THE CHALLENGE OF PEACE MANAGEMENT: THE ROLE OF THE UNITED NATIONS SECRETARY-GENERAL

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INTRODUCTION

The text of the U.N. Charter is not particularly generous or explicit with regard to all the possible dimensions of the contribution that the Secretary-General may make towards the fulfilment of the ambitious goals of the United Nations in the area of international peace and security. The Charter provisions empower the Secretary-General to be the head of an organ of the U.N., charged with execution and implementation. For that purpose he or she is authorized to attend all the meetings of other U.N. organs as well, i.e., the General Assembly, the Security

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1. The Maintenance of International Peace and the U.N. Charter; 2. The Role of the Secretary-General in International Peace Management; 2.1 The Legal Standpoint; 2.2 The Role of the Secretary-General in Practice; 3. U.N. Reform and the Office of the Secretary General; Conclusion

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2. The Secretary-General is Chief Administrative Officer of the United Nations under Article 97 of the Charter. See Simon Chesterman and Thomas M. Franck, Resolving the Contradictions of the Office, in SIMON CHESTERMAN (ED.), SECRETARY OR GENERAL? THE U.N. SECRETARY-GENERAL IN WORLD POLITICS (Cambridge: Cambridge University Press, 2007); according to the authors, although the Charter merely designates the Secretary-General ‘the chief administrative officer of the organization’, the position is both much more and much less than that. The Charter seems to establish him or her both as an important independent force and also as a mere servant of the political organs of the organization. See also Ramesh Thakur The Political Role of the United Nations Secretary-General, 2003, available at <http://www.liu.xplorex.com/sites/liu/files/Publications/1Dec2003_PoliticalRoleUNSG.pdf> (last visited 15 October 2008). The Secretary-General is the chief symbol of the international interest, advocate of law and rights, general manager of the global agenda and a focal point in setting the direction of world affairs. He is required to be a politician, diplomat and international civil servant all rolled into one.
Council, the Trusteeship Council and the Economic and Social Council. The Secretary-General is also expected to provide certain information, and may be entrusted with any other functions the other organs deem fit. Only in one case does the Charter explicitly permit an independent function of the Secretary-General: Article 99 authorizes him or her to bring to the attention of the Security Council any matter which, in his or her opinion might threaten the maintenance of international peace and security. However, since the Secretary-General constantly involved in informal consultations with the Security Council and with individual States, his discretion conceivably under Article 99 as to how to proceed in a given case may, in fact, be narrower than it appears on paper. He has to sail across the waters of international politics, where it is almost impossible to satisfy all in an increasingly fractious community of States. This is the reason why the task of the Secretary-General is termed as 'the most impossible job in the world'. Yet the role of the Secretary-General, as evidenced from the Security Council deadlock during the Cold War, is seen in practice as one of innovation. This survey briefly investigates the role of the Secretary-General, particularly in the maintenance of international peace and security, and shows the significant increase of the authority of the Secretary-General in peace management.

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3 This is due to Article 98 of the Charter, which states:

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

4 See Benjamin Rivlin & Leon Gordenker, (Eds.), The Challenging Role of the U.N. Secretary-General: Making "The Most Impossible Job in the World Possible" (Westport, CT: Praeger, 1993).

5 See Jorge E. Vinuales, The U.N. Secretary General Between Law and Politics: Towards an Analytic Framework for Interdisciplinary Research, Studies and Working Papers, No. 1 (Genev Graduate Institute for International Studies, 2005), p. 1. The author argues that among the major innovations introduced by the adoption of the U.N. Charter after the Second World War one must mention, without any doubt, the Office of the U.N. Secretary-General. Also Thomas Franck and Georg Nolte, The Good Office Function of the U.N. Secretary-General in Adam Roberts & Benedict Kingsbury (Eds.), United Nations, Divided World: The UN's Roles in International Relations (Oxford: Clarendon Press, 1993), p. 14. Cf. the Official Records of the 837th meeting of the Security Council on 22 July 1958, p. 4: "(T)he Secretary-General indicated his belief that he could act in the interest of world peace when the political organs had fallen into desuetude, at least such time as the political organs acted to rescind his claimed authority".