REVIEW OF THE ACCEPTANCE AND IMPLEMENTATION OF JIU RECOMMENDATIONS BY THE INTERNATIONAL LABOUR ORGANIZATION (ILO)

Prepared by

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Joint Inspection Unit

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United Nations
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I. INTRODUCTION

1. The General Assembly of the United Nations has repeatedly noted the importance of enhancing the effectiveness of the Joint Inspection Unit (JIU) and its follow-up system and has reaffirmed that the effectiveness of the JIU is a shared responsibility of the Unit, member States, and the secretariats of the participating organizations.¹

2. In its resolution 54/16, the General Assembly endorsed the proposal of the Unit to establish a system for the handling of JIU reports and recommendations by its participating organizations. The proposal, entitled “Towards a more effective system of follow-up on reports of the Joint Inspection Unit”, was attached as an annex to the Unit’s annual report for 1996-1997.² Subsequently, the Unit undertook negotiation on specific follow-up agreements with the secretariats of its participating organizations, which were ratified by their respective governing bodies between 2000 and 2005. The Governing Body of the International Labour Organization (ILO) agreed in 2000 that the JIU proposals concerning follow-up on its reports be implemented by the Office in the manner indicated in document GB.277/PFA/7/2.³

3. In 1998, the Unit started tracking the actions taken by legislative bodies on its recommendations. That tracking system evolved over the years into a web-based tracking system (WBTS) which was introduced in 2012. The WBTS serves as an online platform allowing participating organizations to access and update the status of consideration of JIU reports and the acceptance and implementation of recommendations. The General Assembly in its resolution 69/275 requests the heads of participating organizations to make full use of the web-based system and to provide an in-depth analysis of how the recommendations of the Unit are being implemented.⁴

4. The Unit is committed to further enhancing the effectiveness of its follow-up system and therefore decided to include in its programme of work for 2015 a review of the acceptance and implementation of JIU recommendations by its participating organizations during the period 2006-2012. The years 2013 onwards have been excluded from the analysis since it takes some time for reports to be considered by legislative bodies and for recommendations to be implemented by management. All recommendations prior to 2006 had been closed and their acceptance/implementation was no longer tracked.

5. The review is being conducted in two phases. The objectives of the present first phase are to review:
   - The acceptance and implementation of recommendations by JIU participating organizations, based on the statistics provided in the WBTS, to prompt action to clear recommendations outstanding for five years or more; and
   - The process of consideration of JIU reports by the legislative bodies of organizations in order to identify shortcomings and delays in the process.

6. A questionnaire on the process of handling JIU reports, notes and management letters was sent to the JIU focal points at each organization. The results of the first phase of the review are being presented in a series of management letters addressed to executive heads of participating organizations.

¹ General Assembly resolutions 50/233, 54/16, 62/246, 63/272, 64/262, 65/270, 66/259, 68/266 and 69/275.
² A/52/34.
³ GB.227/205 record of Decisions, Decision 25, Eighth sitting; GB.277/10/1, para. 139.
⁴ OP.15.
7. The second phase will identify good follow-up practices at organizations and draw lessons to enhance the follow-up process.

8. The present management letter, which is addressed for action to the Director General of ILO includes:

- A comparison of the acceptance and implementation rates for the period 2006-2012 in order to position ILO within the spectrum of JIU participating organizations;
- A trend analysis of the acceptance and implementation rates at ILO for the period 2006-2012;
- A review of recommendations formulated during the period 2006-2009 still outstanding, the acceptance of which is “not available” or “under consideration”, and/or the implementation of which is “in progress”, “not started” or “not available”; and
- An analysis of the process of handling JIU reports issued from 2010 to 2012.

9. Comments on the draft management letter were sought from ILO management and taken into account in finalizing the letter. In accordance with article 11, paragraph 2, of the JIU statute, the present management letter was finalized after consultation among the Inspectors so as to test its conclusions and recommendations against the collective wisdom of the Unit.
II. ACCEPTANCE AND IMPLEMENTATION OF RECOMMENDATIONS

A. Rates of acceptance and implementation of recommendations

10. At the time this review was initiated in February 2015, ILO ranked 16th in the acceptance and 14th in the implementation of JIU recommendations among all participating organizations and entities considered in our review for the period 2006-2012. ILO’s acceptance and implementation rates were above the average of all organizations, as shown in the table 1 below (see annex I for more details). The Inspector commends ILO for these positive results.

Table 1
Rates of acceptance and implementation (2006-2012)*

<table>
<thead>
<tr>
<th></th>
<th>ILO</th>
<th>All organizations</th>
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</thead>
<tbody>
<tr>
<td>Number of recommendations</td>
<td>324</td>
<td>7692**</td>
</tr>
<tr>
<td>Number of accepted recommendations</td>
<td>221</td>
<td>5000**</td>
</tr>
<tr>
<td>Number of implemented recommendations</td>
<td>178</td>
<td>4020**</td>
</tr>
<tr>
<td>Rate of acceptance</td>
<td>68.2%</td>
<td>65%</td>
</tr>
<tr>
<td>Rate of implementation</td>
<td>80.5%</td>
<td>80.4%</td>
</tr>
</tbody>
</table>

*As of February 2015.
** Number of recommendations multiplied by the number of organizations concerned, to which recommendations are addressed for action.

B. Trend of acceptance and implementation of recommendations

11. It can be further noted that both the rates of acceptance and implementation of recommendations fluctuated over the period 2006-2012 to decrease by 2012, as shown in the table 2 below (see annex II for more details). The Inspector invites ILO management to analyse the reasons of this trend, in particular the decrease in the implementation rate, and communicate them to the JIU.

Table 2
Trend of acceptance and implementation (2006-2012)*

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of recommendations</td>
<td>21</td>
<td>39</td>
<td>52</td>
<td>44</td>
<td>64</td>
<td>61</td>
<td>43</td>
</tr>
<tr>
<td>Rate of acceptance</td>
<td>66.7%</td>
<td>76.9%</td>
<td>59.6%</td>
<td>63.6%</td>
<td>67.2%</td>
<td>85.2%</td>
<td>53.5%</td>
</tr>
<tr>
<td>Rate of implementation</td>
<td>92.9%</td>
<td>80.0%</td>
<td>87.1%</td>
<td>67.9%</td>
<td>83.7%</td>
<td>78.8%</td>
<td>78.3%</td>
</tr>
</tbody>
</table>

*As of February 2015.

C. Lower rates of acceptance of recommendations addressed to the executive head

12. At most of the participation organizations, the rates of acceptance and implementation of recommendations addressed for action to the executive heads during the period 2006-2012 were higher than the rates of acceptance and implementation of recommendations addressed for action to the legislative bodies. This is explained by the fact that, in principle, recommendations addressed to
executive heads are more easily accepted and implemented since they do not entail significant policy changes or costs requiring the approval of member States.

13. At ILO, at the time of the review, the rate of acceptance of recommendations addressed to the executive head was higher than the rate of acceptance of recommendations addressed to the governing body. However, the rate of implementation of recommendations addressed to the executive head was lower than the rate of implementation of recommendations addressed to the governing body, as shown in table 3 below. The Inspector encourages ILO management to analyse the reasons of this difference in the rate of implementation of recommendations addressed to the executive head and take action, as appropriate. Nonetheless, the Inspector appreciates the high rate of acceptance and implementation of recommendations addressed to the ILO governing body, taking into account the complexities of its tripartite composition, quite unique within the United Nations system.

<table>
<thead>
<tr>
<th></th>
<th>ILO executive head</th>
<th>ILO governing body</th>
</tr>
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<tbody>
<tr>
<td>Rate of acceptance</td>
<td>68.6%</td>
<td>67.4</td>
</tr>
<tr>
<td>Rate of implementation</td>
<td>79.6%</td>
<td>89.1%</td>
</tr>
</tbody>
</table>

*As of August 2015.

D. “Not relevant” recommendations

14. ILO has a relatively high percentage of recommendations reported as “not relevant” (15.4 per cent), above the average of all organizations for the period 2006-2012 (12 per cent) (see annex III). The years 2008 and 2009 were particularly critical with one third of recommendations considered “not relevant” to ILO (see annex II).

15. ILO’s response to the JIU questionnaire indicated that a recommendation may be “not relevant” for various reasons, i.e. the ILO’s rules and practices in use or being not cost-effective without further analysis of the benefits and efficiency gains envisioned.

16. It is noted however that better formulation of recommendations and communication between ILO and JIU has led in recent years to a reduction in the percentage of non-relevant recommendations. The Inspector invites ILO management to continue indicating the relevance of recommendations at the time the draft report is received for comments, requesting that the recommendations be reflected as for information only in the annex table entitled “Overview of actions to be taken by participating organizations on the recommendations of the Joint Inspection Unit”. The Unit, in its turn, is committed to continue its dialogue with ILO on this issue.

E. Long-outstanding recommendations for five years or more

17. A review of 156 recommendations in 23 JIU reports and notes addressed for action to ILO during the period 2006-2009 showed that, as of February 2016, there were 29 outstanding recommendations for five years or more (18.6 percent), for which action should have already been taken by ILO to either accept and implement or to reject them (see annex IV).

18. The majority of these recommendations (70 per cent) are pending implementation Action by ILO is required to clear these long-outstanding recommendations, as applicable. Five years or more
after being sent for action no recommendation should appear as acceptance “under consideration”, or implementation “in progress”. They should be either accepted or rejected and their implementation of those accepted for the most completed. Action should be taken to clear these long-outstanding recommendations.

**Recommendation 1**

The Director General of ILO should ensure that action is taken to clear the long-outstanding recommendations, as accounted in the WBTS, and report to JIU by October 2016.

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**III. CONSIDERATION OF REPORTS BY ILO LEGISLATIVE BODY**

19. The review of 23 reports issued by the Unit during the period 2010-2012, containing at least one recommendation addressed to ILO legislative body, shows that the process in place at ILO for handling JIU reports and recommendations is generally in agreement with the provisions of the JIU statute and the follow-up scheme described in GB.277/PFA/7/2 and endorsed by the ILO Governing Body, except for the timely consideration of reports, as discussed below.

**A. Dissemination of JIU reports**

20. Article 11.4(c) of the JIU statute provides that upon receipt of reports, the executive head(s) concerned shall take immediate action to distribute them to the member States of their organizations.

21. The annual report to the ILO Governing Body entitled “Matters relating to the Joint Inspection (JIU): Reports of the JIU” currently includes in a footnote a link to the Unit’s website. The Inspectors invites ILO to provide hyperlinks to the relevant reports to facilitate access to them, as done in GB.316/PFA/REF(Rev.). Indeed, this is a more cost-effective arrangement.

22. Paragraph 7 of the ILO follow-up scheme indicates that “with a view to implementing this JIU proposal and without having to incur unreasonable expense, the ILO could contribute to the dissemination of JIU reports by providing a link to the JIU home page on its own Internet website”. Since March 2012, the JIU website is shown under “useful links” on the ILO Governing Body website, as a practical way to disseminate JIU reports among the Governing Body members and ILO staff. This is a good practice.

23. The response of ILO to the JIU questionnaire indicates that internally JIU reports are also disseminated to all departments that might be concerned by the report and its recommendations. The Director General’s Office and the Department of Strategic Programming and Management receive hard copies of JIU reports.

**B. Submission of CEB and executive head’s comments**

24. In the case of system-wide reports, article 11.4 (e) of the JIU statute calls for the preparation of joint comments of executive heads within the framework of the CEB for submission to the competent organs of the organizations together with any comments of the respective executive head on matters that concern his/her organization.

25. The above-mentioned report to the ILO Governing Body provides comments on the JIU annual report and programme of work and the relevant General Assembly resolution, as well as on the reports and recommendations issued by the Unit during the preceding period. The latter comments include a
summary of the CEB comments and general comments by the Office on the reports and recommendations. Detailed information on ILO’s follow-up status for each JIU recommendation is presented in a separate reference document, available on the Governing Body website, following a practice established in 2012. This is one of the best practices identified in the course of the JIU review.

26. The follow-up status report includes the text of the recommendations, whether addressed to the executive head or the legislative body, the status of acceptance and implementation, the intended and achieved impact and remarks. Indicating the official responsible for implementation of the recommendations is another good practice in terms of accountability. The Inspector invites ILO management to complement such a comprehensive report with this information.

C. Consideration of JIU reports

27. There is a standing annual agenda item of the ILO Governing Body dedicated to consider JIU reports and recommendations. All reports sent for action to ILO during the period 2010-2012 were considered. It appears however that the majority of the reports (21 out of 23) were considered more than one year after their issuance, which negatively affects their impact.

28. In its comments to the draft management letter, ILO explained that according to the procedures set up in GB.294/PV, paragraph. 210, and in view of the internal deadline to finalize the document for the October-November session of the Governing Body, only those JIU reports for which the CEB comments are available by June-July every year can be considered during the year. Taking into account these explanations, 15 of the 21 reports considered more than one year after being sent for action were actually delayed since the CEB comments were not available yet. For other six reports considered after one year of being sent for action, the late issuance of CEB comments beyond the established six-month period delayed the process (see annex V). In this regard, article 11 (e) of the JIU statute provides that when the CEB comments would not be ready for submission to the competent organ at the next meeting following the six-month period, an interim submission shall be made explaining the reasons...”. The Inspector takes note of ILO comments and requests ILO management to make efforts whenever possible to consider JIU reports at the forthcoming Governing Body session, as called by article 11.4(e) of the JIU statute, to enhance their impact.

29. The Inspector noted that the information input in the WBTS on the consideration of reports was at times incorrect (date of executive head’s comments) and recommended that action be taken to correct the relevant data in the WBTS. In its response to the draft management letter, ILO indicated that action have been taken accordingly.

D. Decisions taken by the legislative body on JIU recommendations

30. The report to the Governing Body contains a draft decision inviting the Governing Body to provide guidance on the information contained in this document and on any of the recommendations addressed to the ILO in the relevant reports. Subsequently, the Governing Body took note of the report and invited the Office to take into consideration the views expressed during the discussion.

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6 For instance, for JIU/REP/2012/4 the date of executive head comments (GB.322/PFA/5) in the WBTS is 30/6/2014, whereas the actual document date is 3/9/2014; for JIU/REP/2010/3 the date of the executive head comments (GB.312/PFA/11) in the WBTS is 3/11/2011, instead of the date of the document 29/8/2011).
7 For instance, GB.322/PFA/5.
8 For instance, GB.322/PFA/PV/Draft.
31. This “note taking” of the report by the Governing Body constitutes the basis for recording the status of acceptance and implementation in the WBTS. For the Inspector, this is a valid alternative solution since it triggers subsequent action by the ILO secretariat.

E. Follow-up and reporting on the implementation of JIU recommendations

32. In line with article 12 of the JIU statute, the executive heads shall ensure expeditious implementation of approved/accepted recommendations. It is noted that no reporting is done to the Governing Body on the status of accepted recommendations reported in progress of implementation in previous reports to the Governing Body, which is considered a good practice of the follow-up scheme. The Inspector invites ILO management to include this information in the follow-up status report.

33. We would appreciate receiving a response to this management letter and recommendations by 31 August 2016.
### Annex I

Rates of acceptance and implementation by organization (2006-2012), as of February 2015

<table>
<thead>
<tr>
<th>Organization</th>
<th>Accepted (%)</th>
<th>Implemented (%)</th>
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<tbody>
<tr>
<td>FAO</td>
<td>93.7</td>
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</tr>
<tr>
<td>UNRWA</td>
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<td>WHO</td>
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<td>UNICEF</td>
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*All organizations* provides a cumulative total across multiple organizations, with acceptance and implementation rates noted in 2015.
Annex II

ILO trend of acceptance and implementation of JIU recommendations (2006-2012),
as of February 2015

Acceptance

<table>
<thead>
<tr>
<th>%</th>
<th>2006</th>
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<th>2010</th>
<th>2011</th>
<th>2012</th>
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<tr>
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<td>66.7</td>
<td>76.9</td>
<td>59.6</td>
<td>63.6</td>
<td>67.2</td>
<td>85.2</td>
<td>53.5</td>
</tr>
<tr>
<td>Not accepted</td>
<td>4.8</td>
<td>15.4</td>
<td>1.9</td>
<td>2.3</td>
<td>6.3</td>
<td>3.3</td>
<td>20.9</td>
</tr>
<tr>
<td>Not relevant</td>
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<td>36.5</td>
<td>31.8</td>
<td>10.9</td>
<td>1.6</td>
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<tr>
<td>Under consideration</td>
<td>28.6</td>
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<td>9.8</td>
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Implementation

<table>
<thead>
<tr>
<th>%</th>
<th>2006</th>
<th>2007</th>
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<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
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<tr>
<td>Implemented</td>
<td>92.9</td>
<td>80.0</td>
<td>87.1</td>
<td>67.9</td>
<td>63.7</td>
<td>78.8</td>
<td>78.3</td>
</tr>
<tr>
<td>In progress</td>
<td>7.1</td>
<td>20.0</td>
<td>12.9</td>
<td>32.1</td>
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Annex III
“Not-relevant” recommendations (2006-2012)

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<td>UN-Habitat</td>
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Annex IV

ILO long-outstanding recommendations for five years or more (2006-2009),
as of February 2016

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<td>16</td>
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Total outstanding recommendations 29
# Annex V

Consideration of JIU reports and recommendations by ILO governing body (2010-2012), as of February 2015

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<tr>
<th>Report</th>
<th>System-wide, several or single organization (a)</th>
<th>Date report sent for action (b)</th>
<th>Date of CEB comments and document reference (c)</th>
<th>Time b/report sent for action and date of CEB comments (in months) (d)=(c) – (b)</th>
<th>Date executive head’s comments issued and reference number (e)</th>
<th>Time report sent for action and executive head’s comments issued (in months) (f)=(e) –(b)</th>
<th>Date report taken up by legislative body and reference number (g)</th>
<th>Time b/report sent for action and taken up by legislative body (in months) (h) = (g) –(b)</th>
<th>Action taken by legislative bodies (accept, reject, note taken, no action) (j)</th>
<th>Remarks (on time for consideration, comments by CEB and by secretariat and action taken by LBs) (k)</th>
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<td>-</td>
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<td>16 months</td>
<td>13/11/2014 GB.322/PFA/PV/Draft</td>
<td>18.5 months</td>
<td>“The Governing Body took note of the report and invited the Office to take into consideration the views expressed during its discussion”.(GB.322/PFA/PV/Draft, para. 84, 13/11/2014)</td>
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<td>6.5 months</td>
<td>03/09/2014 GB.322/PFA/5</td>
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<td>Date executive head’s comments issued and reference number (e)</td>
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<td>Date of CEB comments and document reference (c)</td>
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<td>Date executive head’s comments issued and reference number (e)</td>
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<td>Action taken by legislative bodies (accept, reject, note taken, no action) (j)</td>
<td>Remarks (on time for consideration, comments by CEB and by secretariat and action taken by LBs) (k)</td>
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<td>The Governing Body took note of the paper and invited the Office to take into account the observations and guidance provided during the discussion. (GB.316/PFA/PV/Draft. Para. 47, 16/11/2012)</td>
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JIU/REP/2011/6: Report considered > 1 year after issuance. CEB comments not available by the time report to GB prepared by early July.

JIU/REP/2011/5: The Governing Body took note of the paper and invited the Office to take into account the observations and guidance provided during the discussion. (GB.316/PFA/PV/Draft. Para. 47, 16/11/2012)


JIU/REP/2011/3: “The Governing Body took note of the paper and invited the Office to take into account the observations and Report considered > 1 year after issuance. Report just issued and CEB comments not available by the time report to GB prepared by early July.
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<th>System-wide, several or single organization (a)</th>
<th>Date report sent for action (b)</th>
<th>Date of CEB comments and document reference (c)</th>
<th>Time b/report sent for action and date of CEB comments (in months) (d)=(c) – (b)</th>
<th>Date executive head’s comments issued and reference number (e)</th>
<th>Time b/report sent for action and executive head’s comments issued (in months) (f)= (e) –(b)</th>
<th>Date report taken up by legislative body and reference number (g)</th>
<th>Time b/report sent for action and taken up by legislative body (in months) (h) = (g) –(b)</th>
<th>Action taken by legislative bodies (accept, reject, note taken, no action) (j)</th>
<th>Remarks (on time for consideration, comments by CEB and by secretariat and action taken by LBs) (k)</th>
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<td>Report</td>
<td>System-wide, several or single organization (a)</td>
<td>Date report sent for action (b)</td>
<td>Date of CEB comments and document reference (c)</td>
<td>Time b/report sent for action and date of CEB comments (in months) (d)=(e) − (b)</td>
<td>Date executive head’s comments issued and reference number (e)</td>
<td>Time b/report sent for action and executive head’s comments issued (in months) (f)=(e) −(b)</td>
<td>Date report taken up by legislative body and reference number (g)</td>
<td>Time b/report sent for action and taken up by legislative body (in months) (h)=(g) −(b)</td>
<td>Action taken by legislative bodies (accept, reject, note taken, no action) (j)</td>
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<td>23.5 months</td>
<td>Same as above</td>
<td>Report considered &gt; 1 year after issuance. CEB comments late (&gt; 6 months) by the time report to GB prepared.</td>
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<td>JIU/REP/2010/2</td>
<td>SWR</td>
<td>19/05/2010</td>
<td>01/09/2010 A/65/338/Add.1</td>
<td>3.5 months</td>
<td>29/08/2011 GB.312/PFA/11</td>
<td>15.5 months</td>
<td>18/11/2011 GB.312/PV</td>
<td>18 months</td>
<td>Same as above</td>
<td>Report considered &gt; 1 year after issuance. Report just issued and CEB comments not available by the time report to GB prepared by early July.</td>
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<td>29/08/2011 GB.312/PFA/11</td>
<td>17.5 months</td>
<td>18/11/2011 GB.312/PV</td>
<td>20 months</td>
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