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THE CREATION AND DEVELOPMENT OF INTERNATIONAL GOVERNMENTAL INSTITUTIONS

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Abstract: The study looked at the creation of International Governmental Institutions (IGIs) with emphasis on the international cooperation; the development of IGIs, the development of the position of the international public official, how International Public Officials differ from National Public Officials, and how they conduct international public administration. This study concluded with giving the reader the importance of International Public Administration.

Keywords: Creation and Development of International Governmental Institutions.

1. INTRODUCTION

International Governmental Institutions first made their appearance in the nineteenth century. The IGIs of the twentieth century such as the League of Nations and the United Nations are mainly the product of a confluence of three streams of development, namely a system of multilateral, high-level, political conferences; the Hague system of 1899 and 1902; and the rise of international unions and governmental institutions. International cooperation between states is the common factor in the origin of IGIs. IGIs came into being as a result of agreements between particular states and usually function on the basis of agreements, recommendations and cooperation rather than by way of enforcement. To enable these institutions to give effect to their functions, states however relinquish some of their sovereign powers to these institutions (Auriacombe <u>et al.</u> 2000:).[1]. IGIs can play various roles. They are seen to give global solutions to the major problems facing the World today. Of course, this is an ideal. The reality is that IGIs in general, and the UN in particular, are unable to address these problems (Auriacombe <u>et al.</u> 2000).[2]. However, IGIs play an important role in international relations but their influence varies according to the issue and situation with which they are confronted.

IGIs are both a characteristic and an important part of the modern international political system. The head offices of such institutions are to be found in various capitals of the world. To ensure that international public administration is conducted in an ongoing and systematic way, IGIs had to be created, a need that was realized and stressed at the Hague Conferences.

Firstly, IGIs were created because there was the desire to exploit the potential of technological development for commercial purposes (Kruger 1983).[3]. Technological development has brought states closer to one another and has therefore made them more interdependent. Secondly, IGIs were to be established to pursue security in terms of peace plans and even to maintain particular political systems. Thirdly, some IGIs were to be established to promote human rights and social welfare. The search for structures in which political and technical activities that transcend state boundaries can be accommodated, led to the creation of IGIs. Such institutions, therefore, have a role to play in the formulation of international public policy. They provide a framework within which governments can reach agreement on matters of international public interest.

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On the basis of its existence and functioning, every IGI becomes a part of the international political domain. Because of its autonomy or semi-autonomy, every IGI brings a new personality into international politics (Auriacombe <u>et al.</u> 2000).[4].

The international civil service has a leading role to play in the evolution of the United Nations. The United Nations has reflected the diversity and pluralism of the international community (The South Centre 1997).[5].

2. THE BEGINNING OF INTERNATIONAL COOPERATION

International cooperation can be traced to the time when people began to live in political communities. People in early civilizations lived largely in isolation with vast distances between them. They were also reluctant to communicate with one another because strangers were regarded as barbarians.

In ancient Greece, there was cooperation between institutions which resembled contemporary IGIs to some extent. The Amphictyonic Council, the Achaean League and the Delian League serve as examples. The objectives of these three institutions were military cooperation against common enemies, promotion of cooperation and discouragement of conflicts (Kruger 1993).[6].

In medieval Europe, certain coalitions were formed between cities falling outside the large monarchic states. Italian states formed alliances in an attempt to place their mutual relationships on a balanced footing. The Hanseatic League was an association of North German towns which functioned from the eleventh to the seventeenth centuries. Economic considerations were the primary motive behind the creation of the League. It consequently concentrated on commercial trade between the towns (Kruger 1993).[7]. After the disintegration of the medieval scheme of things, several developments such as the peace of Westphalia of 1648 and the Treaty of Utrecht of 1713 contributed to the nation state becoming the most important political entity on the World scene. In fact, these two developments were seen as the precursors of contemporary IGIs. The development of continuous international cooperation was effected through diplomatic and consular services, treaties and international conferences. This development preceded contemporary IGIs and the current international public service (Auriacombe <u>et al.</u> 2000).[8].

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2.1 Diplomatic and Consular Service:

The diplomatic and consular service is a method of communication between the governments of independent states. Communication is effected through people who are specially appointed for the purpose. Diplomatic representatives are appointed by governments and are accredited by states who receive the representatives formally. The exchange is made on a mutual and reciprocal basis. The purpose of consular representation is to promote foreign trade and also to serve the inhabitants of a country in other spheres. A consul of a state can also be a citizen of a foreign state. In contrast to a diplomat, a consul is usually not directly concerned with a state's official policies.

2.2 Treaties:

Treaties played an important role in the development of international cooperation and therefore also in the establishment of IGIs and the international public service.

2.3. International Conferences:

International conferences are held by independent states to discuss and consider matters of common interest with a view to reaching an agreement (Auriacombe <u>et al.</u> 2000).[10].

3. CREATION OF INTERNATIONAL GOVERNMENTAL INSTITUTIONS

The creation of IGIs represents a phase in the establishment of an organized society. It is also a manifestation of the economic, social, technical and cultural interdependence of the modern world. The present system of independent states originated with the Peace of Westphalia in 1648 which brought the Thirty Years of War to an end. As the economy of Western Europe began to react to the influence of the Industrial Revolution, international economic relations became $Page \mid 66$

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increasingly important. By the nineteenth century, interstate relations included industrial matters and trade in manufactured goods. Increasing industrialization brought about revolutionary improvements in transportation and communication between states. Although these developments provided greater opportunities for states in many fields, they also gave rise to greater and more problems (Auriacombe <u>et al.</u> 2000).[11]. These complex developments resulted in governments seeking new ways of interstate cooperation. As a result, institutions whose members were independent states were created in the late nineteenth and early twentieth centuries which are today known s IGIs. Some IGIs had limited objectives as regards their functions and continued existence, for example serving as a secretariat for periodic meetings of heads of governments. Others were of a more permanent nature. One such IGI, the Universal Postal Union, is still functioning.

The first precursor of such IGIs was the Commission for the Navigation of the Rhine, which was established during the Congress of Vienna in 1815. The purpose was to ensure free navigation and equal treatment of the Rhine for vessels from all countries. Similar commissions were later established for other rivers, including the Danube and the Po (Auriacombe et al. 2000).[12].

Another type of an IGI which was established in 1838 was the Supreme Council for the Health of Constantinople. The function of the council was to supervise the sanitary provisions of the Turkish harbour in order to prevent the spread of cholera from Asia and Europe. Its members were the Ottoman Empire and the major maritime states of the time. The council also had to try to ensure that there was as much communication and commerce as possible. All this amounted to independent states allowing particular mattes to be arranged and regulated through international public administration.

The two most important IGIs ever to be created were the League of Nations, which was established in 1919 after the First World War, and the United Nations, which was established in 1945 after the Second World War. The League of Nations had a permanent secretariat, an institutional development which was continued by the UN. The International Labour Organization which was established in 1920, has a similar secretariat. The secretariats of the League of Nations and the ILO are consequently seen to be the real beginning of the contemporary international public service.

The essence of creating IGIs was to promote the welfare of the world community through international public administration (Auriacombe <u>et al.</u> 2000).[13].

The UN and its affiliated institutions are the most important IGIs when it comes to international politics, the movement for international organization and the operation of international public administration.

3.1. Requirements for the Creation of IGIs:

There are four main requirements for the creation of IGIs:

- (i) There must be a number of independent states.
- (ii) The states must be aware of the problems that arise from their coexistence.
- (iii) There must be regular contact between the states.
- (iv) The states must admit that institutional aids are necessary to arrange reciprocal relationships.

IGIs, therefore, concern the structure and method of cooperation between independent but simultaneously interdependent states. The purpose of IGIs therefore must be seen against the background of international cooperation (Kruger 1983). [14].

4. DEVELOPMENT OF INTERNATIONAL GOVERNMENTAL INSTITUTIONS

The establishment of international organizations created demand for international public servants and hence the formation of secretariats as part of their structure. International Governmental Institutions have been created to make cooperation between states feasible and continuous in all spheres of life and to ensure that international public administration is conducted in an ongoing and systematic way. This places international public administration at the forefront (Auriacombe <u>et al</u> 2000).[15]. International cooperation can be traced to the time when people began to live in political communities (Kruger 1993). [17]. The development of continuous international cooperation was effected through diplomatic and consular services, treaties and international conferences. This development preceded contemporary IGIs

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and the current international public service. Large conferences like those of which led to the Treaty of Westphalia in 1648 and the Treaty if Utrecht in 1713-1714 were seen to be more recent precursors to the contemporary IGIs. The two most important IGIs ever to be created were the League of Nations which was established in 1919 after the First World War, and the United Nations which was established in 1945 after the Second World War. The League of Nations had a permanent secretariat, an institutional development which was continued by the UN.

The harshness of working conditions during the industrial revolution gave rise to demands for international regulation to decrease the poverty in which workers lived. At the end of the first World War, they led to the creation of the International Labour Organization which is an intergovernmental body. It is also a specialized agency of the UN and has a similar secretariat as that of the UN. Industrialists and governments feared that they would lose out to competitors if they took unilateral protective action which would raise the cost of production in their own countries. This led to calls for international social regulation through which such measures could be adopted by many different countries (de La Cruz 1996).[18]. Before the Second World War, ILO standards were aimed at resolving the worst of the most basic problems in the labour field. The preamble to the 1919 Constitution referred principally to conditions of work and the working day, the work of women and children, minimum wages, occupational diseases and accidents, migrant workers, unemployment, freedom of association, equal pay, vocational training, and pensions for old age (de La Cruz et al 1996).[19]. At present, the fundamental justifications for the ILO's standards should be seen as a result of an international tripartite exchange of experience intended to guide the evolution and transformation of social institutions. This exchange helps to resolve problems while preserving different interests and satisfying claims in a process of discussion and compromise, allows guidelines to be laid down which aspire to universal validity (de La Cruz et al 1996).[20]. The ILO continues to have the most highly developed system for the adoption and supervision of international standards. The secretariats of the League of Nations and the ILO are consequently seen to be the real beginning of the contemporary international public service.

The envisaged function of IGIs is to promote welfare of the world community through international public administration. The UN and its 18 affiliated institutions are the most important IGIs when it comes to politics and the operation of international public administration.

The first actual use of secretariats attached to international organizations developed in the 1860s and 1870s with the establishment of the International Telegraphic Union, the Universal Postal Union, and the International Bureau of Weights and Measures. The United Nations was established in 1945 after World War II and its headquarters were located in the United States of America (Bennett 1995). [21].

What makes international public administration important is that we live in a global village where the international public servant plays an important role in contributing his/her services to the international community. Therefore, international organizations must be viewed within the larger context of the international system. The most important characteristic of a typical international organisation is that it is basically only a form of institutional inter-governmental co-operation. It is based on the principle that no member state may be bound without its consent. If the decisions of the Organisation have to be adopted, they must be approved by each member state. (Hartley1998). [22]. The UN system is dominated by national states that provide people to run these organizations.

The United Nations is an Organization founded on the precepts of cultural and ethnic diversity and its structure is decentralized and complex. (Business Communications Quarterly, June 2001). The Charter of the UN consists of 111 articles (Auriacombe <u>et al</u> 2000). [23]. The bulk of its resources, both physical and human, is devoted to economic and social activities. (Bennett 1996). [24]. If the UN is to succeed in its global mandate, especially in the delivery of humanitarian services to the world population affected by political conflicts, emerging and re-emerging natural and man-made disasters, it needs a potent international civil service (Udom 2003). [25]. International wars and conflicts increase pressure on the United Nations for rapid and effective interventions in the conflict areas. The UN responds to these demands through its personnel deployed in different member states throughout the world. Hence, the importance of international civil service, to strengthen and support the UN's activities around the world. Generally, the people who go to work at the UN are inclined to accept diversity and an international outlook. Although member states have insisted on a distribution of Secretariat posts fairly as regards the total number of positions and their grade level, the Secretary-General contends there are more essential requirements of high standards of efficiency, competence and integrity in recruiting personnel and this would mean that the distribution may not be as balanced as one would wish them to be. However, according to the UN Charter, the number of personnel by country is based on the amount of money a country contributes.

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(Business Communications Quarterly, June 2001).[26]. States play a very important role in facilitating the actual recruitment of their nationals. (Meron 1977). [27]. But the Secretary-General also appreciates that a wide variation of national backgrounds, cultures and experiences among Secretariat personnel enrich the contribution that the Secretariat can make to the work of the Organization. International loyalty demands that the staff member accepts and adheres to the purposes and principles of the Organization and impartiality. (Bennett 1995). [28]. Being an international staff means that once an individual has been appointed to the UN system, he or she ceases to be the servant of the country of which he/she is a citizen and becomes the servant only of the international Organization. (Udom 2003). [29].

The following factors necessitated the creation of IGIs:

- a) The nature of the international political system,
- b) Transport and communication increase the interdependence of states and consequently also that of regional IGIs.
- c) Groups of states are sometimes forced to cooperate, either to defend themselves or to try to keep the peace (Auriacombe et al 2000). [30].

There are five specific characteristics of IGIs, namely interstate basis, voluntary basis, permanent organizational structure, autonomy, and cooperation function (Auriacombe <u>et al</u> 2000). [31]. As regards organizational structures, there are extensive and complex structures such as those of the United Nations and the European Union, smaller and less complex structures such as those of the specialized agencies of the UN, and very simple structures such as those of the African Postal Union, which consist of an executive committee which meets annually.

4.1. The Development of the position of the International Public Official:

There are various types of international public servants, namely those who serve their home countries as diplomats or are on secondment to international organizations, or international public servants who, through their own initiative, have been employed by these organizations and can be put on a continuous employment until they retire, or they can be asked to sign a contract with the international organization for an agreed number of years which could be renewed at the end of the term or terminated depending on circumstances. There are also those international public servants who work on a voluntary basis, being paid a small stipend for food and housing. These would mainly be found in the humanitarian arena like the Red Cross, Habitat for Humanity International or the United Nations High Commissioner for Refugees. Then there is the transient international public servant who, apart from operating at headquarters, travels on missions to member countries for either technical support or meetings. Within the United Nations, there is the peace keeping operation which is composed of a military component consisting of a commander and a number of contingents provided by selected member states of the UN upon the request of the Secretary-General and the civilian component which consists of civilian administrative staff which is provided by the Secretary-General from among existing UN staff (United Nations 1990).[32].

The UN recognizes that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative coordination. There are also those international civil servants who come into the Organization as a result of secondment whereby an official is posted by his government to the UN for a specified period under defined terms and conditions with the expectation that at the end of that period, he or she will return to the service of origin. (Tessitore 1991). [33].

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4.2. How International Public Officials differ from National Public Officials:

- The mobility of the international public servant is fraught with more problems than that of a national one. International Public officials and their families must adapt to a different country with a distinct climate, distinct political, economic, social and cultural circumstances and its own language or variety of languages. National civil servants only have to move from place to place in their own country (Kruger 1993).[34].
- There is a marked difference when it comes to loyalty. The staff of IGIs must give up their national loyalty to a certain extent and serve the interests of the IGI only. In conjunction with this is the fact that the international public official may not receive any instructions from home governments or any person or institution outside the IGI. Conversely, the loyalty of the national public official is confined to his own country.

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- International public officials are supposed to be administrators and not politicians. Their function is to voluntarily implement decisions that have been taken by political organizational components of an IGI. While the international public official cannot be restrained from voicing personal views and convictions, they are not at liberty to freely take sides, to enter disputes as a partisan, or publicly to express their convictions on matters of controversial nature, especially on issues that may bring the IGI into conflict with its member states (Udom 2003).[35].
- As regards an international public secretariat, for this to maintain independence, it must consist of career public officials who must have a high degree of occupational security. The officials should be given unspecified work contracts so that they can feel secure to promote the interests of the institution without fearing retribution or dismissal because of political considerations. Conversely, seconded national public officials would find it difficult to negate their national political self-awareness. As a consequence, they are unable to develop the same patterns of behaviour as international public officials who know that their immunity indemnifies them from career prejudice.
- As regards recruitment practices, international public officials are recruited primarily on the basis of merit because geographical representation is set as a requirement. The rationale behind the requirement of geographical representation is that IGIs are a joint effort of member states and that citizens of all member states must be able to serve as international public officials (Kruger 1993). [36].
- The conditions of employment of the international public service involve an autonomous, extraterritorial system which differs from the conditions of employment of national public services in that they are no associated with national labour legislation and regulations. Such systems which are created by the policy-making organs or IGIs, include, as in the case of national public services, all faces of personnel administration such as conditions of services, salaries, allowances, discipline and staff benefits. The IGIs also have a central staff authority, namely the International Public Service Commission.
- International public officials have no authority over any member of the community because there is no world government with its own executive institutions and judicial system which can enforce decisions. They merely accept resolutions, make recommendations and give advice. The parties involved are independent states. Conversely, national public officials can enforce decisions. By delegation of powers by both the legislative and the executive authorities, national public officials have a degree of direct authority over members of the public.

5. INTERNATIONAL PUBLIC ADMINISTRATION

What makes international public administration important is that we live in a global village where the international public servant plays an important role in contributing his services to the international community.

International public administration is one of a number of basic political processes by which the international community achieves and controls governance internationally.

The functions of top-level international administrators are more political than the functions of lover-level international administrators because they relate to more of the total United Nations area, to the international community, to more intergovernmental organizations, and to more of the political processes.

The higher the attainments of international public officials, consequently, the more generalist their performances, the more interchangeable they are with respect to assignments, and the more their functions have to do with weighing popular and organized forces. Such functions are not expert but synthesizing.

The international community is a force, largely potential but always subject to influence of the member states and leaders.

It is the peculiar business of politics working through the different governments of the world to devise responses to popular demands. Those responses can never be fully satisfactory to any one government.

5.1 Before international public administration takes place, the following aspects have to be fulfilled:

First and foremost, the international organization, and in this case it is the United Nations and its specialized agencies, must identify the functions that have to be performed.

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Secondly, officials who are going to perform these functions have to be sourced with proper job descriptions and job classifications. These officials will be sourced internationally and mainly from member countries, giving special attention to the quota system. This means that those countries with bigger quotas will be better represented.

Thirdly, these international public officials have to be given a clear mandate regarding their role. They have to be developed and motivated by the Organization in order to fulfil their respective roles.

Lastly, it will have to be clarified whether an official is going to be involved in international affairs of the United Nations and its specialized agencies. (Auriacombe et al 2000).[37].

5.2. The Importance of International Public Administration:

What makes international public administration important is that we live in a global village where the international public servant plays an important role in contributing his/her services to the international community. Therefore, international organizations must be viewed within the larger context of the international system. The most important characteristic of a typical international organisation is that it is basically only a form of institutional inter-governmental co-operation. It is based on the principle that no member state may be bound without its consent. If the decisions of the Organisation have to be adopted, they must be approved by each member state (Hartley 1998). [38]. The UN system is dominated by national states that provide people to run these organizations.

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International civil servants are those servants who are employed in an international civil capacity. (Ademoleku 1999).[47].The UN recognizes that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative coordination, and with this in view, the UN is developing common personal standards, methods and arrangements designed to avoid discrepancies in terms and conditions of employment and to facilitate interchange of personnel in order to obtain the maximum benefit from their services. Yet, in spite of this having been spelt out in the UN Administrative Handbook, there are still disparities in benefits between permanent staff and contractual staff. Perhaps this is an area the International Civil Service Commission (ICSC) will need to look at as it is an independent expert body established by the UN General Assembly to regulate and coordinate the conditions of service in the UN common system. (The UN System 2003).[48]. But there are also those international civil servants who come into the Organization as a result of secondment whereby an official is posted by his government to the UN for a specified period under defined terms and conditions with the expectation that at the end of that period, he or she will return to the service of origin. (Tessitore 1991).[49].

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By a UN resolution 3042 of December 19, 1972, the General Assembly decided in principle to establish an international civil service commission among other things to review, as a matter of priority, the UN salary system. The Commission is made up of 15 members appointed by the General Assembly. These individuals have recognized competence and have substantial experience of executive responsibility in public administration or related fields, particularly in human resources management.

The ICSC's Personnel Policies Division is responsible for providing policy guidance to the UN system in such areas as recruitment, human resources planning, career guidance, gender balance, performance management, training, learning and development. The Commission meets at least once a year. The Executive Head of each of the UN organizations informs the Commission of all relevant decisions taken by the governing organ of his organization.

The UN employs 15,000 people drawn from its 180 member states worldwide, with the highest standards of efficiency, competence and further aims to achieve gender and geographical balance and genuine diversity of the staff members who serve the world. 8,500 of these are based at Headquarters in New York (Business Communications Quarterly, June 2001).[50]. Working with the UN is more than just a job, it is a calling.

The paramount consideration in employment of staff is the necessity to secure the highest standards of efficiency, competence and integrity. The Organization may terminate or cancel the appointment of an employee because of ill health, abandonment of post, misconduct or unsatisfactory service. The common system of the United Nation's mandate is to prevent competition within the organization in staff recruitment and to facilitate exchange of staff with the other UN agencies by way of mobility.

5.3 Occupational groups fall into the following categories:

Administrative positions, economists, electronic data processors, legal and related work, librarianship, public information, social development, peacekeepers and statistics.

Recruitment of Junior professionals is done through the National Competitive Recruitment Examinations. The examinations are organized as a matter of priority for countries that are not adequately represented among staff at the Secretariat. To qualify, a candidate must posses a first level university degree and be 32 years or younger. Recruitment for middle and higher level posts: Apart from entry level positions, all other vacancies are announced. Efforts are made to recruit from as wide a geographic area as possible, in order to achieve, as closely as possible, equitable representation among member states. To be considered for these positions, candidates must have an advanced university degree, in addition to relevant professional experience. Normally, a minimum of six years of professional experience is required. The Secretariat maintains a computerized roster of qualified candidates for these posts.

Recruitment of Peacekeeping operations: In order to fulfil its primary peacekeeping role, the UN is involved in a number of operations established in different regions of the world, known as UN peacekeeping operations. In general, positions are offered in the following fields: Peacekeeping whereby a minimum requirement is an advanced university degree or its equivalent in a relevant discipline, four years of relevant professional experience and fluency in English and/or French. Applicants must be in excellent health and be prepared to work in hardship areas under difficult and sometimes dangerous conditions. They must also be available at short notice. Compensation include salary and an appropriate subsistence allowance, which has been established to cover living expenses while at that duty station. Project personnel: Requests from developing countries for technical assistance are distributed among the participating organizations on the basis of their main fields of specialization. Workforce can expand or contract at any time at Headquarters because of crises such as happened in Kosovo, Rwanda and Congo that required physicians, nurses and peacekeeping forces.

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