

**REVIEW OF THE ACCEPTANCE AND IMPLEMENTATION
OF JIU RECOMMENDATIONS BY THE UNITED NATIONS
OFFICE ON DRUGS AND CRIME (UNODC)**

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CONTENTS

<i>Chapter</i>	<i>Paragraphs</i>	<i>Page</i>
I. INTRODUCTION.....	1-9	3
II. ACCEPTANCE AND IMPLEMENTATION OF RECOMMENDATIONS.....	10-15	5
A. Below-average rates of acceptance and implementation of recommendations.....	10	5
B. Decreasing trend of acceptance	11	5
C. Lower rate of implementation of recommendations addressed to the executive head.....	12	6
D. High rate of “not relevant” recommendations	13	6
E. Long-outstanding recommendations for five years or more	14-15	6
III. CONSIDERATION OF REPORTS BY UNODC LEGISLATIVE BODIES.....	16-20	7
ANNEXES		
I. “Not relevant” recommendations (2006-2012), as of February 2015		8

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. 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 negotiations on specific follow-up agreements with the secretariats of its participating organizations, which were ratified by their respective governing bodies between 2000 and 2005. As the United Nations Office for Drugs and Crime (UNODC) is part of the United Nations Secretariat, it is bounded de jure by resolution 54/16 of the General Assembly, which endorsed the follow-up system.

3. In 1998, the Unit started tracking actions taken by legislative bodies on its recommendations. That tracking system evolved over the years into and a web-based tracking system (WBTS), which was introduced in 2002. 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.³

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 and implementation were 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.

7. 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. 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 Executive Director of UNODC includes:

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 OP.15.

- A comparison of the acceptance and implementation rates for the period 2006-2012 in order to position UNODC within the spectrum of JIU participating organizations;
- A trend analysis of the acceptance and implementation rates at UNODC 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 by UNODC.

9. Comments on the draft management letter were sought from UNODC management and taken into account when finalizing the letter. In accordance with article 11, paragraph 2 of the JIU statute, the present management letter was finalized after consultations 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 rates of acceptance and implementation of recommendations

10. As shown in the table below, at the time this review was initiated in February 2015, UNODC ranked 25th in the acceptance and 23rd in the implementation of JIU recommendations among all participating organizations and entities considered in our review for the period 2006-2012. UNODC's acceptance and implementation rates were far below the average of all organizations. By the time this management letter was being finalized in June 2016, the rates of acceptance and implementation have increased to 26.4 per cent and 79.1 percent, although they are still far below the average of all organizations, ranking 26th in acceptance and 22nd in implementation. **The Inspectors invites UNODC management to analyse the reasons for the low rates of acceptance and implementation and report to the JIU by 10 July 2016.**

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

	UNODC	All organizations
Number of recommendations	254	7692**
Number of accepted recommendations	57	5000**
Number of implemented recommendations	33	4020**
Rate of acceptance	22.4 %	65%
Rate of implementation	57.9 %	80.4%

*As of February 2015.

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

B. Decreasing trend of acceptance

11. It can be further noted that the rate of acceptance has sharply decreased over the period 2006-2012, while the rate of implementation (of recommendations accepted) increased, as shown in the table below. **The Inspector requests UNODC management to explain the reasons for this decreasing acceptance trend and report to the JIU by 10 July 2016.**

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

	2006	2007	2008	2009	2010	2011	2012
Number of recommendations	25	25	35	36	43	58	32
Rate of acceptance	36%	60%	37.1%	25%	30.2%	10.3%	6.3%
Rate of implementation	66.7%	100%	100%	100%	15.4%	100%	100%

*As of August 2015.

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

12. Likewise in the most of participating organizations, UNODC’s rate of acceptance of recommendations addressed for action to the executive head during the period 2006-2012 was higher than the rate of acceptance of recommendations addressed for action to the legislative body. However, the rate of implementation of recommendations addressed to executive head was lower than the rate of recommendations addressed to the legislative bodies. 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. **The Inspector requests UNODC management to analyse the reasons for this difference in the rate of implementation of recommendations addressed to the executive head and report to JIU by 10 July 2016.**

Table 3
Rates of acceptance and implementation by addressee (2006-2012)*

	UNODC executive head	UNODC legislative body
Rate of acceptance	30.2%	15.4%
Rate of implementation	75.4%	100%

*As of August 2015.

D. High rate of “not relevant” recommendations

13. UNODC has a very high percentage of recommendations reported as “not relevant” (39.4 per cent), which substantially exceeds the average of all organizations (12 per cent) during the period 2006-2012 (see annex I). **The Inspector invites UNODC management to clearly indicate the non-relevance of recommendations at the time the draft report is received for comments, requesting that these recommendations are reflected as “for information only” in the annex table “Overview of actions to be taken by participating organizations on the recommendations of the Joint Inspection Unit”.**

E. Long-outstanding recommendations for five years or more

14. A review of 121 recommendations in 20 JIU reports and notes addressed for action to UNODC during the period 2006-2009 showed that, at the beginning of January 2016, there were 16 outstanding recommendations for five years or more, for which action should had already been taken by UNODC to either accept and implement or to reject them.

15. Meanwhile, UNODC has taken action to clear most of these recommendations and, in April 2016, there were only 3 outstanding recommendations, as shown in the table below. Five years or more after being sent for action, recommendations should not appear as implementation “in progress”. **Action by UNODC is required to clear the remaining long-outstanding recommendations, as applicable.**

Table 3
Long outstanding recommendations (2006-2009)*

Report number	Recommendation number	Current status
JIU/NOTE/2006/1	2	Implementation: In progress
	7	Implementation: In progress
	8	Implementation: In progress
Total outstanding recommendations		3

* As of April 2016.

III. CONSIDERATION OF REPORTS BY UNODC LEGISLATIVE BODIES

16. In its response to the JIU questionnaire, UNODC indicated that JIU reports are circulated internally by the Official Registry based on instructions received from the Office of the Director-General of UNOV and Executive Director of UNODC, which notes down the offices to whom the reports should be forwarded. The Division for Management always gets copies of JIU report and notes. The focal point/subfocal point then shares the reports with the designated focal points for the JIU reviews concerned.

17. It was also explained that the UNODC governing bodies do not deal directly with oversight issues, thus reports are not shared with them. UNODC makes no distinction between recommendations addressed to the Executive Director and to the governing bodies; which are processed in the same manner. Since UNOV/UNODC are integral parts of the United Nations Secretariat for most of JIU reviews, the responses/comments of the Secretariat cover UNOV/UNODC; it is considered that further action by UNOV/UNODC is not required.

18. In fact, among the 20 JIU reports issued during the period 2010 to 2012 containing at least one recommendation addressed to UNODC legislative bodies, only one report, the “Review of Management and Administration of UNODC (JIU/REP/2010/10) has been considered by the Commission on Narcotic Drugs (CND) and the Commission on Crime Prevention and Criminal Justice (CCPCJ).⁴

19. In paragraph 116 of the above-mentioned JIU report the Inspectors welcomed the fact that the intergovernmental working group on improving the governance and financial situation of the organization requested that “relevant JIU reports and the summary of relevant OIOS reports should also be submitted to the Commission”.⁵ The Inspectors considered that it could contribute to enhancing the oversight, keeping in mind that consideration of JIU reports and resulting actions by General Assembly are in principle applicable to UNODC. Apparently, no action follows suit. In light of the preceding, **the Inspector reiterates the recommendation and invites UNODC management to reconsider the issue.**

Recommendation 1

The Executive Director of UNODC should reconsider the consideration of relevant JIU reports at the joint meetings of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice.

20. We would appreciate receiving a response to this management letter and its recommendation by 10 July 2016.

⁴ E/CN.7/2011/4, E/CN.15/2011/2, CND resolution 54/10 and CCPCJ resolution 30/1.

⁵ See E/CN.15/2009/21, para. 21.

Annex I
“Not relevant” recommendations (2006-2012),
as of February 2015

	<i>(percentage)</i>
	<i>Not relevant</i>
UNCTAD	65.2
OHCHR	53.9
UNODC	39.4
WMO	26.4
UN-Habitat	20.8
ILO	15.4
WIPO	15.0
UNEP	14.2
IMO	12.7
All organizations	12.0
UNOPS	11.7
ICAO	11.0
UNFPA	10.6
ITU	10.1
UPU	9.3
UNESCO	8.8
IAEA	8.3
UNHCR	8.0
UNIDO	7.4
UNDP	7.1
UNAIDS	6.7
UN	6.1
WFP	5.4
UNICEF	5.0
UNRWA	5.0
WHO	4.6
FAO	1.9
CEB	0.0
ITC	0.0
UN-WOMEN	0.0
UNWTO	0