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ASSOCIATION OF FORMER INTERNATIONAL CIVIL SERVANTS - Geneva

90th Anniversary of the Founding of the International Civil Service

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The International Civil Service-90th Anniversary

Introduction

In October 2008, AAFI-AFICS decided to mark this anniversary through the publication of a Special Commemorative Report. A call was made to those interested in the subject, and we have received a number of contributions: four contributions are included in this Issue, together with a text from Jacques Lemoine's book.

The present report contains the following:

1. An article by Aamir Ali, Honorary President of AAFI-AFICS, on "The International Civil Service: The Idea and the Reality". Published in 1990 [1], it is an excellent historical introduction to the origin of the international civil service, going back to the League of Nations, and a useful reference to its underlying principles – independence and integrity – and the problems faced by the implementation of these principles. He concludes that the international civil service will take time to mature, but that, if the organizations are to function effectively, they need an independent and impartial staff.

2. The text of the 20th John Holmes Memorial Lecture on "The International Civil Service Revisited" delivered on 5 June 2009 by Professor Thomas G. Weiss, at the 22nd Annual Meeting of the Academic Council on the United Nations System. Thomas Weiss is Presidential Professor of Political Science at The City University New York Graduate Center and Director of the Ralph Bunche Institute for International Studies and a well-known specialist in United Nations affairs. We are grateful and honoured that Professor Weiss has given us permission to reproduce the text of his lecture for our Bulletin. His analysis is followed by concrete proposals to strengthen the UN capacity to generate and disseminate original ideas and creative thinking, and to reinvigorate the international civil service.

3. A contribution by Jack Martin, a former ILO Assistant Director-General, giving his "View from the engine room", a lively and frank exposé on political pressures on the ILO secretariat and its consequences, seen from his own direct experience.

4. An original article by Michael Davies, formerly with IADB, on "Privatization and Potential Impact on International Organizations", giving evidence of a trend among several inter-governmental organizations to transfer some of their activities to non-governmental management, and the potential impact of such moves on the international service.

5. Finally, we include in this Issue the Conclusion of Jacques Lemoine's book on "The International Civil Servant, An Endangered Species" [2], on the "Future of the International Civil Service": "At the time of great hopes and great perils, if these hopes are to be fulfilled, the international civil service should be restored to independence, effectiveness and dignity".

Of course, not all agree on the date when the international civil service was born. Some international organizations came into existence in the 1860's and 70's long. The process was evolutionary. Most agree, however, that the principles on which the International Civil Service was based were established by the first Secretary General of the League of Nations, Sir Eric Drummond and the first Director of the ILO, Albert Thomas in 1919 and 1920 as explained by Aamir Ali in his article.

We will welcome new contributions, and will also appreciate your comments both on this initiative and on the positions and assessments made by the authors of the contributions.

Special thanks are due to J.-J- Chevron for his excellent translations of these texts for the French edition of this publication.

Yves Beigbeder
Editor of this Commemorative Report

[1] C. de Cooker (Ed.), *International Administration,* I.1/3-20, 1990, UNITAR.

[2] Published by Kluwer Law International and UNITAR, 1995.

The International Civil Service: The Idea and the Reality

By
Aamir Ali**

Between the idea and the reality … Falls the shadow
T.S. Elliot

Independence and integrity

The idea of an independent international civil service is clear. It is made explicit in the Charter and in the Constitutions of a dozen specialized agencies: competence, integrity, exclusive loyalty to the organization on the part of the official; an undertaking not to exercise influence or pressure on the part of governments.

> The paramount consideration in the employment of the staff and in the determination of conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity,

declares the United Nations Charter in Article 101.3.

The responsibilities of the Director-General and the staff shall be exclusively international in character declares Article 9.4 of the Constitution of the ILO. And the Charter again in Article 100.1:

> In the performance of their duties, the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

These provisions are echoed in the Constitutions of most specialized agencies and usually reinforced in the Staff Regulations. So, as Graham and Jordan put it,

> This ideal international civil service, then, would consist of a cadre of permanent officials recruited on the basis of merit who would place their loyalty to the organization above all other loyalties. These officials would also be under the control or influence of no individual member State and would be impartial in carrying out their duties … Such a concept is of course, an ideal that never can, nor ever has been realized.

Yes, of course. But these principles, putting reciprocal obligations on officials and on governments, did not arise purely from idealism or from cloistered studies. On the contrary, they grew out of the practical experience of the League of Nations and the International Labour Organisation during the inter-war years. There had been international conferences during the past century and more and there had been secretariats to service them. But by and large these were ad hoc conferences with ad hoc secretariats, usually provided by the host country with perhaps a sprinkling of civil servants from other countries. Yves Beigbeder, in this recent book on the international civil service [1] refers to the Congress of Vienna (1814-15), where a Prussian diplomat serving the government of Austria took charge of the secretariat; the Congress of Paris 1865, serviced by a French diplomat, the London Conferences of 1867 and 1871 looked after by British diplomats. The Hague Conference of 1899 was

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After his retirement, he served for seven years as Chairman of AAFI-AFICS and nine years as Chairman of FAFICS; in the latter capacity he represented retired staff before the Pension Board.

He is the author of several novels and non-fiction books. He founded and leads a Shakespeare Study Group.

[1] *Threats to the International Civil Service* (1988).

serviced by diplomats from several countries, and the Peace Conference which established the League was itself serviced by a multinational secretariat.

The evolution was clear but the step from a multinational to an international secretariat was still a big one. It was exemplified by the International Telegraph Union founded in 1865, the Universal Postal Union founded in 1874, the International Union for the Protection of Intellectual Property, 1883, and the Union for the Protection of Literary and Artistic Works, 1886. These evolved international secretariats and were integrated in the United Nations system after the Second World War.

The Covenant of the League of Nations did not lay down any principles regarding personnel. Perhaps they were considered unnecessary; perhaps one didn't know what if anything to say because an international civil service was a new animal. Even in 1985, Reymond and Mailick could write: "The international civil service is a new phenomenon; it is an institution sui generic" [2]. Or as Philip Jessup put it more colourfully in 1955, "As a species of the genus homo, he would not have been identified by a political Darwin as recently as forty years ago" [3]. It was the Secretary-General of the League, Sir Eric Drummond, and the Director of the ILO, Albert Thomas, who came to identical conclusions as a result of their experiences as the executive heads and the Chief Administrative Officers of their organizations. They realized that if an international organization was to function, it had to have the confidence of member States; it could not attract such confidence unless the staff were visibly independent of national pressures and prejudices. The concept was first enunciated in a report submitted by the British representative, Arthur J. Balfour, to the Council of the League in 1920, stating: "Members of the Secretariat once appointed are no longer the servants of the country of which they were citizens, but become for the time being the servants only of the League of Nations. Their duties are not national but international". This concept was translated into the Staff Regulations in 1930: "They may not seek or receive instructions from any government or other authority external to the secretariat of the League of Nations".

Sir Eric Drummond and Albert Thomas were widely different personalities. The one was a civil servant par excellence; the other was a former minister, a politician, a powerful orator, an innovator. One of the things on which they were firmly united was the absolute need for a staff that was international, free from national influence or pressure, and honest in its loyalty to the organization.

The British civil service had always been taken as a model of an impartial and independent service; it is therefore ironic that the outstanding British Cabinet Secretary, Sir Maurice Hankey, who was not able to accept the post of Secretary-General of the League, had proposed that the League be composed of national services paid for by their respective governments, with the Secretary-General playing only a coordinating role. This was a carry-over from the early international conferences and their secretariats. Fortunately, Sir Maurice's view did not prevail; it would have aborted the birth of a real international civil service.

It was largely because of the experience of the League and the ILO and the convictions of their member States and executive heads, that the United Nations has its Article 101, quoted in part above.

The beginnings of these Articles were probably contained in a paper entitled Some Problems of an International Civil Service read by the ILO Legal Adviser to a Political and Economic Planning Meeting in London in 1942. The paper was later published and served as one of the working papers for those who were framing the UN Charter. And it was the same Legal Adviser who was present in San Francisco, with the Director of the ILO, and who helped to draft the language of Article 101. The Legal Adviser was Wilfred Jenks, a brilliant and dedicated official who later became the Director-General of the ILO in 1970. Tragically, his term of office was cut short by his premature death in 1973. As a parenthesis, it might be worth quoting extracts from his speech to the Governing Body on his appointment as Director-General, 20 May 1970:

> … it becomes my lot to be … the first Director-General … of any world organization who has grown up, … in the public service of mankind … One special responsibility with a vital bearing on our capacity to do these things rests unequivocally upon the Director-General personally. It is to maintain the integrity, the discipline and the sense of purpose of the International Labour Office. That responsibility I accept and will discharge. Service in the ILO

[2] Henri Reymond and Sydney Mailick, *International Personnel Policies and Practices* (1985).
[3] Quoted in Yves Beigbeder, *Threats to the International Civil Service* (1988).

> is a high vocation; it calls for the standards of disinterestedness and loyalty appropriate to a high vocation. We have the great tradition of public service moulded in our earliest days by Albert Thomas and Harold Butler. We are going to maintain it.

If these high principles were so universally accepted and acclaimed by member States and executive heads, if they were based not only on philosophical concepts but also on hard practical experience, if they were enshrined in the Charter and in a dozen Constitutions, then how is it that they seem to be so often ignored? Why does the reality fall so short of the idea?

Influence and pressure

In order to answer that question, one must look at the other side of the coin, the solemn obligation undertaken by governments. But at the outset, some preliminary remarks. First, let it be made clear right away that the great majority of international officials do conform to the high standards set out for them and do so as a matter of course; it is a minority that brings them into question and fuels the critical comments so often heard about the UN bureaucracy. Indeed, one might well say about international civil servants that the wonder is not that there are some officials who do not meet the highest standards, but that there are so many who do. Second, it is relatively easy to be an elite service maintaining exceptionally high standards if you are talking of a couple of thousand officials; it is much more difficult to maintain such an image when you have over 50,000. Third, recruiting an 'elite' is a slow, time-consuming process and nobody has time anymore, least of all the member States. When circumstances force an organization to recruit in a hurry – and impose numerous restrictions on how this should be done – the process is likely to become a hit or miss affair. Fourth, in the years immediately after the war, in that dawn when it was bliss to be alive, it was easier for people to gaze at the stars; today, when cynicism and skepticism seem to be the commoner emotions, it is hardly surprising that one's gaze is turned to the mud at one's feet. As Brian Urquhart, one of the earliest and most distinguished officials of the UN has written,

> To work for peace was a dream fulfilled … Bureaucracy, frustration, routine, empty rhetoric, political pettiness and disillusionment were still in the future and had not dulled the feeling of elation and adventure. [4]

Fifth, where there is a failure to live up the proclamation of the Charter, it is in most cases not when dealing with substantive issues but in matters of one's own personnel situation.

All this refers to the responsibility that falls on officials to observe the highest standards of integrity. The complement to this is the undertaking by governments to respect the exclusively international character of the Secretary or Director-General and the staff and not to seek to influence them in the discharge of their responsibilities.

> Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities (Article 1002 of the Charter, echoed in the Constitution of the Agencies).

Why is it that member States, having formulated and accepted this solemn undertaking, undermine it is practice? Human behaviour seldom matches declarations of the ideal. Some of the reasons contributions to the gap between the idea and the reality are:

- some States never accepted even in theory the idea of an independent international civil service;
- history, language, geographical proximity and other practical reasons led to an early overloading of certain nationalities with consequent reactions;
- an unforeseen rush of newly independent States made the nationality composition of staffs an overriding preoccupation;
- the inter-relationship between organizations and national representatives evolved in particular ways;
- successive financial crises made organizations vulnerable to governmental pressures.

[4] Brian Urquhart, *A LIFE IN Peace and War* (1987).

The importance of nationality

Paradoxically, nationality is of primary importance in an international civil service. Allied to the concept of such a service is the concept of a proper spread of nationalities, or as it is now commonly called, 'geographical distribution'. This, too, is enshrined in the Charter and the Constitutions of the agencies. Quite rightly, the two provisions are linked closely together. "Due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible" says the Charter. "So far as is possible with due regard to the efficiency of the work of the Office, the Director-General select persons of different nationalities", says the ILO Constitution.

It is obvious that if governments are to have confidence in a secretariat, this must not be dominated by officials from one country, from one region, or one linguistic group. It is the essence of an international secretariat that it must be international. So far, the idea and the reality coincide. Policy demands a spread of nationalities; reality makes this imperative. As Harold Butler, who had been Director of the ILO from 1932 to 1938 said in 1943, "We found by experience … that if we were to make our institution efficient in the highest sense, we had to have people from all countries belonging to it, even if they were not terribly efficient as officials". [5]

What is a reasonable spread of nationalities? It is surely reasonable that the United States and the Soviet Union – and China and India – should have more officials on the staff than the Seychelles or Grenada. But how many more? How does one decide?

In the early days, and certainly in the inter-war years, these questions were left to the executive head with only general supervision exercised by legislative bodies. But the question took on another dimension in the sixties when some fifty or so newly independent States joined the UN family. The ex-colonial countries, eager to take their place as equals in the world community and as jealous of their sovereignty as were the older States, found that the complexion of the secretariats was generally pale and the staff was drawn largely from the industrialized countries. They found it galling to be told that they could only have their turn as vacancies arose; they were in a hurry and built up a head of steam for geographical distribution.

The socialist countries had also been dissatisfied with the numbers of their nationals on the staffs and joined the demand for a fairer spread of nationalities, and for a reduction in the 'overrepresentation' of some of the founder members. Inevitably, the legislative organs began to intervene more directly and forcefully in the recruitment process and in determining how many officials there should be of different nationalities. The notion of 'quotas' and 'desirable ranges' was incorporated in resolutions and most organizations now work on a system, official or unofficial, of 'desirable ranges'. These have become a predominant concern of member States.

It is a pity that the term 'represented' is now commonly used in this context. A country that has less nationals in a secretariat than its desirable range is termed 'underrepresented'; a country that has more than its quota is deemed to be 'overrepresented'. These terms are less cumbersome than some such circumlocution as 'less nationals on the staff than desirable' or 'an inadequate number of nationals on the staff'. But the terms give the impression that officials are representatives of their countries rather than international officials, the exact opposite of the 'idea'. This is unfortunate; in view of a constant tendency to regard staff in that light anyway, it is doubly unfortunate. However, the terms have become current coin, so it should be stressed and stressed again, that international officials do not 'represent' their countries; they are individuals owing allegiance only to their organization and not to their governments. That is the idea and to a very large extent, the reality as well.

The fixing of the desirable ranges is in itself a Byzantine exercise, largely but not exclusively based on assessed contributions to the budget. These assessments themselves are based on a package of considerations – and hard bargaining.

It is not a bad thing to have a legislative framework for the vexed question of geographical distribution. It has many advantages for it gives the executive head a measure which he must use. But it is sometimes urged with a rigid insistence on arithmetic which makes it difficult for an organization to function. It is not only in this area that the authority normal to a manager, an executive head, has been taken over by a legislative organ. "Little by little … there has developed in the course of years, a practice of interference in the exclusive duties of executive heads",

[5] Quoted in Henri Reymond and Sidney Mailick, *op. cit.*

write Reymond and Mailick. "It is especially felt … in the field of recruitment". [6]

It is through the doorway of geographical distribution that government representatives enter and seek to exercise influence on a series of personnel functions: recruitment, transfer, promotion, missions, extensions of contract, terminations. While geographical distribution in itself is a legitimate concern of governments, interference in individual personnel actions is not. The line may not always be easy to draw but in most cases, it is – but is not drawn. This is the real malaise, the factor that not only contravenes the Charter and Constitutions but inevitably grows by what it feeds on; it snowballs. If an official sees his colleague getting a push from his government – and sometimes a successful push – his natural reaction is to try and get a push for himself from his own government. How often does one hear an official say: "I don't believe in going to my government. I have never done so; I've always been one hundred per cent correct. But now I see I have no alternative as I realize it's the only way of getting a fair hearing." It is easy to criticize this attitude but also easy to see how humanly inevitable it is. When governments ignore the Charter or the Constitutions, officials are encouraged to do likewise and to ignore the Staff Regulations as well. Each instance helps to erode the idea, to distance reality from it.

The weariness of all executive heads at the constant demands of governments was well expressed by the Secretary-General, Javier Pérez de Cuéllar, in the Cyril Foster Lecture at Oxford University in May 1986. "The international civil service is facing perhaps its most serious challenge ever", he said. "It would best be strengthened if member States would accept that the Secretary-General should carry out his functions as Chief Administrative Officer without undue interference or political pressure. It must be recognized that it is the responsibility of the Secretary-General to ensure that the Organization has at its disposal the staff necessary to perform all the functions given to it by the legislative bodies. It would be a refreshing change if the General Assembly and individual member States were to exercise more forbearance and give the Secretary-General the flexibility he needs to ensure the smooth and efficient functioning of the secretariat". His predecessor had made a similar plea in his report to the General Assembly in 1978: "… the inter-governmental competition for posts is tending to become a severe impediment to the balanced and effective development of the secretariat. I appeal to all member States to exercise great restraint in this matter …".

The Director-General of the World Health Organization, Dr. Mahler was more forthright in his address to the World Health Assembly on 5 May 1987. "I have to face governments", he said, "insisting on the appointment of their nationals to specific senior staff positions, sometimes without thought for their suitability … Sometimes their insistence is even accompanied by hints that a positive response on my part is the key to voluntary contributions … Worse, ghosts have appeared on the scene in recent months … living heads of State who have taken little interest in health or in WHO in the past. They are now trying to mobilize other heads of State, individually and in groups, to support their candidate for the most senior staff positions. So senior staffs have become the pawns of power politics".

While recruitment attracts the major focus of government interest, there are other dimensions of the desirable range syndrome. For instance, the question of grades. Countries often consider that they are being 'fobbed off' with a few junior officials; it is not only numbers that they claim, but numbers at reasonably high grades. If the international organizations are based on the notion of a career service, entry into the organization should normally be at a junior grade. But then the country feels that its interests are being slighted.

This is one of the reasons why sometimes a newcomer enters at a high grade, often calling for supervisory functions, and finds that his lack of knowledge of the secretariat and the machinery of the bureaucracy, makes it difficult if not impossible for him to function effectively. So he ends up as some sort of symbolic figure, enhancing the 'representation' of his country but incapable of playing any effective role in the working of the service. It was this which led Shirley Hazzard, the very critical author of People in Glass Houses and the Defeat of an Ideal to recount her much quoted story of the official who was asked what he did in the secretariat and replied 'I am a Saudi Arabian'.

Governments seeking an influence in the workings of the secretariat often believe that pushing for an appointment at a senior level they will gain greater influence; in practice this is not always the case. An official who has grown up in the system and knows the workings of the machine can exercise far more

[6] Henri Reymond and Sidney Mailick, *op. cit.*

influence in its operations than an outsider parachuted into a senior position without much knowledge of how the system functions and without those personal contacts which are indispensable in any institution.

Another aspect of this type of recruitment is the official of a government who, for whatever reason, is offered an appointment in the Secretariat. As he is a senior national official already, he must begin at a correspondingly high level in the Secretariat, especially if other officials from other countries have entered at that level. So his government pushes for a grade higher than warranted by the function that he has been recruited to carry out, exercising influence and pressure; it would, however, reject any suggestion that this was improper or contrary to the Charter. The consequences of this on attempts to have a fair grading system, of course, are unfortunate, to say the least.

The process of recruitment has also changed substantially over the years. Though there has always been great variation in methods of recruitment even within an organization, the norm in the inter-war years, if one could call it that, used to be along regular civil service lines: determine the vacancy; decide on the nationality to be recruited; advertise widely; let an independent selection committee recommend the best qualified candidate. This would in general be a youngish person, say under 35, who would be expected to make a career in the service moving to various departments and functions during his years of service. It is much more difficult to speak of a norm today, but a not uncommon situation might be along the following lines: there is a vacancy and it is, as always, urgent; it needs special qualifications; one of the many candidates always available or being urged by a particular government might be taken on a for a year 'to see how he works out'; and in due course he becomes a permanent recruit.

Part of the reason for this change is the change in the types of staff required. In the initial stages, the major need was for staff to carry out normal civil service functions: deal with files, prepare memoranda, organize meetings. Today, there is need for a whole range of other functions, and of experience in scores of different fields. This means that specialists who have had several years of practical experience are recruited, and so are at least in their forties. Even if they stay till retirement, their period of service is relatively short and less likely to make for the total loyalty to the organization that one can reasonable expect from someone who spends his whole career in the organization.

There is often a conflict between the needs of a job and the needs of geographical distribution and one or the other need has to be sacrificed. Thus, for instance, to cite a glaring but true example, an organization needed a chemical engineer who could deal with technical publications in the Scandinavian languages; the geographical priority for recruitment was Burundi. It seemed unlikely that a Scandinavian-speaking chemical engineer could be found in Burundi; recruitment was therefore undertaken in Scandinavia though none of these countries were, at that time, considered to be 'underrepresented'. Geography gave way to need.

It is taboo to say that qualified candidates cannot be found in the developing countries. It is a fact that outstanding persons can be found in all countries. But it is also a fact that for a variety of reasons – the nature of the jobs to be performed, the languages used, wider educational possibilities, the numbers of qualified candidates available, the location of the organizations – it is easier to recruit from the industrialized countries and from a certain number of developing countries; India, Pakistan, Sri Lanka, Egypt, Nigeria, Argentina, Chile, for instance. This is the reality.

Secondment from Governments

In the initial discussions leading to the establishment of the League of Nations, there were suggestions that the Secretariat might be composed of national civil servants detached for service to the League. This was soon put aside and it was decided that the international civil service must be a career service staffed by officials owing exclusive loyalty to the organization.

The same suggestion was made again at the founding of the United Nations but found only limited support and did not prevail. It was also suggested that Under and Assistant Secretaries-General might be elected in the same way as the Secretary-General himself. This too was happily not accepted; it would have led to a divided management team and made the task of the Secretary-General almost impossible.

Several governments – and individual national officials – favour secondment, and indeed, in some instances this can be a very useful arrangement. Sometimes a national official recruited to an international

organization wants to keep his options open and keep a lien on his national job. Several governments have established rules for this.

With the increasing need for specialist short term assignments, secondment can be very useful. Often, however, the seconded official is unable to acquire the international outlook necessary for his work. For instance, often when a national specialist is recruited to write a report, he produces a technically excellent document but it is unusable because of its national bias. It then has to be rewritten by a real international official.

The idea of secondment from national service for a limited period was, from the outset, the concept of the USSR and the socialist countries. They did not accept the notion of an international civil service; from the beginning the organizations have had to live with a major member State – and a very essential member State – which, by a deliberate act of policy, ignored a specific provision of the Charter. As Brian Urquhart has written about the founding of the UN, "The Russians … made no bones about their scepticism of the concept of an impartial and objective international civil service". [7]

In general, recruitment from the Soviet Union was on the basis of candidates presented by the government, with little or no choice. The period of service was generally limited to 2 to 5 years, seldom more, though an official could sometimes come back after a spell in his own country. This was an uneasy arrangement, running counter to the general notion and making it imperative that they maintain a close link with their parent government throughout their service. It reduced the usefulness of the official, sometimes to zero, and certainly made it difficult for him to acquire any sort of international outlook or exclusive loyalty to the organization. The General Secretary of the Communist Party of the USSR, Nikita Khrushchev once declared that there "were neutral countries, but there were no neutral men", and so it was not possible to have an impartial civil servant. The world would be a poor place indeed if that were true; happily it seems to be amply evident that it is not.

In several cases, when the parent government recalled the official, the latter was reluctant to leave. There were cases of intense personal conflict and agony. If the official refused to go back, he would lose his nationality and become an exile. Yet, for personal or official reasons, he might want to remain with the organization.

For the organization, too, an official who wanted to stay on in such circumstances represented a dilemma. In some cases he was treated as an individual, who had a contract with the organization; the organization decided that, if he was a useful official he should be kept on, even though it would incur the displeasure of the government. In other cases, the organization decided that the contract – almost always a fixed-term one – would not be renewed. In any case, such a situation was an uneasy one both for the organization and the individual. It also provided another opening through which a government – in its own view no doubt, quite legitimately – could seek to influence personnel policy.

And if the official did lose his nationality but was kept on, he no longer counted towards the national quota. Even during the period before he had lost his national passport and become stateless, the government would not count his as one of 'them'. Sometimes, the numbers of nationals as computed by the organization were different from the computation of the government; another cause of potential friction.

Fortunately, it seems that the situation has taken a radical turn for the better. The attitude of the Soviet government to the UN has changed dramatically in recent years. As the Deputy Foreign Minister stated in July 1988, "We were wrong toward the international civil service. Now we accept permanent contracts. We consider that the whole UN Charter should be fulfilled, not just parts we like. We were wrong to oppose an active role for the Secretary-General" [8]. This news is most welcome and will prove to be an important encouragement to the international civil service.

Another rather strange situation occasionally arises when an organization recruits an official who has been brought up abroad and has not had much contact with his home country. The government may feel that he is not really a 'proper' national, he has been recruited 'privately' rather than through any government machinery, and is unhappy at having to include him in its 'quota'. For the organization, there can be no question but that he is a national. It is interesting to note that at the Preparatory Commission of the United Nations in London in 1945, there was a proposal that all nationals should be cleared by their governments, but it was defeated. The first Secretary-General,

[7] Brian Urquhart, *op. cit.*

[8] *International Herald Tribune*, 7 July 1988.

Trygve Lie, had made the error in the early years of the UN of asking the US government for assistance in the appointment and retention of staff, by checking the character and record of applicants. The US government rightly pointed out that this was the prerogative of the Secretary-General. Later, however, the government had no scruples in subjecting some of its nationals to interrogation during the McCarthy era in the early fifties through the Senate Internal Security Sub-Committee chaired by Senator Pat McCarran. Later, a Presidential Executive Order instituted an International Organizations' Employees Loyalty Board to check – and on the state of the world today – that some governments have used their clout to get persons who worked for their intelligence services recruited by an international organization. There could not be a more flagrant breach of the Charter but in the murky world of espionage and counter-espionage, Charters and constitutions count for little.

That officials must be impartial does not mean that they cannot have any political convictions of their own – but it does mean that they cannot try and advance them or serve the interests of any particular party or cause. As Dag Hammarskjold once said, an official must be "politically celibate … but not, perhaps, politically virgin".

The idea of an independent international civil service received another setback right in the early stages of the UN. There had to be a rush to recruit. In 1946, some 2000 officials had to be recruited within six months, at a time when the whole working structure of the UN – permanent Commissions, Sub-Commissions, the Economic and Social Council, the International Court of Justice and so on – had to be set up in a matter of months. In the need for speed, practices had to be resorted to which would not otherwise have been countenanced. Once accepted, they were difficult to discard.

While many governments have ignored their obligations not to interfere with the international civil service, the most blatant instances of disregard have been the cases of arrest, detention, denial of exit visas, abduction and killing. Over a dozen governments have been guilty of serious violations; in several cases it has been a warring faction rather than the established government that has been responsible for abduction and murder.

Reserved posts

There have been General Assembly resolutions determining that posts should not be reserved for certain nationalities but here too, reality has proved stronger than the idea. Posts have become reserved, often without any conscious decision on anyone's part. When one incumbent leaves, another one of the same nationality takes his place. They become knows as 'Russian' posts, or 'Chinese' posts, or whatever.

How has this come about and why?

For certain very senior posts this has been a conscious decision and this is understandable. Among the Under and Assistant Secretaries-General, it has become accepted that there must be one from each of the Big Five, or in the agencies, from among the major powers; one from each region (regions are not always defined in the same way in different organizations), and so on. These may be said to be political appointments and no organization could function if it did not have a proper political and regional balance among its seniormost posts. But this should not mean that a specific post has to be reserved permanently for a specific nationality or region, and it was against this that the General Assembly adopted a resolution in 1987. The accommodation of different regions and interests is rather like the Swiss Federal Council, balancing its seven members among its 23 cantons with their different languages and religions.

But what about the others, the not so senior posts? Once again, it is geographical distribution. These reserved posts are mainly a product of the desirable ranges and the insistence of the Soviets and their allies on the rotation of staff. So what happens is this. The USSR is entitled, under the system of desirable ranges, to say 50-60 officials in an organization. In fact, let us say, they have 40. Every time one of their nationals goes back or is recalled, the total is reduced, making the situation from the government's point of view, worse than it was. So the government insists that the official must be replaced immediately. There is almost always only one way to do this and that is to put the replacement in the same post. After this has happened a few times, that post becomes known as a 'Russian' post and the rotation of incumbents becomes semi-automatic. The Russians are not by any means the only ones who lay siege to a post in this way; but it is only a major country that can do it. It may be hoped that with the new look, this practice will also fade away.

It is not always easy to place a new official when you know that he is likely to be there only two or three years. Moreover, in many cases, at least in the early days, the new official was often weak in the main working languages of the organization, English or French. So, he was placed in a unit where he was regarded as a bit of a supernumerary anyway. If it was a senior post carrying supervisory functions, then the second man became the de facto chief with enthusiasm. It was not easy to find too many situations where a nominal chief could be placed without too much damage, so when one incumbent left the easy way out was to place the newcomer in the same post rather than look around for another such rare situation.

One further unfortunate consequence of this situation was that the national civil service concerned began to look on this post as part of its own set up and regarded a spell in the international organization as a regular part of a normal national career. Once this pattern was established, there would be a mini-crisis if a national civil servant found that he was not going to get his long-awaited spell, often a consolation prize at the end of his career, in an international organization.

Language qualifications

Different organizations of the UN family have different working and official languages, but in the main, English and French are the two major languages, with Spanish a good third. Russian, Chinese, German, Arabic, Japanese are used in varying degrees. But anyone who cannot work in either English of French is at a disadvantage and his utility is diminished.

This puts many nationalities at a disadvantage. In the early days at least, many new recruits from countries such as the Soviet Union, Japan or Indonesia, were weak in these languages and found it difficult to operate in them. (The former English and French colonies had a big advantage.)

Obviously, Europeans also had a great advantage. Even if their mother tongue was neither English nor French, yet they probably knew both. They were also more likely to know Spanish in addition than recruits from Japan and Indonesia, or Uganda and Jordan, for that matter. Although candidates were usually recruited on the understanding that they would acquire one or the other language within a year or so, in fact it was rare for someone who didn't know a language to learn it so well that he could use it effectively. He might, and often did, acquire it as a second working language but rarely well enough to write in it. And the work of an international civil servant, like that of his national counterpart, still requires a great deal of writing, both for internal communication and for documents for meetings.

Most organizations make special efforts for the teaching of working languages and many officials acquired a knowledge of a second language through office courses. But when an official knew he was going to be with the organization only for a limited period, he was unlikely to be keen to learn a new language; and the organization was presumably not all that keen on training him. The basic fact remained that if an official could not function in English or French when he joined, he was unlikely to be able to do so despite training courses, any amount of goodwill and promises made at the time of recruitment. And, one might put the stress on English rather than French, since it was increasingly the main working language in international organizations – as it is now in international commerce, technology, telecommunications, computers and sports.

Moreover, all organizations needed large teams of translators and interpreters and these were usually outside the framework of the desirable ranges for geographical distribution. It is now more common to find people with language skills in other than western European countries, including countries of the third world, and the nationality spread of language services has broadened a great deal.

In recent years, all organizations have been committed to increasing the proportion and numbers of women officials in the Professional categories. This then becomes an additional factor in recruitment; it might be mentioned in passing that governments that are most vociferous about the need to increase the numbers of women are seldom inhibited from being the most assiduous in pressing male candidates on the organization.

Relations with Governments

In many ways, the relationship between governments and organizations has undergone a change from the early days. It is an easier and more continuous relationship made possible by the Permanent Missions that almost all States Members have established in New York and Geneva; in the capital cities of Rome, Paris and Vienna, the embassies are likely to have special officials dealing with international organizations.

This means that most governments have their representatives at the headquarters of the organization with quick and easy access not only to the executive head and his immediate associates but to all officials, including secretarial and clerical staff. Members of the Permanent Missions are also in touch with each other, especially in regional groups, and there is a sort of camaraderie, a club feeling, amongst them. All this is to the good, making for day to day contact on a series of questions and encouraging a symbiotic relationship between government representatives and the organizations.

One of the regular tasks of national representatives is to keep an eye on their nationals on the staff, to be informed of how many there are, in what grades, what the desirable range of their country is, who is about to retire, what vacancies are likely to occur, how many nationals other countries have, and so on. It becomes their responsibility to see that their 'quota' is not overlooked and proper efforts are being made to fill it. If one of their nationals is about to retire, they try and ensure that their total numbers do not remain diminished for too long. There is also some sense of rivalry among them, an effort to see that they do as well as other Missions in ensuring that their numbers go up, not down. And, one may presume, it is a good mark for a representative and helpful to his career, if he can report success in increasing the numbers of his nationals – or in placing someone that his political masters are particularly interested in having placed. The pressure from his capital is stronger than any wide-eyed adherence to the Charter.

Even countries which are over the maximum of their desirable range are interested in a recruitment plan which will ensure that there will be nationals already in the organization to fill senior vacancies as their older officials retire.

The presence of national Missions also means that there is easy communication between them and their compatriots on the staff. This is surely also a good thing and can be useful in the functioning of the organization. But if an official is unhappy about his position in the Secretariat, about his grade or lack of promotion, or an impending transfer, this can be passed on to the Mission in a casual conversation. The diplomat may seize some occasion to ask the Director-General if he could not take some action – action which is invariably outside the normal framework of the personnel system. In the give and take of human and working relationships, the diplomat is unlikely to consider his request as constituting improper pressure, the Director-General can ignore such requests … for just so long, and up to a point.

For an official to complain to a member of his Mission and ask for its intervention is a clear contravention of the Staff Regulations and of the standards of conduct he has undertaken to respect. The Standards of Conduct in the International Civil Service, first prepared by the International Civil Service Advisory Board in 1954 at the request of the executive heads, and re-issued several times, states, "It is thus inexcusable for an official to lobby with governmental representatives or members of legislative bodies in order to secure support for improvements in his personal situation or that of another staff member, or for blocking or reversing unfavourable decisions regarding his status". So far so good. But how is one to draw a line between a normal friendly conversation, an ordinary account about how things are, on the one hand, and a complaint and a request for intervention on the other? When an official is taxed with having asked his government to intervene, the usual answer is: "So-and-So is a close friend of mine. He asked me how I was getting on and why I wasn't being promoted. I told him as I would tell any other personal friend. If he chose to take it up officially with the Office, I am not to blame". In such situations, it is difficult for an organization to discipline or sanction an official for improper behaviour.

There is a large grey area where it is difficult to make absolute judgments about right and wrong, about what is the normal commerce of human relationships and what is an improper approach to a government. But what is certain is that the grey area has spread like an ugly oil stain and the terms and spirit of Constitutions have lost much of their force.

Several governments have established regular sections in their Foreign Ministries, responsible for 'looking after' their nationals in international organizations. These units are often aggressive in their action and assume that it is their right to make demands on behalf of their nationals. Governments that might have refrained from any action that would compromise the independence of the service, sometimes feel impelled to intervene to 'keep up with the Joneses', and to ensure that they do not get elbowed out by more aggressive States.

There is another aspect of the relationship between national representatives and organizations which is important. At any one time, there are scores of diplomats working in their national Missions, dealing

with the various organizations. For many of them, employment in an international organisation represents a goal much to be desired: often, the salary and conditions of service are better; the work may be more interesting; it is not subject to the whims and fancies of changing ministers; they may have personal reasons for preferring to live abroad rather than return to their own countries or to be sent to remote duty stations. They are usually the cream of their national civil services. What more natural than that they should seek their own appointment? And how does one draw the line between individual aspirations and government pressure? And between the legitimate submission of a candidature and improper pressure for his appointment?

And there can be no denying that persons who get used to life in Geneva or New York or Rome or Paris are often reluctant to return to their home countries; this applies to national officials as it does to international ones after retirement.

Another aspect of this is the diplomat who has to, or wants to, leave his national service and find a haven in an international organization. His government may have suddenly changed, or he is recalled but has strong personal reasons – education of children, health, spouse's career, family – for not wanting to go back. He has been helpful to the organization in his role as his government's representative; he feels the organization owes him a debt.

The Executive Head

The executive head – the Secretary-General or Director-General – of an organization, is the one official who is elected by the member States; he is both an international civil servant and an elected person. Like any other elected person, he must be sensitive to the wishes of his constituents. As organizations have grown in size and complexity, so has the burden of responsibility on the executive heads, together with the need to be responsive to the wishes of governments who have elected him and to whom he must be responsible. He cannot manage his organization without the support of national representatives; he needs their goodwill. This does not mean that he must accede to all their requests – no executive head has ever done this and indeed if he did, he would be worse off than before – but it does mean that just saying NO can have repercussions far beyond a particular appointment or staff action. In practice, the executive head often finds himself between the Scylla of governmental displeasure and the Charybdis of bypassing regular personnel procedures. Whatever he does will be wrong.

In a paper read at Princeton University in 1978 [9] David A. Morse, who had been Director-General of the ILO for 22 years between 1948 and 1970, said:

> Staff relationships in an inter-governmental organization become complex because governments want their nationals well-treated, but more particularly because they want them to occupy positions in which they can influence the organisation's policy. Since governments furnish the revenue for the staff, management takes on a special coloration in an inter-governmental body. This, in my view, is the most serious and sensitive issue confronting international executives and inter-governmental organizations. How it is dealt with by the executive head goes to the heart of honesty in the administration of international affairs. Nothing less than the integrity of the international civil service and the public's confidence in the UN system are at stake. Political pressures for staff posts are enormous. But they must be resisted. Each member State, and in the case of the ILO, each worker and employer organization, must be dealt with by a single, objective personnel standard. Policy must be based on clearly defined procedures. Machinery for the recruitment of staff, and the recruitment procedure must be open, clearly understood by every one concerned, and impartially administered. This is easier said than done.

In a world in which powerful governments sometimes make some personnel action a condition of approving the budget, of contributing to a voluntary fund, of supporting a vital programme, this is indeed easier said than done.

The International Civil Service Commission

Easier said than done. Was there any way of making it all a little less difficult? Most executive heads would gladly have echoed Dr. Mahler, Director-General of WHO in his address to the World Health Assembly referred to above, when he said:

> Never would I have dreamed before I took up this position as your Director-General, never

[9] *World Order Studies Program*, Princeton University, 1978.

> would I have dreamed that I would have to shield you from the kind of political pressures that some of your governments are exerting. I would have understood the contrary – the cooperative parties that make up WHO shielding its chief technical and administrative officer from extraneous political pressures …

And so it was logical that executive heads dreamt of an independent commission that would deal with all staff questions of the common system and be a bulwark against political pressures, a buffer. It would deal with all the vexed problems of salaries and allowances in an objective an impartial manner and would avoid the endless discussions that took place in every governing council, and the acrimonious controversies that accompanied them.

Many nations had public service commissions that ensured the independence of the national civil service and regulated their conditions of employment; something similar for the international civil service was sorely needed.

Indeed, the General Assembly had decided in 1946 that an International Civil Service Commission should be created to 'establish proper methods of recruitment'. What then emerged was an advisory body, the International Civil Service Advisory Board, but the idea of a strong independent Commission remained alive. Lengthy discussions both among administrations and in political organs finally led to the establishment of the International Civil Service Commission in 1975. A study of the evolution of the ICSC is enlightening, not only because it is an important element in the effort to protect the international civil service from influence and pressure but also because it is a good example of how the shadow falls between the idea and the reality.

The idea was that it would be a small and efficient Commission, say of three distinguished and highly respected individuals, above the hurly burly of day to day operations. Reality led finally to a Commission of 15, of whom two were to be permanent, because all the regions had to be properly represented. The concept of geographical balance had cast its unavoidable shadow.

The idea was that the members of the Commission would be nominated by the Secretary-General after consultation with the executive heads through the Administrative Committee on Coordination (ACC), and with the staff, through the Federation of International Civil Servants' Associations (FICSA); the appointments would be by the General Assembly. The reality was that regional groups of the General Assembly met to choose their candidates for the seats allotted to them. The nominations were the result of normal bargaining amongst governments, the desire to accommodate respected national figures or retiring ambassadors. Once a regional group had chosen its candidates, consultations with organizations and staff became an empty formality. No group was likely to choose candidates who were not in their immediate circle or to whom they did not 'owe' something.

The idea was that the Commission would be composed of independent 'individuals of recognized competence who have had substantial experience of executive responsibility in public administration or related fields, particularly in personnel management'. Reality decreed that they were proposed by their governments and dependent on their regional group for their appointment. The criterion of expertise in public administration fell by the wayside or was overwhelmed by other considerations; anyway, any diplomat or civil servant was ipso facto an expert in public administration.

The idea was that the Commission would have powers of decision in certain areas and in others would make recommendations to the General Assembly or to the governing councils of the organizations. These would be accepted with a minimum of discussion. In reality, several of its recommendations were not accepted or were overturned. In the governing councils of the various organizations, too, there have been lengthy debates, and in some cases, an organization rejected or applied its own variations of the Commission's recommendations.

The idea was that the Commission would act independently of any political organ and thus remove staff questions from the political arena. The reality is that the Commission is forced to keep one eye on the General Assembly; it would be foolhardy to make recommendations which it knows will be rejected and bring the Commission into conflict with the Assembly.

The idea was that the establishment of the Commission with its own secretariat would eliminate the need for each organization to have its own staff dealing with staff policy questions. The reality is that the organizations have had to strengthen their staff policy units, because of the constant demands of the ICSC for information to fuel its own work. Moreover, it has meant that officials of the organizations have to

spend a great deal of time attending the sessions of the Commission and being on call to be consulted.

The idea was that the Commission would protect the executive heads from political pressures and ensure the independence of the international civil service. The reality leaves them as vulnerable as ever.
Representatives of the staff felt that the procedures of the ICSC gave them only a marginal role and were a distortion of what proper staff-management relations should be. In Spring 1988, FICSA and CCISUA (Coordinating Committee of Independent Staff Unions and Associations) decided not to participate in the ICSC's discussions any longer.

There is no doubt that the ICSC does serve a useful function though this may not be quite what its founders had envisaged. The wonder is that no one foresaw what now seems so obvious: the difficulties of having a completely independent Commission set up and working within the context of the General Assembly.

Conclusions

This article has concentrated on instances where reality has fallen short of the ideal and attempted to explain why this is so. It is well to remember that for every instance where this has been the case, there have been others where the ideal has been met. The picture is not one of unrelieved darkness.

The picture also varies greatly from organization to organization, and indeed from one instance to another in the same organization. Inevitably, the United Nations itself is the most political organization and political pressures are more strongly felt there than elsewhere. Some of the smaller technical organizations such as the Universal Postal Union and the World Meteorological Organisation are relatively freer. All organizations have some internal advisory body to handle recruitment and some are extremely strong and effective; these form a barrier against pressures.

If reality is short of the ideal, it is not a straight case of wicked governments or disloyal officials. While in some cases, governments may deliberately contravene the provisions of the Charter and Constitutions, in other cases it is a natural tendency to press one's wishes in a greyish area where it is not always easy to decide where improper influence begins or ends. Condemning governments is easy but is no remedy; it seems important to understand the reasons and practices that have led to the present situation. This would be the first step towards redressing it.

It is also easy to blame executive heads for yielding or yielding too easily (there has been at least one instance of an executive head preferring to resign rather than to submit to the pressure of a government for a particular appointment); but in addition to the difficulties of the grey area, there is the overwhelming responsibility of ensuring that the organization continues to function even if a price is exacted for this. In times of financial difficulties – and has there ever been any other sort of time? – the price demanded can be high. It is the biggest contributors who wield the most powerful influence.

National civil services were not built up in a day; the international civil service will obviously also take time to mature. It will be a long process and will need a series of strong and dedicated executive heads and a relaxing of the violent governmental pressures of the last few decades. This is an idea which is not as far removed from reality as it may sound.

That reality intrudes on the idea is no reason for abandoning the idea; on the contrary, it is an argument for holding on to it even more firmly. The countries of the world need international organizations for the orderly conduct of their increasingly complex and interdependent relationships; if the organizations are to function effectively, they need an independent and impartial staff. It is impossible in the world of today to insulate the international civil service from the political aspirations and expressions of member States. But it is possible, and indeed imperative, to strive constantly to move reality closer to the idea. It will be a long, grinding process but it is feasible. The alternative is unthinkable.

Aamir Ali

The International Civil Service Revisited

By
Thomas G. Weiss**

It is a pleasure to join so many mentors, colleagues, and friends who previously have given the John Holmes Memorial Lecture. It is a testament to the quality of the ACUNS scholarly and practitioner network merely to read the impressive list. It is a distinct honor to be the 20th person to follow in the footsteps of the distinguished Canadian diplomat John Holmes, one of the founders of this professional association. The Academic Council on the United Nations System (ACUNS) is an organization to which many of you and I have devoted considerable professional energy. And it is an organization of which we are justifiably fond.

Such an address challenges those of us getting longer in the tooth to revisit earlier work. And so for this occasion in Trinidad, my swan song revisits International Bureaucracy: An Analysis of the Operation of Functional and Global International Secretariats, my doctoral dissertation and first 1975 book (done under the supervision of my dear friend Leon Gordenker who gave the first Holmes lecture in 1990) along with parts of my most recent 2009 book, What's Wrong with the United Nations and How to Fix It. I also mixes insights from the forthcoming capstone volume, UN Ideas that Changed the World, from the United Nations Intellectual History Project, which I have had the pleasure of directing with my colleagues Louis Emmerij and Richard Jolly (who gave this lecture in 1996). Indeed, the idea for the project arose at the 1996 ACUNS annual meeting in Turin and was polished subsequently by a working group organized by the ACUNS secretariat.

To begin, I am going to do something that we teach our students not to do, namely quote my colleagues and myself: "People matter" is the penultimate sentence of the first of fifteen volumes published in the project's series at Indiana University Press. Why this emphasis, you ask? It is because critical and creative contributions by individuals who work at the UN are typically ignored by analysts who typically stress the politics of 192 member states and the supposedly iron-clad constraints on the so-called bloated bureaucracy that serves these masters.

My proposition today is different and straightforward: the world organization should rediscover the idealistic roots of the international civil service, to make more room for creative idea-mongers as well as establish more mobile personnel and career development paths for a twenty-first century secretariat. Let me briefly explore the origins of the concept, problems with its evolution, the logic behind reform, and specific improvements. I will take examples from the three main areas of UN activity—peace and security, human rights, and sustainable development.

Overwhelming Bureaucracy and Underwhelming Leadership

Inis Claude long ago distinguished between two "United Nations." The Second UN consists of heads of secretariats and staff members who are paid from

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assessed and voluntary budgets, while the First UN is the arena for state decision making The Third UN of nongovernmental organizations (NGOs), experts, commissions, and academics is a more recent addition to analytical perspectives, one that is a central theme from the UN Intellectual History Project and a topic of an article in Global Governance earlier this year.

A group organized by the Carnegie Endowment during World War Two termed the "great experiment" of the League of Nations, which was carried over in UN Charter Article 101 calling for "securing the highest standards of efficiency, competence, and integrity." The Second UN's most visible champion was Dag Hammarskjöld, whose widely cited speech at Oxford in May 1961, shortly before his death, spelled out the critical importance of an autonomous and qualified staff. He asserted that any erosion or abandonment of "the international civil service…might, if accepted by the Member nations, well prove to be the Munich of international cooperation." Hammarskjöld fervently believed that UN officials could and should pledge allegiance to a larger collective good symbolized by the organization's light-blue-covered laissez-passer rather than the narrowly conceived national interests of the countries that issue their multi-hued national passports.

Setting aside senior UN positions for officials approved by their home countries belies that integrity. Governments seek to ensure that their interests are defended inside secretariats, and many have even relied on officials for intelligence. From the outset, for example, the Security Council's permanent members have reserved the right to "nominate" (essentially select) nationals to fill the main posts in the secretary-general's cabinet.

The influx in the 1950s and 1960s of some one hundred former colonies as new member states led them to clamor for "their" quota, their share of the spoils, following the bad example set by major powers. The result was downplaying competence and exaggerating national origins as the main criterion for recruitment and promotion. Over the years, efforts to improve gender balance have resulted in other types of claims, as has the age profile of secretariats. Virtually all positions above the director level, and often many below as well, are similarly vetted and the object of campaigns by governments, including the already rewarded permanent members of the Security Council.

How many people are we discussing? Today's professional and support staff number approximately 55,000 in the UN proper and in agencies created by the General Assembly, and another 20,000 in the specialized agencies. This number includes neither temporary staff in peace operations (about 120,000 in 2008) nor the staff of the IMF and the World Bank group (another 15,000). These figures represent substantial growth from the 500 employees in the UN's first year at Lake Success and the peak total of 700 staff employed by the League of Nations.

I emphasize neglected personnel issues because individuals matter, for good and for ill. The Second UN does more than simply carry out marching orders from governments. Here I disagree with three ACUNS members—two of whom have given this lecture, Don Puchala in 1995 and Roger Coate in 2008—who dismiss "the curious notion that the United Nations is an autonomous actor in world affairs that can and does take action independent of the will and wishes of the member governments."

UN officials present ideas to tackle problems, debate them formally and informally with governments, take initiatives, advocate for change, turn general decisions into specific programs, and implement experiments in the field. They monitor progress and report to national officials and politicians gathering at intergovernmental conferences and in countries in which the UN is operating. There is considerably more room for creativity than is commonly thought.

None of this should surprise. Otherwise, it would be a strange and impotent national civil service who took no initiatives or showed no leadership, simply awaiting detailed instructions from the government in power. UN officials are no different. Decision making and responsibility for implementation in most parts of the UN system, especially the development funds and specialized agencies, depends in large part on staff members.

Problems in International Secretariats

The recruitment, composition, rewards, retention, and performance of international civil servants are a substantial part of what ails the world organization. Brian Urquhart and others have for years called for a dramatic change in the selection process for the Secretary-General and agency heads, but the problems go far deeper. The quality and impact of the staff is a variable that can be altered far more easily and swiftly than such problems as state sovereignty and the counter-productive North-South theater that plague the organization and that figure in my book, What's

Wrong with the United Nations and How to Fix It. Permit me to cite a few examples from the main areas of UN activities.

International Peace and Security

Nothing that follows should in any way make us forget the fact that many persons have served the world organization with distinction and heroism since 1945, including Sergio Vieira de Mello and 21 other colleagues who lost their lives in Baghdad in August 2003, and the 17 UN staff who were killed in Algiers in December 2007. Indeed, some 300 other civilian staff members and almost 2,600 soldiers sacrificed their lives in UN service. The award of the Nobel Peace Prize to UN peacekeepers in 1987 and to Kofi Annan and the secretariat in 2001 reflects this reality.

Such valor should not, however, blind us to such serious problems as arose in the Oil-for-Food Programme and efforts to secure gender balance. The OFFP "scandal" was undoubtedly overblown and reflected American domestic politics. Member states were responsible for approving the bulk of the monies that found their way into Saddam Hussein's coffers and consciously overlooked "leakage" to such key allies as Jordan and Turkey.

Nonetheless, the sloppy management of this politically visible and crucial assignment tarnished the organization's reputation. The report of the Independent Inquiry Committee headed by Paul Volcker pointed to "ethically improper" activities, including some by Kofi Annan's son Kojo. The main disconcerting details, however, related to an inattentive management system that was outmoded, inept, and quite out of its depth in administering a program of this size and complexity. Quite simply, the second UN was not technologically or managerially up to the job.

Another example arises because one might reasonably have expected the UN to lead in integrating women into work compared with other institutions. Yet the pace has been glacial. At the beginning of the twenty-first century, women continue to be excluded from the trenches and the bureaucracy. As of mid 2009, participation by women in UN peace operations was not even a paltry 3 percent. The representation of women in the professional and higher categories in the UN system is slightly over a third. Only at the entry—P-1 and P-2—professional levels has gender balance been achieved. In the higher categories—D-1 and above—women are only a quarter of UN staff. Moreover, in an arena with much flexibility—the appointment of special representatives of the secretary-general (SRSGs)—the results are appalling. As then U.S. ambassador Swanee Hunt bluntly summarized on the 60th anniversary: "Two female SRSGs and one female Deputy SRSG in 26 peacekeeping missions is indefensible."

Human Rights

The international civil service should be held to the highest standards of consistency because the UN has played an essential role in establishing human rights norms. The standard bearer should lead the way in implementing the standards set for others. It is especially disconcerting to evaluate performance in this arena.

Following widespread allegations of sexual abuse and misconduct—including trading money and food for sex and engaging in sex with minors—on the part of UN troops in the Democratic Republic of the Congo in early 2005, the UN instituted a number of system-wide reforms. When similar allegations surfaced later that same year in Burundi, Haiti, and Liberia, the UN was forced to acknowledge widespread abuse after downplaying problems. The command and control of UN troops and their discipline is almost entirely in the hands of national commanders, and reports of sexual misconduct by peacekeepers regularly surface in spite of Kofi Annan's having adopted a "zero tolerance" policy.

Moreover, two cases of unacceptable administrative reactions indicate a related lack of vigilance and appropriate support for personnel from the UN's highest levels when visible senior personnel are caught in a vortex of sovereignty and human rights. Perhaps the most searing example was when the force commander of the UN Assistance Mission for Rwanda, Roméo Dallaire, made repeated and totally unsuccessful requests for assistance and authorization to try, even symbolically, to halt the fast-paced genocide.

Even more illustrative of the problems are the deaf ears that also greeted the calls by UN special representative to Sudan, Jan Pronk, for help to halt slow-motion genocide in Darfur. In 2004-6, as now, governments and the Security Council were dragging their feet, but also there was no outrage from UN headquarters when Khartoum expelled Pronk. This persona non grata had unflinchingly reported on the violence against civilians throughout his tenure and

was accused of displaying "enmity to the Sudanese government and the armed forces" on his personal blog. What was his reward? Annan recalled Pronk ahead of an expulsion deadline.

Again the previous examples do not imply that there have not been numerous instances of outstanding behavior, including by several of the retired and current officials who are ACUNS members. But what is peculiar is the extraordinary weight of the shackles of political correctness—measured by what major and even minor powers consider acceptable behavior by UN officials. Such subservience reflects the outmoded concept of sovereignty and builds a substantial structural flaw into the international civil service.

Sustainable Development

The UN's reputation and performance in economic and social development are continually degraded when political machinations take obvious precedence over competence. But here too politics trumps competence. For instance, Ban Ki-moon selected Sha Zukeng as under-secretary-general to head the UN's Department of Economic and Social Affairs.

The choice of a career Chinese diplomat who began as a translator without exposure to development thinking and practice was not atypical for secretaries-general. He chose his deputy because she is a Tanzanian Muslim woman just as the U.S. and UK under-secretaries-general for political and humanitarian affairs were chosen because their politics were close to George W. Bush's and Tony Blair's.

But for sustainable development, two of the most painful historical cases involved the egregious incompetence of two sons of Africa, UNESCO's director-general from 1974 to 1987, Amadou Mahtar M'Bow, and FAO's director-general from 1976 to 1993, Edouard Saouma. Some institutions are headed always by a national of the same country—for instance, the World Bank by a U.S. citizen, and the IMF by a European—whereas others have positions that are rotated among regions. M'Bow's and Saouma' were elected because it was "Africa's turn" at the helm of their organizations. Both served multiple terms and almost bankrupted their institutions.
Again, while not gainsaying sterling contributions to development by such intellectual stalwarts as Raúl Prebisch and Helvi Siipila, and operational ones as Jim Grant and Sadako Ogata, the selection criteria for senior appointments has increasingly become nationality rather than an experienced track record and ability to do the job. Students of international relations and organization can hardly expect appointments to be "above politics," but these slots should not provide occasions for on-the-job training. However, when purely political considerations so clearly trump competence regarding the appointment of senior personnel, both member states and "We the peoples" suffer.

The Logic of Reforming the Second UN

Ninety percent of the world organization's expenditures are for its employees. These individuals are the UN's main strength and can be redirected and reinvigorated. While Susan Strange and Robert Cox (who gave the Holmes Lecture in 1992) would argue that views from inside intergovernmental secretariats can only be orthodox and sustain the status quo, I have a different view. The international civil service, properly constituted, can make a difference in field operations as well as in intellectual and policy activities.

Knowing when to ignore the standard bureaucratic operating procedures and to make waves is an essential part of leadership that can break down the UN system's bureaucratic barriers. For instance, former U.S. Congressman and later UNDP administrator Bradford Morse and Canadian businessman Maurice Strong broke the back of the feudal system when they headed the temporary Office of Emergency Operations in Africa (OEOA) in the mid-1970s. Their own experience, reputations, and independence permitted them to override standard operating procedures just as the legendary Sir Robert Jackson had done in UNRRA in post-war Europe, parts of Africa, and the Far East and then in the Bangladesh emergency in 1971.

The High-level Panel on Threats, Challenges and Change hatched a mouse, which the secretary-general supported and the World Summit agreed to consider, namely a one-time buy-out to cut deadwood from the permanent staff. This long-standing proposal probably would not improve matters because enterprising and competent staff could take a payment and seek alternative employment while the real deadwood would remain because they have no options. The more pertinent challenge is how to gather new wood for the secretariat and ensure that the best and brightest are hired and promoted.

As mentioned, recruitment should return to the idealistic origins in the League of Nations and early UN secretariats: competence should be the highest consideration rather than geographical origins, gender,

and age—the various rationales for cronyism. The onus must be put on governments to nominate only their most professionally qualified and experienced candidates. And in contrast to the take-it-or-leave-it approach of the posts "reserved" for particular nationalities, several (at least four or five) candidates should be nominated and the choice left to UN administrators.

As in domestic circumstances, it is a fallacy to argue that quality must suffer while moving toward more diversity. Special recruitment efforts can be focused on underrepresented nationalities, including the expanded use of standardized examinations and evaluations (and not ones that differ by region) for junior entrants. The real requirement is to limit outside influence and patronage—which come from donors, friends, and family members of candidates from developed and Third World countries alike for cushy positions at every level.

The beginning of a term for a Secretary-General is often a good one for shaking up the Second UN. Kofi Annan instituted significant managerial and technical improvements shortly after assuming the mantle in 1997, and again at the beginning of his second term in 2002—just as Boutros Boutros-Ghali had in 1992. Ban Ki-moon made no such effort to jump-start his administration.

The clash between South and North at the end of Annan's term stalled the consideration of other sensible proposals to place more authority in the secretary-general's hands. A relatively small number of countries in the global South are reluctant to move power away from the General Assembly, where by virtue of their numbers they call the shots. Mark Malloch Brown noted with some puzzlement in his 2007 Holmes Lecture: "[T]aking a demotion to come over from UNDP to be Kofi Annan's chief of staff was a much bigger step down than I anticipated…I found when it came to management and budgetary matters, he was less influential than I had been."

If the United Nations is to meet new and old challenges and be more accountable, additional authority and responsibility at the top also is a minimum requirement.

Improvements in the Second UN

I believe in human agency. Change is possible. So, let me provide some specific illustrations of what has and could happen more widely.

International Peace and Security

Two examples illustrate how the United Nations can improve within the field of international peace and security: disciplining personnel and better representation of women in peace operations, the problems that I discussed earlier.

In response to allegations that emerged in 2004 of sexual misconduct among peacekeepers in the Democratic Republic of the Congo, the secretary-general invited Jordan's Prince Zeid to act as his Advisor on Sexual Exploitation and Abuse by UN Peacekeeping Personnel. His hard-hitting 2005 report made a number of recommendations, and the General Assembly adopted a "comprehensive strategy." The Department of Peacekeeping Operations (DPKO) established conduct and discipline units to prevent, track, and punish gender-based crimes.

Given the symbolic and actual importance of UN peacekeepers—in 2009, approximately 100,000 soldiers and another 20,000 police and civilians, costing some $8.5 billion—the measures in this report are essential steps toward professionalism and accountability rather than the "boys will be boys" attitude. United Nations, not national, discipline is required.

The world organization continues to struggle with under-representation of women at senior levels of the organization, but only very slow progress has been registered. The creation of the Office of the Special Advisor on Gender Issues and Advancement of Women as well as Security Council resolution 1325 mark symbolic turning points in the UN's commitment to gender mainstreaming.

Ironically, certain member countries, such as Liberia, have done better. Liberia, led by Ellen Johnson-Sirleaf—the first democratically-elected female head of state in Africa and a former international civil servant—has appointed women ministers of defense, finance, sports and youth, justice, and commerce, as well as chief of police and president of the Liberian Truth and Reconciliation Commission. The UN should follow her lead.

Human Rights

The human rights arena provides more encouraging examples. Here, three steps are not only sensible but also desirable and plausible: using more outsiders,

insisting upon field rotation, and issuing fewer permanent contracts. A considerable constraint is the status as UN employees who are subject to close scrutiny by member states. Officials often avoid not only robust public confrontation but also even a more gentle variety.

One solution is based on work on internally displaced persons, essentially a special representative with a UN title and privileges but outside the UN and without a salary as I demonstrated in my 2006 book on Internal Displacement: Conceptualization and its Consequences. Francis Deng's mandate (1992-2004) as the representative of the secretary-general was intertwined with the Project on Internal Displacement directed by him and Roberta Cohen at the Brookings Institution—and a similar arrangement continues with Walter Kälin. The conceptualization of internal displacement was a notable contribution to contemporary thinking about international relations, in particular by reframing state sovereignty as responsibility.

Deng had a foot in two camps—taking advantage of being within the intergovernmental system of the United Nations and outside it. Indeed, his current efforts from within the UN system as the special representative for the prevention of genocide indicate that he was more effective from his earlier base at a public policy think-tank. There he was working in tandem with universities, keeping a respectable distance from governments and from predictable multilateral diplomatic pressure, processes, and procedures. Moreover, soft money from private and public donors meant that the project's activities were expected to extend the outer limits of what passes for conventional wisdom in mainstream diplomatic circles.

The role of outside-insider or inside-outsider offers advantages that should be replicated for other controversial issues when independent research is required, institutional protective barriers are high, normative gaps exist, and political hostility is widespread.

Many students undoubtedly encounter the world organization through a tour at or pictures of headquarters in New York or Geneva, but the bulk of the UN's operations are in developing countries. A problem for staff morale and competence has been that promotions are mainly the result of work and contacts in pleasant headquarters settings, whereas the real challenges lie with activities in the field.

A challenge is to reward better field work and have a flexible personnel policy to meet the unforeseen but predictable demands of new crises. In 1982, UNHCR implemented the first formal rotation policy in order to promote burden-sharing among staff members. All international professional staff recruited on indefinite appointments are subject to rotation, which the Joint Inspection Unit has cited as a model. UNICEF and UNDP also have mandatory staff rotation; and similar ones should be a requirement across the UN system.
The mandatory rotation policy creates a sense of equity among staff members—along with high divorce rates—and ensures that they are exposed to the field and have some training in the kinds of management skills that are necessary in future emergencies. The secretary-general's 2006 Investing in the United Nations identified promotion and mobility among staff as key strategies for investing in people. He also correctly noted that this wrenching effort would be "a radical overhaul of the United Nations Secretariat—its rules, its structure, and its systems and culture." Indeed.

The League of Nations instituted permanent contracts, a practice continued by the United Nations, making use of a logic of protecting staff from government pressure and arbitrary dismissal. Permanent contracts thus have the same justification as university tenure, and both have critics who argue that removing the possibility of being fired can also lead to more coasting rather than more productivity.

During Kofi Annan's decade at the helm, permanent contracts were increasingly phased out. While institutional memory may be served by veteran officials, the number of persons with "continuing" contracts (basically the equivalent of "permanent") should be kept to a minimum and reserved for a very limited number of administrators and avoided for substantive jobs. Within the human rights field, in particular, an argument could be made that virtually no one should have a long-term contract in order to make a mark quickly. If a staff member, especially a senior one, were doing a job correctly, many member states should be irritated and be asking for his or her head.

Sustainable Development

The bulk of the UN system's staff and resources are devoted to activities to foster sustainable development. Two possible solutions suggest themselves for what ails the Second UN, better ideas and younger staff.

Ideas are like people, to continue my earlier refrain: they matter, for good and for ill. So it is useful to cite John Maynard Keynes's quote about so-called practical men and women who have no time to read but often are acting on the basis of theories from dead "scribblers" like ACUNS members and others in this room.

Powerful minds are essential to the UN's performance. Intellectual contributions by the likes of Hans Singer, Raúl Prebisch, and W. Arthur Lewis (and eight other Nobel laureates in economics) are part of UN history, and a more recent example is the Human Development Report. Mahbub ul Haq, the Pakistani UN economist whose vision animated the Human Development Report, died in 1998 but his controversial approach continues. A powerful idea was to create indicators for ranking countries for their performance on the Human Development Index. In 2008, Iceland was number one, the United States was in 15th place, and Central African Republic and Sierra Leone brought up the rear.

The Human Development Report is a prime example of intellectual bite. As might be imagined, calling a spade a shovel in numerical terms does not always make friends and fans among governments. Complaints from the usual governmental suspects were resisted by the UNDP. As an outsider becoming a temporary UN insider, ul Haq and others associated with the effort take political flack from irritated governments. Many of them resent that poorer neighbors get higher ratings because they make more sensible decisions about priorities, for example devoting limited resources to education and health instead of weapons. Indeed, many governments disputed the appropriateness of UNDP's using official contributions to commission finger-pointing research. Some rudely talked about "biting the hands that feed."

At all levels of the world organization, there should be persons capable of such intellectual leadership, and this is far more likely to come from the minds of fixed-term officials, specialized consultants, and academics on leave rather than permanent civil servants whose careers are dependent upon reactions from superiors and governments, and who also may not stay abreast of the literature and other scholarly developments.

It is necessary to strengthen the institutional capacity to generate and disseminate original ideas, to fortify mechanisms that ensure creative thinking. In the myriad proposals for UN reform over the years, none has emphasized the vital intellectual dimensions and the need to invest in analytical capabilities, none in the quality of the minds who do the work.

Specific measures to strengthen this aspect of the Second UN are not pie-in-the-sky aspirations. They do not require constitutional changes or even additional resources but vision and courage by secretaries-general and other heads of agencies. Two come to mind. First, all parts of the UN system should acknowledge straightforwardly that contributions to ideas, thinking, analysis, and monitoring in their areas of international action should be the major emphasis of their work. The UN should foster an environment that encourages and rewards creative thinking. Second, the mobilization of more financial support for research, analysis, and policy exploration should be a top priority. Not only are longer-term availability and flexibility necessary; but, more importantly, no strings should be attached by donors in order to guarantee autonomy.

There are, of course, no silver bullets. What is essential, however, is to find the means to lower the average age at the professional entry level (currently 37) and the average age of the secretariat as a whole (currently 46) over the next five years when at least 15 percent of the staff reach retirement age.

Adlai Stevenson once joked that the work of the United Nations involves "protocol, Geritol and alcohol." Little can be done to reduce diplomatic procedures and the consumption of fermented beverages (either here or in New York), but sclerosis is a guarantee of mediocrity. And the world organization should find ways to infuse continually new blood.

Conclusion

The international civil service is not the UN's raging illness—the lack of political will and the myopia of member states wins that award—but the health of the Second UN can and therefore should be improved. Luckily, the world organization's residual legitimacy and the ideal of international cooperation keep a surprisingly large number of competent people committed to its work. The likes of Kofi Annan and Margaret Joan Anstee indicate that autonomy and integrity are not unrealistic expectations of international civil servants who are recruited as junior officials without government approval and have distinguished careers. The fact that both Ralph Bunche and Brian Urquhart joined the secretariat originally on loan from national government service also suggests that government clearance need not entail subservience to national perspectives.

In a series of follow-up reports for Investing in the United Nations, Kofi Annan lamented the "silos" that characterize staff appointments and promotions and spelled out his "vision of an independent international civil service with the highest standards of performance and accountability." The so-called Four Nations (Chile, South Africa, Sweden, and Thailand) Initiative sought to come up with consensus proposals for improved governance and management of the secretariat. Predictably they expressed concern with "geographical representation," but after moving beyond this mantra, the main thrust of their 2007 recommendations pointed to "merit-based" recruitment and the use of "expert hearings" for the most senior positions that "should not be monopolized by nationals of any state or group of states." In short, the next secretary-general should make a commitment to reinvigorating the international civil service.

The stereotype of a bloated and lumbering administration is inaccurate in many ways—it overlooks many talented and dedicated individuals—but the nature of recruitment and promotion within international administration is a fundamental and fixable part of what ails the world body.

After almost four decades of working within or analyzing international secretariats, my sense is that success usually reflects more personalities and serendipity rather than recruitment of the best persons for the right reasons and appropriate institutional structures.

People are not only the principal cost item, but also the international civil service is a potential resource whose composition, productivity, and culture could change, and change quickly.

Thomas G. Weiss

The International Civil Service: 90 Years On
A View from the Engine Room

By
Jack Martin

I can well remember the day in August 1960 when I walked down the Avenue de la Paix in Geneva for my first day of work in the ILO. I was about to become an international civil servant - and I found the thought thrilling, intoxicating … and a little intriguing. Today, nearly 50 years later, including 35+ years in active service in an organization of the UN system, and the rest in idle retirement, what is left of the starry-eyed enthusiasm and idealism that characterized my first few days at work?

Before I answer that, let me first put what I have to say in context:

1. My entire career was spent in one organization – the ILO. If I had served in other organizations, my experience and my perspective might have been quite different. And even in the ILO opinions and experiences differed; many of my erstwhile colleagues would certainly not share the views expressed below.
2. At no point in my career was I ever directly involved in the framing or development of Personnel (sorry, HR) policy for the Organization or for the UN system as a whole. Most of my career was spent in management positions, and this obviously colours my views on the subject.
3. My experiences are very dated and go back several years (I retired 13 years ago, and have had few substantive contacts with my Organization or with the UN system since then); many changes have taken place in the world and in the international system since my retirement, and the problems referred to below may no longer exist, or arise in a totally different form or context, in today's hopefully more enlightened times.

All I can offer in this article is therefore a very personal view on the international civil service based on some experience acquired some time ago in the engine room, rather than in the higher policy-making spheres, of one part of the UN system.

So now back to my question. The short answer is that my youthful enthusiasm and idealism remain essentially intact. It is quite evident that what distinguishes the international civil service from most other professions and from purely national civil services is its international character, and I have always, throughout my career, found this fascinating. What makes it even more fascinating is that it works! The notion that public international institutions should be staffed by civil servants of different nationalities whose primary loyalty is to the organizations that employ them rather than to the national authorities of their own countries was no doubt quite revolutionary when it was launched 90 years ago, and continues to be viewed with some scepticism, misunderstanding and even mistrust today. How can people of different nationalities, races, religions, with different cultural, linguistic and educational backgrounds from all over the world be expected to work together as effectively as a much more homogeneous corps of people of the same nationality? We have all heard sceptical remarks such as these being expressed, but we internationals can also point to numerous examples that we have ourselves witnessed or participated in of extremely effective and dedicated team-work among people of very different national backgrounds, of highly complex operations carried out in the most difficult and sometimes dangerous circumstances by teams of internationals. However unlikely it may seem to some people, international civil servants are quite as capable as any other profession of getting a job done, and doing it well. And the fact that they are able to do so is surely the best proof there is that international cooperation and international understanding are not empty terms. They have been part of our daily lives throughout our careers, and we have contributed to giving substance and meaning to those terms.

Moreover, whatever frustrations and difficulties we face or have faced in our careers, working in an international environment, with colleagues from different national backgrounds and experiences but sharing common ideals and working towards common

objectives, can be a very enriching experience – and not only in a material sense. Our conditions of employment are (or were in my day) more than adequate; we enjoyed considerable job security, as well as numerous privileges, and many of us had opportunities to travel extensively. And on top of it we had careers that offered the possibility of much job satisfaction deriving from the fact that we were working with interesting, conscientious and generally devoted colleagues to serve the international community and to promote the realization of certain objectives determined by the international community, particularly in favour of the more underprivileged sections of the world's population. What more can one ask for?

So much for the short answer. A more complete answer will have to be somewhat more nuancé. Impressive though some of its achievements may have been, I felt that the international civil service in my time suffered from a number of weaknesses and handicaps which prevented it from being fully effective and credible. In part these weaknesses and handicaps were due to excessive outside interference in the functioning of the secretariats of international organizations. In part they were due to inadequacies in the management of the secretariats. Below I mention some of these problems as I recall them today. But I must re-emphasize that the negative tone of some of the remarks below should not conceal the fact that overall I consider it to have been an enormous privilege, as well as an overwhelmingly positive experience, to have been an international civil servant throughout my working life.

Back to basic principles

The Charter of the United Nations provides that in the performance of their duties, the staff of the Organization shall not seek or receive instructions from any government or from any other authority external to the Organization, and that they shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. It also requires Members of the Organization to respect the exclusively international character of the responsibilities of the staff and not to seek to influence them in the discharge of their responsibilities. This twin obligation on both staff members and on the membership is found in almost identical terms in the constitutional texts of all the specialized agencies of the United Nations, and no doubt in those of numerous intergovernmental organizations outside the UN system. These texts also make it clear that the responsibility for the efficient conduct of the secretariats, including the appointment of staff, lies exclusively with the executive heads of these organizations under the supervision of their governing bodies, and subject to regulations approved by their governing bodies.

These provisions set out in the clearest possible terms the most distinctive characteristics of the international civil service. They are also (in my view quite rightly) held to be of quite fundamental importance for the international civil service and for the efficient and effective conduct of the work of international organizations. But throughout my career it never ceased to amaze me how flagrantly these fundamental obligations were ignored and violated – and generally with impunity.

My innocence in these matters was very seriously dented during my first year of service. At that time I was sharing an office with a very charming, helpful, competent colleague. One day he announced to me that he would soon be leaving the Organization, and when I asked why he explained that it was because the Government of his country did not want his contract with the ILO to be extended. But surely, I said in all innocence, the extension or non-extension of his contract was nothing to do with his Government; it was a matter to be decided by the Director-General. "Ah, my dear Jack," he replied, "the non-extension of my contract has been decided by the Director-General, but only after intense pressure from my Government, which does not appreciate my political views". So we lost a good colleague, who subsequently had a very distinguished academic career, and – the supreme irony – eventually became his country's Ambassador to Paris (needless to say, his country was under a very different regime by then!).

When I told my colleagues how appalled I was by this incident, they took it upon themselves to educate me in the facts of life of international organizations. The Director-General had occasionally to compromise with certain member States on staffing matters, I was told, in order to preserve the universality of the Organization. Countries which became so frustrated with the Organization that they felt obliged to leave it, or to withhold cooperation with it, would cease to be influenced by the Organization's policies and standards, and an Organization that ceased to be truly universal in membership and in influence would itself be severely weakened. So, I came to realize that the fundamental principle of the independence of the international civil service was regarded as being less

fundamental than other principles (or, to put it more positively, had on occasion to be balanced against other fundamental principles and objectives), and as time went by I witnessed numerous other occasions when the most cynical pressure was applied by certain member States in order to ensure the recruitment or promotion (or alternatively the dismissal) of one or more of their nationals - and there were no doubt many more such instances of which I was not aware.

Just as some member States failed to respect their obligations concerning the international character and responsibilities of the staff, so too did certain staff members who made little attempt to conceal the frequency of their contacts with "authorities external to the organization", and some of whom were clearly engaged in tasks that had little or nothing to do with their functions in the organization.

What appalled me most was that these most fundamental principles of the international civil service were violated with impunity. A member of the Organization that was known to be putting excessive pressure on the Director-General concerning staffing matters was never called to task by the Governing Body[1]. The severest sanctions could be, and were (quite rightly), applied to staff members who were found to be guilty of misconduct, dereliction of duty or embezzlement of funds, but I was never aware of such sanctions being applied to officials whose first loyalty was clearly towards an authority external to the Organization.

The problem of "political appointments" was, and is, not just one of principle. It raises some very practical issues. For those of us down in the "engine room" of an international organization – in the substantive departments where the real work of the organization is done – such appointments can have very serious consequences on the quality and quantity of the work performed. An official who is not doing his or her job is so much dead weight, preventing the work of the unit to which he or she is assigned from being carried out properly and thus undermining the credibility and effectiveness of the international civil service. He or she is also a burden on the other staff members of the department who have to do the work that he or she should be doing. Having been myself, for part of my career, in charge of programme budgeting in the ILO, I am well placed to know that no extra resources were allocated to cover unproductive staff. Of course, not all unproductive staff are political appointees – far from it – a point to which I shall return later. And, to be fair, not all political appointees are unproductive. I have known cases where officials who came to us as a result of political pressure, and whose arrival was greeted with some apprehension by myself and my colleagues, in fact became first-class, hard-working members of the team. But such cases were rare. Political appointees were often so unsuited for the jobs into which they had been propelled, that one could not help wondering what benefit the governments that had gone to such lengths to have them recruited derived from their appointment. Sometimes one could not escape the conclusion that the people who had been imposed on us had been such misfits in their previous employment in their own countries that they had to be got rid of by being cynically forced upon some international organization.

The real problems arise when, as is most frequently the case, a political appointee is parachuted into a senior position (say P:5 or above). The effect of such parachuting on the morale of the rest of the staff is quite devastating. It generally means that an incompetent person is put in a management position, with severe consequences on the output and productivity of the unit concerned; it also means that far more deserving staff members are deprived of a chance of promotion. I can say with some personal experience that a department head who is confronted with such a situation has, to put it mildly, a very uphill struggle to maintain morale and high standards of performance in his/her department. The lesson is clear: the more political appointments and government interference and pressure on staffing are condoned, the more the credibility and effectiveness of the international civil service is undermined.

The executive heads are well aware of these problems, and certainly the ILO Directors-General in my time generally did their very best to ward off political pressures concerning staffing or at least to prevent them from having a negative effect on the programmes of the Organization. I witnessed several instances where the Director-General was subjected to the most persistent harassment on staffing matters, and I could not help feeling a good deal of sympathy for his predicament. He had to try to reconcile the

[1] I vividly remember one instance when a country which was a large contributor to the Organization steadfastly withheld its contribution until it had satisfaction concerning the recruitment of one of its nationals to a senior position. Everyone knew what was going on, but no member of the Governing Body raised an objection or came to the support of the Director-General. In the end, of course, the large contributor had its way and resumed payment of its contributions.

need to maintain the highest possible standards in the quality and objectivity of the staff and in the delivery of ILO programmes, with the no doubt equally compelling need to maintain the universality of the Organization's influence and membership. And he received little or no support from the rest of the membership as he tried to perform this delicate balancing act.

Members of international organizations had, of course, and still do have a legitimate interest in ensuring that fair and proper regulations exist for the recruitment and management of staff, that such regulations are scrupulously applied and adhered to, and that there is adequate machinery for an impartial examination of grievances and for the redress of unfair treatment. They also have a clear and quite legitimate interest in insisting on an equitable geographical distribution of staff in each organization – a point to which I shall return below. But the constitutional texts of international organizations make it quite clear that they have no role whatever to play in the process of selecting or promoting international civil servants, or in the management of staff. Unless these basic principles are respected by all concerned, the integrity and effectiveness of the international civil service are severely compromised.

The problem of outside interference in the selection process may arise in more or less acute forms in different organizations, and we in the ILO used to think that we were less affected by the problem than certain other organizations. I was comforted in this thought when a good friend of mine in the UN once told me that he thought he had a good chance of getting a senior job in the UN because, as he put it, "my government is supporting me". In contrast, I had to inform the permanent mission of my country in Geneva that I had been appointed to an ADG position in the ILO; nobody in the mission had any inkling that I was even being considered for such a job. That is how it should be. Moreover, the ILO, perhaps to a greater extent than some other organizations, had in my time put in place machinery and procedures for the filling of vacancies which protected the Office and the Director-General from much of this outside interference. As I recall it, this system required all vacancies up to a certain level to be filled by internal or external competition under the supervision of a Selection Board composed of officials appointed in equal numbers by the Director-General and the Staff Union (under the chairmanship of an official appointed on the joint recommendation of the Personnel Department and the Staff Union). While we programme managers used to complain vociferously about the time that was taken up by the lengthy procedures of the Selection Board, we had to admit that it was on the whole a fair and effective system. (I am not sure that the system still exists). However, the system had its limitations. Senior appointments (from D.1 upwards) were made directly by the Director-General without reference to the Selection Board, and could therefore be much more exposed to the risk of political pressure.

Management problems

Shortcomings and problems in the international civil service cannot be laid only at the door of unscrupulous governments and other outside interferences. In my time and in my organization, political appointments probably only accounted for a relatively small proportion of all recruitments – even though they were more visible than the other, more "genuine", appointments, and their generally negative impact on the overall performance of the organization was (I felt) out of all proportion to their numbers. Nevertheless, if the performance of the international civil service was (and perhaps still is?) less than optimal, the reasons may well also have had something to do with the internal management of our organizations.

The objectives of personnel (sorry, HR) policy in any organization – including international organizations – must surely be to recruit and retain the brightest and the best in the fields of specialization required by the organization, to utilize their competences and their capacities to the maximum (and at the highest level of responsibility consistent with their capacities) and to motivate them to be loyal and productive members of the staff of the organization. In the case of international intergovernmental organizations there is also another – equally important – objective: to ensure that all regions are equitably represented on the staff.[2] This latter objective was in my time (and no doubt still is) a matter of some controversy. To what extent was

[2] Yet another objective is to increase the number of women in the professional staff, and in positions of responsibility. In relegating this important issue to a footnote, I am of course running the risk of being exposed once again as a male chauvinist pig. In my defence, may I plead that the issue of gender equality is not specific to the international civil service – it arises equally in national administrations and in private industry – whereas the question of geographical distribution is. Moreover, although much remains to be done, a good deal of progress has been made in bringing about greater equality between men and women in the composition of the staff of international organizations.

the objective of equitable geographical distribution consistent with the other objectives mentioned in the preceding paragraph? Did there have to be a trade-off between these different objectives – i.e. if one could not be sure of obtaining staff of the highest level of competence in certain regions, did the organization have to compromise on the quality of staff recruited from such regions? To raise this question in these terms was, of course, not only politically incorrect; it was also, and still is, quite wrong and insulting. Throughout my entire career I had very competent colleagues (in the ILO as well as in other international organizations) from "underrepresented" countries, and it was clear that no trade-off had been necessary in their recruitment.

The whole point of an international civil service is that it must be truly international if it is to be credible. No intergovernmental organization could conceivably have a secretariat consisting of like-minded officials originating exclusively or predominantly from one region. At the same time no organization, if it is to remain credible, relevant and useful, can afford to compromise on the quality of the staff that it recruits. No country or region has, of course, a monopoly of skills, talents and qualifications. But some have them in greater abundance than others. Various devices were employed to give underrepresented countries and regions priority or exclusivity in the filling of vacancies. But the filling of vacancies in this way took time, and we harassed programme managers who had programmes to deliver, projects to implement and deadlines to meet, but lacked the necessary staff would fume with impatience while the long drawn out process of organizing competitions in underrepresented countries took place. We were frequently compelled by necessity to resort to short-term staff or consultants (almost inevitably, of course, of a "wrong" nationality!) to get the work done while the recruitment process took its course, and that in itself resulted in human problems as the short-term staff had to be released when their job was done[3].

Obtaining the "right" staff is not only a question of recruiting people with the required skills and qualifications (including of course linguistic skills) and if possible with the right nationalities. It is also a matter of finding people with the aptitudes and even the motivation to become international civil servants. It may not be easy or even possible to discern such aptitudes and motivations in the recruitment process, but it is most vitally important to develop them immediately after recruitment. It is surely one of the most important tasks of management to assist newly recruited officials in familiarizing themselves with the procedures, traditions, cultures and procedures of the organization and of the international community to which the organization belongs – in fact to help them to become international civil servants, and even to understand what that concept means. I was extraordinarily fortunate in that respect because during my first few months at work I was sharing an office with my immediate chief (one who in the fullness of time was to become the longest serving President of AAFI/AFICS), who spent a great deal of his time briefing me in all the arcane details of the programmes, structures and procedures of the ILO and the UN system. I am sure that the excellent and satisfying career that I subsequently had in the ILO was due in no small measure to the quality and the breadth of the induction and briefing that I received from my chief during my early days in the organization. Few other chiefs that I knew saw the need to go to such trouble. All too often new officials were put to work without knowing how their work fitted into the organization's broader programme goals or anything about the work of other officials and other units. And some didn't care. If allowed to continue such situations could lead to the staff members concerned becoming unproductive, dissatisfied, demoralized misfits and trouble-makers.

It has to be recognized that international organizations are large and rather complex bureaucracies. And while much could be done, and perhaps has been done, to make them less bureaucratic, they are of necessity no doubt going to remain very structured organizations with detailed and sometimes cumbersome procedures. It takes some time for new recruits to find their way, or to feel at home, in such an environment. But international bureaucracies do not have to be, and should not become, huge impenetrable unwelcoming monoliths which crush and stifle all creativity, all incentive and all individuality out of their employees. On the contrary, they need to attract and to retain the brightest and the best in their specialized fields, in order to be at the cutting edge of the development of new ideas and approaches to the problems confronting the international community. I have always felt that diversity of views and of opinion had therefore not only to be tolerated, but also encouraged in the secretariats of international organizations. At the same time, of course, their employees have to be civil servants; they

[3] Some of these short-termers became so indispensable to the functioning of the Organization, having strung one short-term contract after another, that after many years they eventually became permanent officials, and excellent officials at that, even though they came from over-represented countries.

have to be aware of and loyal to the standards and principles of the organization that they serve and to those of the wider international community. Finding the right balance between diversity and conformity, between individual initiative and the discipline expected of a civil servant is no easy matter; a good manager needs to help his colleagues to find it.

In fact, the success or failure of the international civil service depends critically on the quality of management at all levels. Managers have to deploy the resources placed at their disposal, including particularly the staff resources, in the most efficient and effective way possible in order to deliver programmes and execute projects of high quality. They have to be able to utilize and motivate staff of differing abilities and to make a close-knit team of them. And in order to do all these things they have to earn the cooperation and respect of their staff as well as their colleagues in other units. These tasks are no different from those that are the daily lot of managers in purely national organizations and enterprises throughout the world. They are made all the more challenging in international organizations by the fact that our managers have to deal with staff of different nationalities and cultural and linguistic backgrounds. The risks of being misunderstood or of unintentionally causing offence, and the difficulties of securing the cooperation of staff of such diversity, of motivating them and developing team-work among them, are very much greater than in national situations. In addition our managers have to deal with and be respected by other colleagues, including superiors and executive heads – also from different national and cultural backgrounds – as well as governing bodies and other intergovernmental organs. All this calls for a good deal of political astuteness as well as sound technical and administrative skills.

An impossible task? In fact not. I recall working very productively, constructively and with much pleasure under chiefs of many different nationalities; I also recall a large number of senior officials in the ILO and other organizations who gave inspiring leadership to their own staff and to the whole organization, and indeed on some occasions to the whole UN system. Nevertheless, not all managers succeeded in living up to the challenge. Two examples (which I witnessed with my own eyes):

- A chief refuses to allow any of his staff to sign any communication, and insists that everything be submitted to him for signature (including even a thank you letter that an official wishes to send to someone who provided information or hospitality during a mission!);

- A chief insists that no official may contact an official of another unit without passing up through all the layers of the hierarchy in his own Department/Division and down through all the hierarchy of the recipient unit.

It is difficult to imagine anything more demoralizing or demotivating for the staff, particularly young officials, than to have a chief who insists on controlling everything. Almost equally demoralizing (or at least bewildering) is to have a chief who leaves his staff to do what they will, without any supervision, guidance or encouragement; or a chief who abdicates all responsibility and signs off on whatever is presented to him; or a chief who encourages his staff to disregard or treat with contempt other units or officials or even decisions of top management and the governing body. This list of management shortcomings is by no means complete (and I am in any case no management guru), but my point is, I hope clear: poor management leads to an exodus of good staff or the emergence of dissatisfied, unproductive or unusable staff - what used to be called insultingly the "dead wood" problem in my day - about which managers used frequently to complain without realizing that they themselves may have been responsible for the problem in the first place.

I used to suspect (but hopefully this is a thing of the past!), that all too often people were appointed to management positions for the wrong reasons. Frequently, they were the "political appointees" referred to earlier – appointed to a management position for no other reason than that their government or some other outside influence had put unbearable pressure on the Director-General. Or even in the absence of outside political pressure they were appointed because they had a "good" (i.e. underrepresented) nationality – in itself a perfectly valid reason, as it would be quite unacceptable for all or most people in management positions to be from the same region; or to reward an official with long and faithful service, or one who had rendered valuable service to the organization or to the executive head, with a promotion. But were they ever appointed because of their management skills or management potential? When I was first appointed to a management position – at a very young age – there cannot have been a shred of evidence in my personnel file of any management skill or ability at all. I was made a Branch chief because the Director-General at

the time appreciated my writing skills – I shall, of course always be grateful to him for that, but I well understood why one or two officials in that Branch with far longer service and far more experience than I had protested at my appointment.

Of course, there is always an element of risk in the appointment of a manager. But at least one would expect that his or her performance as a manager should be properly monitored and evaluated. I suppose that up to a point it was in my time – I seem to remember that there was one small box in the performance appraisal form calling for some assessment of the official's management performance, but that called for a very lapidary – normally one-word - assessment. I do not recall poor management ever having being sanctioned by removal from a management position – except perhaps very occasionally by a promotion! I remember once putting forward the thought that the person responsible for preparing performance appraisals on programme managers should consult – at least informally and confidentially, and perhaps on a sample basis - the staff of the unit that he or she was managing. Needless to say, this Maoist heresy was ignored.

Nor do I recall much in the way of useful management training; such training as was provided was done by outside firms and was of little relevance to real life in an international organization. I would like to think that this important gap has now been filled.

The Engine Room

Jack Martin

Of course, the people down in the engine room don't have much of a view. In fact they may not have any view at all except of their immediate surroundings. They do not have the vastness of vision enjoyed by those on the bridge; they may not know the course that the Captain has set, and even if they do, they may not understand the reasons why he has set it. They do not know of the storms that lie ahead, or the pirates lying in wait or the rich cargo waiting to be brought on board at the next port of call. But they know a thing or two about the engine, and how to keep it running.

And a good Captain knows full well that without the right sort of people in the engine room his ship is not going to get anywhere. He knows that he cannot afford to throw too many spanners in the works or allow too much bilge to clog the engines up. A good Captain knows how important it is for there to be good communications between the bridge and the engine room, and a good climate of trust and confidence between himself and the chief engineers. A good Captain also knows that he has to keep on good terms with the ship-owners. There were a number of excellent Captains in charge of some of the vessels of the international community when I was on board; but the ship-owners kept getting in their way, telling the Captains how they should run their ships and forcing them to recruit sailors who should have been left on dry land.

I would like to believe that in today's more enlightened world this confusion of roles no longer exists.

Privatization and its Potential Impact on International Organizations

By
Michael Davies**
Formerly Chief of Compensation and Benefits, Inter-American Development Bank

In the past few decades governments have increasingly privatized some of their services. This article looks at privatization in the broader context of international organizations and postulates where privatization initiatives might emerge and their potential impact on the international civil service. In the context of this article, privatization implies the transfer of control of an international organization (IO) from governmental to non-governmental management where costs and risks are shifted to new owners. This does not necessarily mean placing the institution in a commercial environment but can also imply operating within a not-for-profit structure.

What has become apparent from national privatizations is that there are some assets that are more efficiently managed and/or allocated by non-governmental decision-makers. In the international arena this is not a new phenomenon but has existed from the earliest days of IOs. In the latter half of the nineteenth century some 20-30 IOs were created (often known as International Public Unions or IPU)[1] whose membership included or mostly consisted of national governments. Although some of these, such as International Telecommunications Union [ITU], the Universal Postal Union [UPU] and the Bureau of International Weights and Measures [BIPM] have continued to exist as intergovernmental institutions; others collapsed during World War I and still others (such as the International Association of Seismology [1903] the International Geodetic Association [1864] and the International Association of Public Baths and Cleanliness [1912]) were turned into international non-governmental organizations (INGO). These, often academic-leaning institutions were the first cases of international privatization.

The inter-war period saw little or no development of this trend although a number of IPU were absorbed into the League of Nations. Following the end of World War II the number of IO grew exponentially and they started to become involved in areas where commercial interests also had to be taken into account. For example, while the International Air Transport Association (IATA) was originally created before the Second World War it was given an expanded mandate as a government sanctioned cartel at the 1944 Chicago Convention on International Civil Aviation. National ownership of airlines meant that in the early post-war period IATA was effectively an IO – in 1970, 74% of its members were government run or owned airlines (most of the private sector members were US airlines). As more and more airlines were privatized IATA has slowly been required to evolve into the INGO that it is today, where its principal funding comes from the marketing of services to the airline industry. What is of interest however, is that had a joint British/ Canadian proposal at the Chicago meeting been accepted, the functions carried out by IATA would have been included in the mandate of the International Civil Aviation Organization (ICAO)[2], which begs the question as to how ICAO would have dealt with the issue of increasing airline privatization – would it have effectively had to "spin off" its "IATA arm"?

The exploitation of space has also seen developments in the privatization of IOs. The European Space Agency (ESA) created in 1975, was the result of a merger of two earlier IO, the European Space Research Organization and the European Launcher Development Organization (ELDO). However, ELDO was not fully integrated and the manufacture of rocket launchers was devolved to a separate company, now known as Arianespace, which continues to supply ESA with launchers to this day. Two IOs were also established

** **Michael Davies** is the author of *The Administration of International Organizations – Top Down and Bottom Up,* Ashgate, 2002.

[1] Craig N. Murphy (1994) *International Organization and Industrial Change – Global Governance Since 1850*, Polity, Cambridge

[2] Richard Y Chuang (1972) *The International Air Transport Association. A Case Study of a Quasi-Governmental Organization*, Sijthoff, Leiden, The Netherlands

to launch and operate communications satellites. The International Telecommunications Satellite Organization (Intelsat) was formed in 1965 with headquarters in Washington D.C. to operate a system of land-based global communications. The International Maritime Satellite Organization (Inmarsat), operating from London, was formed in 1979 by the International Maritime Organization (IMO), initially to operate a marine communications systems on a not-for-profit basis but extended to all types of mobile global communications: sea-to-sea, air-to-air and land-to-land, changing its name to the International Mobile Satellite Organization.

The interest in Intelsat and Inmarsat is that they are the first IOs to be fully privatized in a commercial sense. In 1999, Inmarsat was split into two parts: the satellite operations group and a small regulatory body (the International Marine Satellite Organization - IMSO) which oversees ship and air distress and safety communications. IMSO works closely with IMO, ICAO and ITU to ensure that vessel-to-land communications are reliable and responsive to distress calls. The operations group was then sold to a private equity consortium in 2005 before being floated as a public company on the London Stock Exchange. Intelsat moved towards privatization at around the same time, but the pace of its transformation was slower. In the late 1990s there was US pressure to reduce the monopolistic impact of Intelsat to allow the growth of a US private sector communications satellite industry. As a result, in 1998 a small spin-off company (New Skies Satellite NV) was created to manage Intelsat's working capital and six of its satellites. However, the main business continued to operate as an IO. Then in 2001 it became a private company Intelsat Ltd with government shareholders. This company was bought out by a private equity consortium in 2005 and it completed its transformation in 2006 when it was merged with PanAm Satellite Ltd a private sector operator.

While the above cases are well-defined examples of change there are other more subtle moves to incorporate or adjust to the emergence of the private sector in international decision-making. Of course, the earliest of these moves was the creation of the International Labour Organization (ILO) as a tripartite organization bringing together governments, workers representatives and employers' representatives under one governance structure. More recently ITU created Telecom, a quadrennial convention of all major participants in the global telecommunications industry whose secretariat is a distinctive part of the organization. UPU has also had to face the impact of privatization but in this case a solution closer to that of the ICAO/IATA relationship is emerging, as the main private sector postal operators have created the International Postal Corporation (IPC) to coordinate their interests. Studies of the relationship between governmental and private sector postal services suggest[3] that just as in the case of ICAO and IATA the end result could be to devolve decision-making on the international coordination of postal services to IPC while leaving regulatory matters in the hands of UPU. The Organization for Economic Co-operation and Development (OECD) has also moved in the direction taken by ITU. It has embraced the broader community by holding a discussion forum prior to its annual ministerial meeting which is attended by more that 1,000 civil society representatives.

The transport sector has also seen rapid privatization in some countries. While the need for coordination of most land transport has a regional rather than a global dimension there are a number of IOs working in this area, in particular EU Agencies such as the newly created European Railway Agency and the European Maritime Safety Agency. In some cases these agencies include private sector representative on their governing board, although usually as a minority, unlike ILO where there is a degree of parity between governmental and non-governmental actors.

Another area where IOs have been adapting to the private sector is in the development banks, almost all of which have established specific and often legally distinct entities to support the private sector in their borrowing countries. The World Bank, for example, created the International Finance Corporation (IFC) to support commercial and industrial development as well as the Multilateral Investment Guarantee Agency (MIGA) which provides the private sector with insurance cover in those riskier parts of the world where commercial insurance is reluctant to take on risks that could be associated with political developments. It is not inconceivable that, when a clear track record has been established and the risks are fully quantified, either IFC or MIGA could be spun off as independently funded entities outside of full government control, just as in some countries ExIm Banks are quasi-government entities.

[3] Triangle Consultancy (2004*) The Future International Administration of Global Mail – a Review of Other Industry Models*, Triangle Beaconsfiled UK

The transformation of Inmarsat and Intelsat has, at an international level, replicated the policies of some of the more "progressive" governments which have divested themselves of many revenue creating assets in the interests of a more efficient economy. This then begs the question, is there a potential for further and possibly more rapid moves towards privatization of IOs?

Where global public goods can be seen to have a fair and self-sustaining market not requiring governmental involvement (once initially developed and funded) then an activity could well be appropriate for privatization. One such area is in the field of intellectual property rights. The World Intellectual Property Organization (WIPO), the European Patent Office (EPO) the Community Plant Variety Office (CPVO) and the EU's strangely named Office for the Harmonization of the Internal Market (OHIM) all manage and record patent or trademark registrations. In all four cases a large proportion of the budget of the organization is already funded from the fees charged to register intellectual property rights. It is not inconceivable that in due course all four IOs could be individually managed by non-governmental bodies with self-supporting funding.

Critics of this concept will point to the need for continual governmental control so that the various treaties defining their activities can be updated or new treaties developed. However a suitable model already exists to manage such international treaties. The International Committee of the Red Cross is a Swiss organization with a 24-member managing committee all of whom must be Swiss nationals which operates under and deals with the Geneva Convention. An expanded version of the Committee also oversees the work of the International Federation of Red Cross and Red Crescent Societies (IFRC) whose members are the 189 national Red Cross and Red Crescent societies and which is mostly concerned with the delivery of international humanitarian assistance. The national societies and representatives of governments that have ratified the Geneva Convention meet in the four-yearly International Conference of the Red Cross and Red Crescent; which is the forum for discussing broad policy issues and altering the Convention. So it is not necessary for governments to control the process in order to produce outcomes to which they subscribe. In fact, this method of periodic international consultation within a day-to-day structure, which allows for independent and rapid decision-making, has become a model for other INGOs such as Oxfam and IUCN.

Other areas where there is a long term potential for privatization include those science-based IOs where government cooperation is required initially to fund the project but where the principal users are in the non-governmental sectors. Such IOs include the European Synchroton Research Facility which is heavily used by private industry and universities and the European Global Navigation Satellite Supervisory Authority (Galileo) which is overseeing the development of Europe's network of positioning satellites and which like Inmarsat and Intelsat could be a candidate for privatization at a future date. In a similar vein some international training institutions could be made self-financing and given a more independent management, even if the principal users are governments themselves. Like many educational institutions in the private sector, they should be able to price their services in order to deliver services and the pricing mechanism would be a useful indicator of the necessity and relevance of the courses being offered. Such institutions could include IOs such as the European Police College, The ILO Turin Centre, the World Bank's Economic Development Institute, etc. The Association for the Management of Human Resources in International Organizations (AHRMIO) is set up along these lines to provide self-funding courses for the human resources staff of its member IOs.

Nor is it necessary to consider the wholesale conversion of an IO. Those parts of an organization which are potentially self-sustaining and which provide services that can be developed in a market-oriented environment could be spun off allowing limited governmental resources to be targeted on more essential political, social and economic activities. Activities that come to mind could include:

- IMO's World Maritime University;
- UNIDO's provision of consulting services to governments and industry in the areas of policy formulation, environmental policies and productive employment and similar services provided by other IOs such as some of the agri-business activities of FAO;
- The UN Postal Administration
- The World Water Map produced by the International Water Management Institute.

What could be the potential impact on the International Civil Service of such moves? In theory operational independence leads to more rapid decision-making which in turn means a faster response to technological innovation and greater efficiency. More independent management would probably mean a less stable approach to the business line with new initiatives starting up more rapidly and unsuccessful ones closing down faster that they do under the IO model. This would have some implications for the way in which staff are contracted, although it must be recognized that recently more flexibility has been introduced in the IO staffing model, so the change may not be particularly dramatic.

Provided the type of model postulated above for UPU (and actually adopted for Inmarsat) is the underlying basis for privatization initiatives i.e. where regulatory powers are separated from operational responsibilities; the experience derived from privatization in a national context indicates that there need be no challenge to the independence of the international civil service. It is only when regulatory powers are not "dispassionately" developed and based on independent analysis that challenges to the independence of decision-makers are likely to arise. Operational matters are generally client oriented, even in the context of existing international organizations and would therefore not create any new issues of independence than exist at present. However, the experiences of IFRC and IATA show that independence can be maintained even when regulatory or policy decisions need to be made. Both organizations have very powerful, if different, historically-proven models for reaching agreement and obtaining governmental buy-in.

Clearly one important development would relate to costs. Over the medium-term privatized institutions would be more likely to pay those staff according to market rates. This is not necessarily a negative factor – staff of Intelsat and Inmarsat who work in high paying professions on the cutting edge of their technology can command salaries competitive with those of the private sector. Undoubtedly, however, one change would be in the pension systems operated by the privatized institutions. Increasingly the defined benefits pension model is becoming economically unsustainable and as the shift to defined contribution plans becomes more widespread in the governmental sector so spin-offs from IOs would also be forced to find appropriate new pension models. European organizations would also probably respond to market conditions in a similar way to the European private sector with less attention being paid to long-term expatriation and more attention being paid to meeting the true short- to medium-term costs of relocation.

Michael Davies

The Future of the International Civil Service

By
Jacques Lemoine

Jacques Lemoine was the embodiment of an international civil servant. He was learned, bilingual, and a master draftsman in French and English. He knew the history of international organizations from their beginnings as few others did. He fulfilled in very full measure the requirements of an official stipulated by the Charter: the highest standards of efficiency, competence and integrity. On retirement he wrote an excellent study of the international civil service entitled The International Civil Servant: An Endangered Species. The book, based on a lifetime of study and experience, is a storehouse of information.

He joined the International Labour Office in 1946. He was assigned to the Division responsible for relations with the newly born United Nations and with the other specialized agencies as they came into being. A relatively rare thing in the ILO, he spent practically his whole long and distinguished career in the same area of work. He retired in 1988 and then carried on as a Senior Fellow of UNITAR until his death in 1997. He could hardly help becoming an expert on the international civil service and on inter-agency relations. When people wanted any information about the UN System, they found it quicker to ring Lemoine than scour reference books.

His initial years were spent working directly under Wilfred Jenks. Lemoine could not have found a more brilliant mentor. Jenks could not have found a more devoted disciple – down to the Homburg, the rolled umbrella and the black, copious briefcase.

He represented the ILO on the Preparatory Committee of the ACC (Administrative Committee on Coordination) popularly known as PrepCom. for many years; not surprisingly, he acquired the nickname of Mr. PrepCom. He accompanied the Director-General - whoever it happened to be - at meetings of the ACC: Directors-General came and Directors-General went, but Lemoine remained a constant.

We give below the Conclusion of his book: The Future of the International Civil Service.

Aamir Ali

In 1716, the Marquis de Callières wrote that "to understand the permanent use of diplomacy and the necessity for continual negotiations, we must think of the States of which Europe is composed to be joined together by all kinds of necessary commerce, in such a way that they may be regarded as members of one Republic and that no considerable change can take place in any one of them without affecting the condition, or disturbing the peace, of all the others". [1] What was already true in the 18th century applies with even greater force to today's independent world in which the kinds of necessary commerce joining together not just the countries of Europe but, with fast, cheap transportation and communications, those of virtually the whole planet. Even the largest economies have lost a good deal of the control exercised by the erstwhile Westphalian nation-State over capital flowers, exchange and interest rates or the transnational production of and trade in goods and services. The independent pursuit of national economic interest which already brought about the Great Depression is now virtually impossible and could only bring about disaster for all concerned. Above all, in this century the scourge of war, unless contained, would again make for a world holocaust.

Thus, the necessity for continual negotiations has become ever more pressing, in recognition of which two successive attempts have been made to institutionalize multilateral cooperation. The League of Nations failed in its essential purposes but because that failure permitted of a second world war, its spirit revived in the creation of the United Nations. The League also bequeathed to the United Nations organizations an essential tool for the effectiveness and continuity of multilateral cooperation: the international secretariat staffed by the international civil service. However, as David Mitrany has put it, "Advances in policy and government within a State generally come about through the interplay of popular demands and political leadership. That has rarely been the way with progress in international government. Whatever measure of common action has been achieved since the rise of nationality has

[1] François de Callières, *De la manière de négocier avec les Souverains*, Paris, 1716, English rendering by A.F. White as *The Practice of Diplomacy*, London, 1919, p. 11.

been against the grain of general sentiment and policy".

Political leadership and popular aspirations combined for the successive creation of the League and the United Nations but it can be said that the practical application of their principles and even the normal development of concrete activities have gone very much against the grain – of which persistent reluctance to surrender any fraction of freedom of unilateral action and endemic lack of adequate resources are among the main manifestations. "… like all bureaucracies – and perhaps more so – international civil servants are an easy target for criticism, ridicule and envy". [2]

While sharing the unpopularity of the national public servant, half consciously perceived as an unproductive element engaged in tax collection of the manufacture and application of complicated and constraining rules, the international civil service not only is estimated at the value placed on the organization it serves or more generally on the United Nations system, but also continues a distinct category whose acceptance also goes against the grain.

The international secretariat has sometimes been likened to a lay clergy in the sense that it is a closed society, directed from the top, with a hierarchical structure and whose members are bound by a common ethic and demanding rules of discipline. This is also the case for a national public service, which is the executor of the policies of a government with ministerial responsibility or, in a presidential system, operating within the bounds of a system of checks and balances. But the analogy is largely not valid: intergovernmental organizations have "… the appearance of being political entities in their own right, following certain political goals, attempting to accomplish certain political changes, in one word: establishing, pursuing, and enforcing a collective policy. But it should be clear … that the analogy to the individual sovereign state is a false one. The conference of an intergovernmental organization is not in any real sense comparable with the legislative assembly of a state: the delegates are not elected by people but appointed by governments; they represent nations only indirectly; collectively they do not legislate; there is no supranational government to execute decisions taken, no sanction can be applied and no taxes levied". [3] Serving through often obscure means an elusive and changing international will, potentially or actually inimical to the national interest of individual States, the international civil service is ill-accepted, as testified by repeated assaults on its independence and contempt for its competence, efficiency and integrity.

The originally uncertain notion that the international Secretariat should be under the united command of an independent head, instead of a consortium of thinly disguised national representatives came under attack in the League of Nations in 1930 and in the United Nations in 1945-46 and again in 1951.

In default of a collective directorate, largely in the hands of the main powers of large groups of interests, the appropriation of senior positions in favor of chosen nationals of particular member States, the creation of "national preserves" dog the secretariats of the United Nations and to only a slightly lesser extent of the specialized agencies, as they dogged the Secretariat of the League of Nations.

While preventing the recruitment or retention in service of individuals of doubtful national loyalty has been institutionalized by Fascist Italy in 1927 and by the United States of America from 1952 to 1986, limiting the choice of candidates to government sponsored officials, serving on secondment terms on fixed-term contracts of relatively short duration, and thus subject to recall, has been widely practiced and persists despite some official repudiations. At the same time, pressure for the appointment of favorite sons owes as much to a search for connivance in the Secretariat as to patronage and nepotism.

Because of the strength of pressure for wider geographical distribution, filling national quota has come to take precedence over efficiency, competence and integrity. Nor are member States prepared to pay the price for such qualities, not only and not so much in terms of alluring material rewards as in terms of prestige, self-respect and security. In this regard, not only has judicial control of legality been more reluctantly accepted in the United Nations than in the specialized agencies but, as in the case of the League of Nations, attempts are being made to set aside administrative tribunal rulings.

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[2] *Reflections on the Future of Multilateral Cooperation*, Report of the Director-.General (Francis Blanchard) to the International Labour Conference, Geneva, 1987, p. 20.

[3] Gunnar Myrdal, *Realities and Illusions in regard to International Organizations*, L.T. Hobbouse Memorial Trust Lecture No. 24, Oxford University Press, London, 1955, p. 5.

No doubt, these recurrent trends have also been strongly resisted, not without some success, but the very recurrence over the last seventy years of confrontations over the same issues of principle, the fact that every executive head, beginning with Sir Eric Drummond, has been constrained, with varying degrees of reluctance, to compromise with principle raise the question whether an independent international civil servants is not in fact an unattainable ideal, a myth?

Whether there can be an "international man" is not the question enough men and women, in the service of the League and the ILO initially, and of the United Nations and the specialized agencies thereafter, have demonstrated by their very behaviour the reality of its existence. Rather, the question is whether member States desire their "continual negotiations over all kinds of their necessary commerce" to be served and supported by an independent international civil service or whether they do not in fact prefer, as a matter of policy and sentiment, to revert, in a fragmented international society, to the earlier system of conference diplomacy.

In the dialectics of realism and idealism, of nationalism and internationalism, it has been said, by way of synthesis, that … "the international civil service, caught between 'global' responsibilities and 'national' constraints on policy decision-making and policy implementation, can only muddle along, performing in an imperfect way according to admittedly imperfect criteria of accomplishment. But not to the extent that the member States can either afford to eliminate them altogether (and thus snuff out entirely the 'pure' concept of Sir Eric Drummond) or to reinforce their subordination to national control (which would represent the triumph of Lord Hankey)". [4]

Would a motley assemblage of officials open to manipulation and otherwise demoralized be an adequate instrument to serve a fragmented international society striving for peace, respect for human rights, and better standards of life in larger freedom? If the abatement of ideological and imperial confrontations affords brighter prospects for effective peace-keeping and peace-building, the promotion of a process of peaceful political change within nations and the provision of humanitarian assistance transcending the boundaries of civil strife, that lessening of tension also opens the door to political disintegration and economic and social collapse creating the vacuum and desperation out of which the Second World War was born. While it is not the role of the United Nations system to assume what are primarily national responsibilities and burdens, it is its essential purpose to remove the external obstacles preventing the countries concerned from working out their own salvation.

"Political will", the absence of which is so often blamed for the failure of multilateral cooperation by one or another of the disappointed sides may not provide a sufficiently deliberate response to the challenge of the times, but necessity will: "Nothing perhaps activates cooperation like a universally shared sense of danger" said Perez de Cuellar. So did oil spills at sea, nuclear disasters or climate change, so will the increasingly pressing concerns of peace and prosperity.

Under the inescapable pressures of interdependence, the international civil service provides the continuity and steadiness of purpose while the politicians and their representatives provide the drive, the means and the popular support to meet these challenges. An international civil service, ill-accepted, periodically called into question and presently in one of the troughs of the wave, is inadequate to the task. At a time of great hopes and great perils, if these hopes are to be fulfilled, the international civil service should be restored to independence, effectiveness and dignity.

No prescription or miracle solutions for the ills here discussed are offered: none is needed, for the way forward has been mapped out in 1920 or – if you will, in 1930 – in Geneva and confirmed and widened in 1945 in San Francisco and London. To reach the goal, it is necessary but also sufficient for governments and international officials faithfully to live up to the pledges they have already subscribed to.

Jacques Lemoine

[4] Robert S. Jordan, « *Truly » International Bureaucracies : Read or Imagined ?*, in Lawrence S. Finkesltein (Ed.) *Politics in the United Nations System*, Duke University Press, 1988, pp. 424-445 at p. 441-2.

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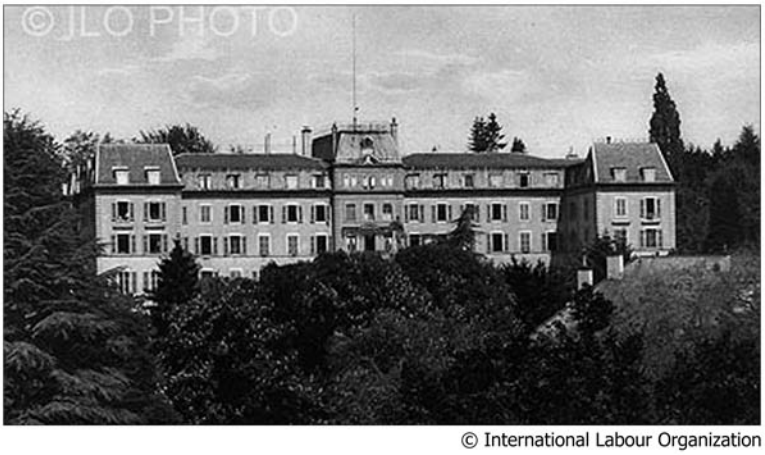
Albert Thomas (France), First Director of the ILO, 1919-1932



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ILO's first premises in Geneva (1920-1926),
today the headquarters of the International Committee of the Red Cross (ICRC)

THE SECRETARIAT

ORGANISATION CHART

Sir Eric Drummond
Secretary-General

SECRETARY-GENERAL

DEPUTY SECRETARY-GENERAL

THREE UNDER-SECRETARIES-GENERAL

M. J. Avenol
Deputy Secretary-General

THE ELEVEN SECTIONS

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LEGAL

FINANCIAL AND ECONOMIC

REDUCTION OF ARMAMENTS

TRANSIT AND COMMUNICATIONS

MANDATES

ADMINISTRATIVE AND MINORITIES

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The Secretariat is the permanent civil service of the League. It is composed of officials from nearly fifty nations, appointed by the Secretary-General and responsible to him.

The Secretariat does all the preparatory work for the Council, Assembly, Committees and Conferences, and executes their decisions.

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