

**REVIEW OF THE ACCEPTANCE AND IMPLEMENTATION
OF JIU RECOMMENDATIONS BY THE INTERNATIONAL
TELECOMMUNICATION UNION (ITU)**

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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 handling of JIU reports and recommendations by its participating organizations (so called follow-up agreement). 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 the respective governing bodies between 2000 and 2005. No such agreement has been entered into force with the International Telecommunication Union (ITU). A draft was agreed and scheduled for the consideration of the ITU Council in May 2003 but its consideration was postponed.³ However, resolution 57 of the ITU Plenipotentiary Conference (Kyoto, 1994) instructs the Secretary-General “to continue to cooperate with the JIU and to submit to the Council reports of the JIU having a bearing on the Union, together with comments he considers appropriate” and the Council “to consider the JIU reports submitted by the Secretary-General, and take action thereof as it deems fit”. Moreover, ITU is bounded by the provisions of the JIU statute to which it adhered to, including those concerning the handling of JIU reports and recommendations.

3. In 1998, the Unit started tracking actions taken by legislative bodies on its recommendations. That tracking system evolved over the years to a web-based tracking system (WBTS), which was introduced in 2012. The WBTS allows online recording by the JIU focal points at each participating organization on the consideration of reports and the acceptance and implementation of their recommendations by their respective secretariats and legislative bodies. The General Assembly in its resolution 69/275 requested that the heads of participating organizations make full use of the web-based system and provide an in-depth analysis of how the recommendations of the Unit are being implemented.⁴

4. The Unit is committed to further enhance 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 given the time it takes for reports to be considered by legislative bodies and for recommendations to be implemented by management. All recommendations issued prior to 2006 have been closed and their acceptance and implementation are no longer tracked.

5. The review will be 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 by the WBTS, to clear recommendations outstanding for five years or more; and
- The process of consideration of JIU reports by legislative bodies of organizations to identify shortcomings and delays.

6. A questionnaire on the process of handling JIU reports, notes and management letters has been sent to the JIU focal points at each organization. The results of the first phase of the review are being

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 “Handling of Joint Inspection Unit reports by ITU”, C03/36-E, 8 April 2003

⁴ OP.15.

presented in a series of management letters addressed to executive heads of participating organizations.

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, addressed for action to the Secretary-General of ITU, is the result of the analysis carried out during the first phase of the project and therefore includes:

- A comparison of the acceptance and implementation rates for the period 2006-2012 to position ITU within the spectrum of JIU participating organizations;
- A trend analysis of the acceptance and implementation rates at ITU 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 the handling of JIU reports issued from 2010 to 2012 by the ITU legislative bodies.

9. Comments on the draft management letter were sought from ITU 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. Below-average rate of implementation

10. In February 2015 when the present review was initiated, ITU ranked 20th in the acceptance and 28th in the implementation of JIU recommendations among all participating organizations and entities considered in the review for the period 2006-2012. As shown in table 1 below, ITU's acceptance and implementation rates were far below the average rates of all organizations. ITU's implementation rate was the second lowest rate of all organizations.

Table 1. Rates of acceptance and implementation (2006-2012), as of February 2015

	ITU	All organizations
Number of recommendations	306	7692*
Number of accepted recommendations	145	5000*
Number of implemented recommendations	67	4020*
Rate of acceptance	47.4%	65.0%
Rate of implementation	46.2%	80.4%

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

11. At the outcome of the JIU decision to include in its programme of work for 2015 the current review of acceptance and implementation of JIU recommendations, ITU took action to update the status of acceptance and implementation of JIU recommendations addressed to the Organization.⁵ As a result, the rates of acceptance and implementation have significantly increased as of March 2016, as shown in table 2 below.

Table 2. Rates of acceptance and implementation (2006-2012) as of March 2016

	ITU	All organizations
Rate of acceptance	83.3%	69.2%
Rate of implementation	65.1%	85.4%

12. ITU ranks now the 8th in the acceptance and 24th in the implementation of JIU recommendations issued during the period 2006-2012. Despite the significant improvement in the rate of acceptance, the rate of implementation is still far below the average and the fifth lowest of all participating organizations. **The Inspector encourages ITU management to pursue its efforts to improve the implementation of JIU recommendations.**

B. Decreasing rate of implementation

13. It can be further noted that, as a result of the recent action taken by ITU management to update the status of recommendations, the decreasing trend in the rate of acceptance has been reverted, as shown in table 3 below. The rate of implementation – even though it is much higher compared to February 2015 - continues to fluctuate. **The Inspector requests ITU management to analyse the reasons of this varying trend and report to the JIU by December 2016.**

⁵ CWG-PHR5/14 of 25 September 2015.

Table 3. Trend of acceptance and implementation (2006-2012)

	2006	2007	2008	2009	2010	2011	2012
Number of recommendations	23	23	33	65	57	62	43
Rate of acceptance as of February 2015	69.6 %	52.2%	45.5%	36.9%	64.9%	35.5%	44.2%
Rate of acceptance as of March 2016	78.3%	100%	75.8%	76.9%	91.2%	77.4%	90.7%
Rate of implementation as of February 2015	100%	41.7%	33.3%	16.7%	59.5%	68.2%	0.0%
Rate of implementation as of March 2016	100%	65.2%	36.0%	72.0%	61.6%	62.5%	66.7%

C. Lower rate of acceptance and implementation of recommendations addressed to the executive head

14. Unlike most participating organizations, the ITU's rates of acceptance and implementation of recommendations addressed for action to the executive head during the period 2006-2012 were lower than the rates of acceptance and implementation of recommendations addressed for action to the legislative body despite the fact that, according to our records, ITU legislative bodies have not considered and taken action on any JIU report and recommendations during this period, except JIU/REP/2009/3, which was submitted to the Council but not acted upon. Also, 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 members States. **The Inspector requests ITU management to analyse the reasons for this difference and report to JIU by December 2016.**

Table 4. Lower rates of acceptance and implementation of recommendations addressed to the executive head (2006-2012)*

	ITU executive head	ITU legislative body
Rate of acceptance	83%	85%
Rate of implementation	64%	69%

*As of March 2016.

D. High number of long-outstanding recommendations for five years or more

15. The review of the 144 recommendations contained in 20 reports and notes issued during the period 2006-2009 addressed to ITU for action showed that, at the beginning of January 2015, there were 93 recommendations, for which action should have already been taken to accept and implement or to reject them. With 65 per cent of the recommendations still open, ITU was among the three organizations with the highest number of long-outstanding recommendations.

16. After the update in the status of recommendations undertaken by the Organization, the number of outstanding recommendation decreased to 38 in March 2016. These recommendations are in progress of implementation (24); or their implementation have not started yet (14). **The Inspector commends ITU management for the efforts to clear long-outstanding recommendations and encourage action to implement and clear the remaining 38 recommendations** (see annex I).

Recommendation 1

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

III. CONSIDERATION OF REPORTS BY ITU LEGISLATIVE BODIES

17. This chapter presents an analysis of the process of consideration of JIU reports by ITU during the period 2010-2012. We reviewed the handling of 22 reports issued by the Unit during this period, which contained at least one recommendation addressed to the Council.

18. The review found that the procedures for handling and considering JIU reports were not in compliance with the relevant provisions of the JIU statute (articles 11.4 and 12), to which ITU has adhered to, and with the request formulated in resolution 57 of ITU Plenipotentiary Conference (Kyoto, 1994) to submit to the Council, consider and take action on JIU reports having a bearing on the Union. In this regard, the Inspectors noted in its recent Review of Management and Administration of ITU that member States' instructions have not been translated into routine practice and only recently ITU management has begun to formalize relevant procedures.⁶

19. The response to the JIU questionnaire indicates that since February 2015, an intersectoral coordination task force, chaired by the Deputy Secretary-General, is in charge of completing/validating the acceptance and/or implementation status proposed by the subfocal and focal points. The status is then reviewed by the Management Coordination Group⁷ prior to being recorded/reported to JIU. The response also indicates that the new internal follow-up system should include the preparation of reports on the acceptance and implementation of JIU recommendations for the legislative body.

20. In fact, the modified terms of reference of the Working Group on Financial and Human Resources approved by the Council in May 2014 calls for ensuring that "relevant recommendations of the United Nations Joint Inspection Unit affecting financial and human resources management of the Union are taken into account".⁸ The Inspector considers that in the light of this decision, procedures for handling of JIU reports should be formalized and submitted to the consideration of the Council. The 2003 draft could serve as a basis to formulate a formal proposal to this body, in consultation with the Unit.⁹

Recommendation 2

The Secretary-General of ITU should present to the 2017 session of the ITU Council a proposal to formalize the handling of JIU reports, notes and management letters addressed for action to the organization; the proposal should include procedures for proper dissemination, preparation of executive head's comments, consideration by legislative bodies, decision-making and reporting on the implementation of recommendations contained therein, as called for by articles 11.4 and 12 of the JIU statute, and resolution 57 of ITU Plenipotentiary Conference (Kyoto 1994) .

A. Dissemination of JIU reports

21. 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.

22. The ITU response to the JIU questionnaire makes reference to resolution 57 of the Plenipotentiary Conference (Kyoto, 1994) that instructs the Secretary-General to submit to the Council reports of the JIU having a bearing on the Union and indicates that comments were

⁶ JIU/REP/2016/1, para. 185.

⁷ Composed of the Elected Officials, the D2s and the Chiefs of the Human Resources and the Finance Departments at D1 level.

⁸ CE/14/101-E of 15 May 2014, Decision 563.

⁹ Annex to C03/36-E.

transmitted to the Council on reports exclusively related to ITU, namely the two single-organization reports issued in 2001 and 2009.¹⁰

23. The ITU Secretary-General reports every year to the Council on the collaboration of ITU with the United Nations system. The report usually contains a brief chapter referring to the collaboration with JIU in general terms. However, the 2015 report also makes reference to the topics of JIU reports and notes issued during the previous year, providing a link to the JIU website where reports are posted.¹¹ Subsequently, a September 2015 “**Report on the update of acceptance and implementation status of JIU recommendations 2006-2014/Considering new JIU recommendations addressed to ITU legislative bodies**” prepared for the Council Working Group on Financial and Human Resources¹² provided hyperlinks to 39 selected JIU reports issued from 2006 to 2014 considered relevant to the Organization.

24. The Inspector is pleased to see the above-mentioned positive steps towards a more formal and regular dissemination of JIU reports and recommendations to the ITU Council in line with the provisions of the resolution 57 of the Plenipotentiary Council and the JIU statute. **The Inspector invites ITU management to formalize procedures for the proper dissemination of JIU reports to member States, bearing in mind that for the reports and recommendations to have an impact, timely dissemination is required to the next session of the Council, at the latest. In this regard,** the use of hyperlinks to facilitate access by member States to JIU reports is considered a cost-effective practice.

25. Within the Organization, JIU reports are transmitted to the assigned subfocal points for the review in question in the structural units closer to the subject of the report, as indicated in the response provided to the JIU questionnaire.

B. Consideration of JIU reports by legislative bodies

26. None of the 22 reports sent for action to the ITU during the period 2010-2012 were tabled for consideration at the forthcoming meeting of the competent organ concerned, as called for by article 11.4 (e) of the JIU statute and resolution 57 of the ITU Plenipotentiary Conference. However, when in September 2015 reporting to the Council Working Group on Financial and Human Resources was initiated on the status of recommendations contained in JIU reports issued in recent years, all the 22 reports addressed for action to ITU during the period 2006-2012 were included in the relevant report to the Council Working Group.¹³

27. The report updates the percentage of acceptance and implementations of JIU recommendations considered relevant to ITU in 39 selected JIU reports issued from 2006 to 2014 listed in an annex and presents a table with the “latest” JIU recommendations addressed to the legislative bodies contained in three JIU reports issued in 2014 and their proposed status of acceptance and implementation.¹⁴

28. In the view of the Inspector, these JIU reports could only be considered as taken up by the competent organ of the Organization, provided that the Council takes action on the report and its comments on the status of JIU recommendations. **The Inspector invites ITU management to continue reporting on the status of JIU recommendations and to include in the report not only the recommendations addressed for action to the legislative body but all the recommendations**

¹⁰ JIU/REP/2001/3 “Review of management and administration in ITU” and JIU/REP/2009/3 “Effectiveness of ITU regional presence”.

¹¹ C15/INF/4-E, paras. 18-20.

¹² CWG-FHR 5/14.

¹³ CWG-FHR 5/14.

¹⁴ JIU/REP/2014/6, JIU/REP/2014/8 and JIU/REP/2014/9.

in JIU reports addressed for action to the Organization. Reporting to legislative bodies on recommendations addressed for action to the executive head and the official responsible for their implementation is considered a good practice in terms of transparency and accountability.

C. Submission of CEB and executive head's comments

29. 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.

30. The ITU Plenipotentiary Conference requests the Secretary-General to submit to the Council reports of the JIU having a bearing on the Union, together with comments he/she considers appropriate. Yet, executive head's comments had not been prepared, except for the two mentioned single-organization reports issued in 2001 and 2009. As reports were not considered, the CEB comments were not transmitted to the Council either, as per the provisions of the JIU statute.

31. With the reporting initiated in 2015, the annex to the report to the Council Working Group on Financial and Human Resources lists the latest JIU recommendations addressed to the legislative bodies in three 2014 reports, indicating the proposed status of acceptance and implementation without any comment.

32. In connection with the new reporting procedures, **the Inspector suggests providing in the report to the Council Working Group on Financial and Human Resources any executive head's comments deemed appropriate on the JIU reports and recommendations issued during the preceding year and a hyperlink to the relevant CEB comments, together with the hyperlinks to the reports.**

D. Decisions taken on JIU recommendations

33. Article 11.4 (f) of the JIU statute sets up that executive heads of organizations inform the Unit of all decisions taken by the competent organs of the organizations on reports of the Unit. This is a necessary requirement for JIU reports to have impact, as article 5, paragraph 5, of the JIU statute provides that the Inspectors of the Unit may make recommendations but have no power of decision.

34. The ITU Council had taken no decisions on JIU reports and recommendations, despite the provisions of the above-mentioned resolution 57 of the Plenipotentiary Conference "to take action thereof, as it deems fit". According to our records, no decision was taken on JIU/REP/2009/3 submitted to the Council in October 2009, although it served to provide inputs to the drafting of the resolution of the Plenipotentiary Conference on strengthening the regional presence adopted in 2010.¹⁵

35. More recently, the 2015 report to the Council Working Group on Financial and Human Resources invited to "take note of the update of acceptance and implementation status of JIU recommendations, and also to consider the new JIU recommendations and, if it deems necessary, to provide advice to the Council on it".¹⁶ It appears, however, that no decision was taken on the draft proposal contained in this document. The summary report of the meeting indicates that "no comments were made".¹⁷

¹⁵ Resolution 25 of Plenipotentiary Conference (Guadalajara, 2010).

¹⁶ CWG-FHR 5/14.

¹⁷ CWG-FHR 5/29 (Rev.1), para. 8.2.

36. **The Inspector would appreciate receiving clarification as to whether the reference to “no comments made” could be understood as “concurrence” or “agreement” with the report and the update provided on the status of acceptance and implementation of JIU recommendations. Furthermore, the Inspector expects that the Council Working Group will provide advice to the Council on the action to be taken on JIU recommendations and the Council will take a decision on the proposal of its Working Group in 2017.**

37. It is noted that the date and reference of the document in question with the executive head’s comments on JIU recommendations and the action by the governing body had not been entered in the WBTS, as required. The response to the JIU questionnaire indicated that the new internal follow-up system will include a process for validating/recording in the WBTS the inputs from the legislative body. **The Inspector requests ITU management to ensure that the information on the consideration of JIU reports by ITU legislative bodies is recorded in the WBTS.**

38. We would appreciate receiving a response to the present management letter and recommendations by 30 June 2016.

Annex I

ITU recommendations outstanding for five years or more (2006-2009), as of March 2016

Report number	Recommendation number	Current status
JIU/REP/2007/1	3	Implementation: In progress
JIU/REP/2007/2	1	Implementation: In progress
JIU/REP/2007/4	1	Implementation: In progress
	2	Implementation: In progress
	4	Implementation: In progress
	6	Implementation: Not started
	8	Implementation: Not started
JIU/REP/2007/6	2	Implementation: In progress
JIU/NOTE/2008/4	4	Implementation: Not started
	5	Implementation: Not started
	11	Implementation: Not started
	14	Implementation: Not started
	16	Implementation: Not started
	19	Implementation: Not started
JIU/REP/2008/4	3	Implementation: Not started
	4	Implementation: Not started
	5	Implementation: In progress
	8	Implementation: In progress
	9	Implementation: Not started
	11	Implementation: In progress
JIU/REP/2008/5	1	Implementation: In progress
	3	Implementation: In progress
	6	Implementation: In progress
JIU/REP/2008/6	5	Implementation: In progress
JIU/NOTE/2009/1	1	Implementation: In progress
	3	Implementation: In progress
JIU/NOTE/2009/2	6	Implementation: In progress
	8	Implementation: In progress
	9	Implementation: In progress
JIU/REP/2009/3	4	Implementation: In progress
	8	Implementation: In progress
	9	Implementation: Not started
JIU/REP/2009/5	1	Implementation: In progress
	14	Implementation: In progress
	15	Implementation: In progress
JIU/REP/2009/8	7	Implementation: In progress
	10	Implementation: Not started
JIU/REP/2009/9	1	Implementation: Not started
Total outstanding recommendations		38