Secretary-General, Antonio Guterres spoke of reform. In his Vision Statement he stressed that “The future of the UN will be determined by its readiness to change and adapt … The SG must promote reform and innovation, focused on delivery and results. Reform is not a onetime action, it is a permanent attitude …”.72 His two terms as UN High Commissioner for Refugees give him inside knowledge of UN system dynamics and processes, while as former Prime Minister of Portugal and former President of Socialist International he is very aware of political interests, sensitivities and balances. He has thus embarked on his three-pronged reform initiative, to rescue multilateralism in an era of domestic conflict and terrorism, increased economic inequality and ecological fragility. This includes changes in the peace and security architecture, a realignment of the UN development system to help countries implement the SDGs, and management reform.73

Among the first reforms implemented is the establishment of the UN Office on Counter-Terrorism, approved by the General Assembly on 15 June 2017.74 The Office aims at strengthening existing partnerships and developing new ones in close cooperation with Security Council bodies dealing with counter-terrorism and member states.75 The Secretary-General has also appointed, on 13 September 2017, as part of his “surge in diplomacy for peace”, an 18-member High-level Advisory Board on Mediation “to provide him with advice on mediation initiatives and back specific mediation efforts around the world”.76 In the area of development, the Secretary-General has already formulated a “vision on the repositioning of the UN development system to deliver on the 2030 Agenda”, which inter alia delinks the UN system Resident Coordinators in developing countries from UNDP and connects them to the Secretary-General through the Deputy Secretary-General, who will chair the UN Development Group. Further recommendations were expected

71. See UN Secretary-General’s High-level Panel on Global Sustainability and UN Secretary-General’s High-level Panel of Eminent Persons on the Post-2015 Development Agenda.
in a second report due by December 2017. In terms of management reform proposals by the Secretary-General pointed at “center on breaking down silos among Secretariat departments (such as between Peacekeeping and Political Affairs) and modernizing personnel policies to suit primarily an operational agency and not a conference servicing one”.

A very interesting area of forward-looking focus that Secretary-General Guterres has identified is the importance of new technologies and their possible impact on the future of humanity, including the organisation of society and the impact on jobs. Artificial intelligence, cyberspace, genetics, etc. have the potential to improve the human condition but also to threaten it in a way that no organisation or government alone can plan for. In this light, it seems rather contradictory that the Secretary-General has decided not to extend the term of the Scientific Advisory Board established in 2013 by his predecessor upon a recommendation of the High-level Panel on Global Sustainability. Perhaps the Secretary-General wanted to revamp the Board and place on it, or its successor, members of his own choice for better cooperation during his tenure.

Concluding Remarks

The United Nations keeps transforming itself, in the hands of its member states, the Secretary-General and other agents of change. Whether these changes are for the better only time can tell. In this article we went over some major reform efforts undertaken in the last quarter-century, during the terms in office of Boutros Boutros-Ghali, Kofi Annan and Ban Ki-moon, and tried to extract common elements, so as to devise a reform typology that helps one get an overview. The multitude of forms that reform can take, the various ways of introducing it, key actors and overall motivations offer a guide and toolkit for understanding the past and planning for the future.

As Mr Guterres proceeds with the implementation of his plans, a lot more will be made known of his intentions and the specific form that his UN reform initiative will take in the coming months and years of his tenure. He has certainly been taking advantage of his “honeymoon” first year with member states to recast the Organisation and the broader UN system according to his wishes. While specific measures have already seen the light of day, something more holistic also needs to be there. A “package deal” with ambitious normative innovations and intergovernmental restructuring, possibly even Security Council reform, could be prepared for approval at the next symbolic milestone in the


UN’s history, 2020, which will be the 75th anniversary of the Organisation’s establishment.

What would certainly be useful to also come about by 2020 is a bigger vision of how to make global governance and globalisation work for all, not in decades to come but now. Because ultimately UN reform is a proxy for world reform, and no matter how much one beats the UN down the relevance of these reforms will remain limited if they are not connected to the real world outside.

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No potential conflict of interest was reported by the author.

About the Author

Georgios Kostakos did his PhD thesis on UN Reform at the University of Kent at Canterbury, UK, under Professors A.J. Williams and A.J.R. Groom. He took part in actual UN reform efforts, including through the 2005 World Summit, as a member of UN Secretary-General Kofi Annan’s Executive Office. He later served as focal point for UN system coordinated action on climate change, as Acting Deputy Executive Secretary of Secretary-General Ban Ki-moon’s High-level Panel on Global Sustainability, and as advisor to the secretariat of the UN Framework Convention on Climate Change (UNFCCC), including for the COP21 negotiations that led to the Paris Agreement. He is now Executive Director of the Foundation for Global Governance and Sustainability (FOGGS) in Brussels.