Human Resources Management in International Organizations

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This course explores the history and nature of international institutions as they address particular issues confronting the global community, with a focus on the structure of human resources management in the creation of an international civil service and staff of international non-governmental organizations. Questions to be explored concern the way a secretariat is involved with member states in the creation and implementation of international law, global governance, and relations between states and non-state actors. Other questions consider how basic human resources management principles are applied in international organizations like the UN system, what differences, if any, exist in this context and why. Another issue to be examined is the selection process for staff and for leadership roles, including the executive heads of international organizations, and recommendations for reform of the process.

The first part of the course examines the concept of the international civil service based on the United Nations Charter and the early history of the basic international institutions today; the second part applies this knowledge to particular topics, such as issues of hiring practices; employee benefits; promotional opportunities; retirement; consultancies; and related matters in the United Nations and other international organizations. The work of the Secretariat may be examined and compared in specific substantive areas such as peacekeeping, human rights, and sustainable development.

The course will explore relevant sections of multilateral agreements and treaties; “soft law” resolutions and declarations of the United Nations Security Council, General Assembly, ECOSOC and its working groups and expert committees; and outcome documents of UN conferences such as those on human rights and the
new post-2015 sustainable development agenda as affecting human resources management, staffing and financing of operations.

The course will explore the roles of state and non-state actors in human resources management practices in international organizations, including the growing influence of the private sector in the United Nations system. By the end of the course, students will possess a deeper understanding of the operation of the international system and the people who work within institutions like the United Nations; the legal basis for human resources practices and policies at the United Nations; staff selection and training processes which balance geographic distribution and objective service to the international organization; and the agreements that form the basis of human resources management at the UN.

Students will develop critical thinking through an introduction to legal reasoning and concepts in international organizational practice and law related to human resources management. The course requires students to read closely, to think logically, and to become skilled in formulating convincing positions while understanding opposing arguments. Students will apply these skills throughout the course in assignments and class discussion. The ability to think critically and analytically, and to communicate an analysis clearly, are crucial skills not only for lawyers, but also for practitioners of diplomacy and for all professionals.

**OFFICE HOURS AND CONTACT INFORMATION:**

Office hours will be from 4:00-5:00 pm on Mondays in McQuaid Hall, Room 101B. A meeting in person can be scheduled by email to Prof. Tinker at catherine.tinker@shu.edu or through “class email” on Blackboard directly to Prof. Tinker. I will try to respond within 24 hours.

**COURSE REQUIREMENTS:**

This course will include several requirements, more fully described below:

(a) Completing assigned readings before class and participating in class discussions;
(b) Preparing case briefs;
(c) Making an oral presentation in class with a short written position paper; and
(d) Writing a final paper.
Class participation and the case briefs together will be worth 25%; the in-class presentation and the 6-8 page position paper will be worth 25%; and the final paper will be worth 50% of your grade. Failure to complete each assignment on time will be reflected in the grade. **No incompletes will be given except for medical or other serious emergency.**

**DETAILS OF COURSE REQUIREMENTS:**

(a) **READINGS AND PARTICIPATION:** Class attendance and participation are a required part of the course, and will be considered in determining your grade. I will expect you to read the assigned readings before class and to be prepared to discuss them in class. I will feel free to call on you to contribute and you are expected to answer. I may select students to lead discussion in class.

(b) **CASE BRIEFS:** For several of the cases assigned on the dates indicated in the syllabus, you will submit a one- to two-page typed, double-spaced, 12-point font case brief as described below. **You should submit a paper copy (double-sided printing preferred) of your case briefs in class on the day the case is assigned in the syllabus, and through Blackboard (go to this course, then choose “Assignments” in the menu bar on the left; from the drop-down menu choose “assessments” and then choose “assignments”. Look for the correct assignment labelled “Case brief 1”, “Case brief 2”, etc.)** If you will be absent, you still must submit your case brief through Blackboard. Late entries will be penalized ½ a mark; entries not submitted before the next class will not be graded.

Each case brief will be approximately one page but not more than two pages in length, and will consist of the following information:

1. The title of the case, the court deciding the case, the date of the most recent decision, and the procedural status of the most recent decision;
2. A brief, one- to three-sentence summary of the facts;
3. A brief, one-sentence statement, in question form, of the issue(s) in the case;
4. A brief description of the court’s decision, or “holding,” on each of the issues and a brief summary/analysis of the legal basis for the decision and of the court’s reasoning, including basic legal principles or relevant legal requirements.
(c) **PAPER:** A 20-30 page paper on a topic to be approved by the professor will be due on December 7, 2015. The paper may examine the theoretical basis or practical application of a topic related to human resources management in international organizations, and may be based on the United Nations, a UN specialized agency, an international non-governmental organization, an international court or tribunal, or other international organization.

**CURRICULUM AND READINGS:**

The required casebook is Franck, Chesterman and Malone, Law and Practice of the United Nations: Documents and Commentary (Oxford University Press, 2008). All students are expected to purchase this book. It is available in paperback.

Assignments from this casebook are noted below as “text”. You will be expected to have a copy of and read the United Nations Charter and the Statute of the International Court of Justice, available online, in document supplements, and in the UN Bookstore.

Optional but recommended texts are Bederman, INTERNATIONAL LAW FRAMEWORKS, 3rd ed. 2010; and Janis, INTERNATIONAL LAW (6th ed.). Either one will serve as a useful resource for extra readings. Two additional optional readings are Crossing the Divide: Dialogue Among Civilizations (published by Seton Hall University for the UN, 2001) and A World in Need of Leadership: Tomorrow’s United Nations (Dag Hammarskjold Foundation, 1990), on reserve--Walsh Library.

Supplemental information and documents will be posted on the course Blackboard site or will be available on-line. Useful websites are www.un.org; www.icj-cij.org; www.asil.org; www.sustainabledevelopment.un.org and www.untreaty.un.org.

You are responsible for checking Blackboard every few days and before every class, and for checking your email for information about the class, assignments and reminders. You will be expected to know any information that is posted on Blackboard in an announcement or other class information.

No taping or recording in class is permitted. Anyone who violates this rule and tapes or records the class sessions or any part of the classroom time will be
subject to discipline, including reduction in grades. The school’s honor code applies.

Electronic equipment such as laptops, notebooks or tablets can only be used to take notes in class or to access information at the instructor’s direction during class hours. Anyone found misusing this equipment to read emails, search the internet, play games or anything other than participating in classroom work will be subject to discipline, including reduction in grades. The school’s honor code applies.

The reading assignments are subject to modification. Some reading assignments may be shortened and others added as the semester progresses. You will be notified in advance in class and on Blackboard of any changes. Be sure to check Blackboard for announcements and check your emails each week to confirm the assignment and receive any other information before each class.

**CLASS SCHEDULE:**

**AUGUST 31: INTRODUCTION:** Background on the creation of the UN and other international organizations. Preamble and Ch. I, UN Charter.

**SEPTEMBER 7: NO CLASS—LABOR DAY HOLIDAY**

**SEPTEMBER 14:** Lecture and discussion. Legal authority for the UN Secretariat in the United Nations Charter, Ch. XV, Arts. 97-101. Reading assignments in addition to the Charter articles to be posted on Blackboard.

**SEPTEMBER 21:** Lecture and discussion. Creation and development of the International Civil Service: Dag Hammarskjold, Ralph Bunche, Brian Urquhart, Sergio Vieira de Mello. Reading assignments to be posted on Blackboard.

**SEPTEMBER 28:** Lecture on International Human Rights Law: Guest lecture by Profa. Debora Vicente, UFRGS, Porto Alegre, Brazil, on women’s rights and gender in employment and promotion practices in international organizations as influenced by international human rights law through treaties, customary law, and “soft law”; applicability of principles to the rights of the child, older persons, indigenous peoples, and other groups. Read CEDAW and the Optional Protocol; materials on the Commission on the Status of Women and gender equity in the UN system on the website for UN Women; Art. 8, UN Charter.
OCTOBER 5: Lecture and discussion on international economic and social cooperation, specialized agencies, ECOSOC, and NGOs, Ch. IX, Arts. 55-60 and Ch. X, Arts. 61-72, UN Charter. Secretariat composition, geographical distribution, recruitment and training, internships. Reading assignments to be determined.

OCTOBER 6: “The Future of Migration into Europe”: invitation to attend program at CUNY Graduate Center, 34th Street and Fifth Avenue, NYC, 6:00-7:30 pm. Speakers include Amb. Inigo Lambertini of the Italian Mission to the United Nations and the NY Director of the UN OHCHR Ninette Kelley (TBC); audience discussion. Sponsored by European Affairs Committee of the NYC Bar Association and the European Union Studies Center at CUNY Graduate Center.

OCTOBER 12: NO CLASS--FALL BREAK

OCTOBER 19: Student presentations on topics for papers approved by professor.

OCTOBER 26: Student presentations on topics for papers approved by professor.

NOVEMBER 2: NO CLASS.

NOVEMBER 6: International Law Weekend at Fordham Law School panel on Migration and new European Migration Agenda, 3:00-4:30 pm. Speakers include the NY Director of the UN OHCHR, ASG Ivan Simonovic. See schedule of all panels at http://www.ila-americanbranch.org/intl_law wknd.aspx.

NOVEMBER 9: Student presentations on topics for papers approved by professor.

NOVEMBER 16: Student presentations on topics for papers approved by professor.

NOVEMBER 23: Lecture and discussion on different types of IGOs, IOs and NGOs; consultancies; and methods of accreditation of NGOs to IOs. Public-private partnerships and the work of the UN, IOs and NGOs. Reading assignments to be determined.

NOVEMBER 30: Lecture and discussion on UN and specialized agencies' budget, funding for programmes, voluntary contributions by member states, management reform. Reading assignments to be determined.
DECEMBER 7: PAPER DUE. Lecture and discussion on administrative tribunals, Staff Council, relation to administration, and case studies.

DECEMBER 14: REVIEW AND SUMMATION; EVALUATION

Suggested Additional Reading List:


James Crawford, Brownlie’s Principles of Public International Law, 8th ed. (OUP, 2012)


Charlotte Ku, ed., International Law, International Relations and Global Governance (Global Institutions) (Routledge, 2012)

Thomas Weiss and Sam Daws, Oxford Handbook on the UN (OUP, 2007)


Basic Facts about the United Nations 2014 (UN DPI, 2014)


Brian Urquhart, Hammarskjold (Knopf hardcover, Harper paperback, 1972)

Brian Urquhart, Ralph Bunche, An America Life (WW Norton, 1993)

Brian Urquhart and Erskine Childers, A World in Need of Leadership, Tomorrow's United Nations (Dag Hammarskjold Foundation, 1990)
SETON HALL UNIVERSITY POLICIES:

1. LEARNING GOALS AND STUDENT OUTCOMES:

In terms of the learning goals and student outcomes the School’s Faculty have identified as key for students, students will:

❖ Increase their knowledge and understanding of:
  ▪ Key concepts, models, theories, and debates in international relations
  ▪ The institutional backdrop underpinning international politics, including international organizations and international law
  ▪ The normative aspect of international relations as reflected in international law, including human rights and sustainable development
  ▪ The prevailing global issues, such as international conflict, global health, water and sanitation, and environmental challenges;

❖ Develop skills to:
  ▪ Collect, sort, and evaluate information
  ▪ Analyze complex situations and synthesize information
  ▪ Integrate different fields of study in analysis of a complex world
  ▪ Communication effectively in oral and written form;

❖ Develop a sense of global citizenship and how to employ a global perspective to:
  ▪ Recognize and understand differences among a diversity of cultures and viewpoints
  ▪ Employ a global perspective and self-awareness regarding their own culture and responsibility as world citizens
  ▪ Demonstrate leadership qualities and other essential skills of diplomacy.

2. PLAGIARISM AND OTHER SERIOUS ABUSES OF ACADEMIC INTEGRITY:

All forms of dishonesty, whether by act or omission, including, but not limited to, cheating, plagiarism, and knowingly furnished false information to the University, are prohibited. Violation of this policy may
result in a failing grade on the assignment in question, a failing grade for the class, or suspension and dismissal from the University. Work submitted in courses must be the product of the efforts of the student presenting the work, and contributions of others to the finished work must be appropriately acknowledged. The presentation of another’s work as one’s own is a serious violation of the academic process. In a paper, where you quote language word for word, you must place it in quotation marks or in a block quote and give the exact source for each quoted passage. Where you paraphrase something, you must cite the source. Where you refer to or use an author’s insight or idea, you must cite the source. **Lifting language from a web site without indication and citation is plagiarism.**

3. **STUDENTS WITH DISABILITIES:**
Students who have a physical, medical, learning, or psychiatric disability, either temporary or permanent, may be eligible for reasonable accommodation. In order to receive such accommodation, students must identify themselves at the Office of Disability Support Services (DSS), provide appropriate documentation and collaborate with the development of an accommodation plan. The DSS phone number is 973-313-6003. Further information is available at the DSS website at [http://www.shu.edu/offices/disability-support-services/](http://www.shu.edu/offices/disability-support-services/).

4. **GRADING SCALE**
The grading scale used for most assignments will be:

- 93 AND ABOVE = A; 90-92 = A-;
- 87-89 = B+; 83-86 = B;
- 80-82 = B-;
- 77-79 = C+; 73-76 = C;
- 70-72 = C-; 67 – 69 = D+;
- 63 – 66 = D;
- 60 – 62 = D-;
- BELOW 60 = F.