

# HANDLING OF JIU REPORTS BY ITU

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### Table of Contents

	Page
I. Introduction .....	1
II. Matters of concern relating to the handling of JIU reports:	
1. Organization practices for distribution of JIU reports ..... Recommendation 1	2
2. Criteria for selecting JIU reports to be taken up by legislative organs ..... Recommendation 2	3
3. Agenda items under which JIU reports are considered ..... Recommendation 3	4
4. Secretariat papers/comments (on JIU reports) submitted to legislative organs, and decisions by legislative organs on JIU reports/recommendations ..... Recommendation 4	5
5. Follow-up actions by secretariats on the implementation of JIU recommendations ..... Recommendation 5	6

## HANDLING OF JIU REPORTS BY ITU

### I. INTRODUCTION

United Nations General Assembly resolution 50/233 of 7 June 1996 has established the principle that *“the impact of the Unit (JIU) on the cost-effectiveness of activities within the United Nations system is a shared responsibility of the Member States, the Unit and the secretariats of the participating organizations.”*

In this context, the Joint Inspection Unit, for its part, has been making efforts to fulfill its own responsibility which is certainly one of the necessary conditions for enhancing the effectiveness and impact of its activities.

While continuing its own efforts, JIU has reviewed the practices of the participating organizations in their handling of JIU reports.

The organizations covered in the exercise are, in addition to ITU, the United Nations (including 4 of its affiliated bodies: UNDP, UNICEF, UNHCR and WFP) and the 11 other participating organizations (ILO, FAO, UNESCO, ICAO, WHO, UPU, WMO, IMO, WIPO, UNIDO and IAEA), using the JIU reports produced during the last five years (1994 - 1998) as samples.

The matters examined in the exercise are mainly:

1. Distribution practices of JIU reports;
2. Criteria for selecting JIU reports to be taken up by legislative organs;
3. Agenda items under which JIU reports are considered;
4. Secretariat papers/comments (on JIU reports) submitted to legislative organs, and decisions by legislative organs on JIU reports/recommendations (e.g., specific decisions on recommendations or only ‘take note’ of reports and comments thereon, or no decision at all); and
5. Follow-up actions by secretariats on the implementation of JIU recommendations.

On each of these matters, this Note<sup>1</sup> presents the current practice of ITU, followed by JIU comments and recommendations addressed to the Secretary-General of ITU.

The Joint Inspection Unit looks forward to working closely with ITU’s Secretary-General, and his secretariat, on ways to improve the handling of its reports.

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<sup>1</sup> Separate Notes are being prepared for each organization

## II. MATTERS OF CONCERN RELATING TO THE HANDLING OF JIU REPORTS

### 1. Distribution practice of JIU reports

#### 1.1 Current practice of ITU

JIU reports have not been distributed generally to the States members of ITU as a practice.

#### 1.2 JIU Comments and Recommendations

JIU Statute Article 11, paragraph 4(c) stipulates that:

*“Upon receipt of [JIU] reports, the executive head or heads concerned shall take immediate action to distribute them, with or without their comments, to the States members of their respective organizations”.*

The availability of JIU reports to the States members of the respective organizations is considered to be the very first step for enhancing *“the impact of the Unit on the cost-effectiveness of activities within the United Nations system”*.

Towards this end, JIU intends to make its reports available on-line through its planned Website.

#### **RECOMMENDATION 1:**

- (1) *In compliance with JIU Statute Article 11, paragraph 4(c), and on the basis of the Recommendation of 2(2) below, the Secretary-General of ITU is invited to “take immediate action to distribute” JIU reports upon receipt of them. However, if the immediate distribution is considered impractical, then, as an alternative, the reports should be transmitted to the legislative organ(s) in full as part of the documents containing the comments thereon of the Secretary-General as well as those of ACC when statutorily required. This should be done sufficiently in advance of the meetings of the legislative organ(s) to allow appropriate time for review of the reports(see also section 4).***
- (2) *Furthermore, as a supplement to the above (1), the Secretary-General, upon receipt of JIU reports, may wish to inform ITU States members of the titles of the reports received as well as of the available option of accessing the reports on the JIU Website (once established).***

## **2. Criteria for selecting JIU reports to be taken up by legislative organs**

### *2.1 Current practice of ITU*

JIU reports "*having a bearing on the Union (ITU)*" (Resolution 57 of the Plenipotentiary Conference, 1994) are taken up. Actually, however, JIU/REP/94/2 ("*Regional presence of ITU*") is the only report which was taken up by the Council in the recent past.

### *2.2 JIU Comments and Recommendations*

The current practice of ITU, as indicated in 2.1 above, could be reinforced through meaningful interactions and dialogues, as recommended below.

#### **RECOMMENDATION 2:**

- (1) Upon receipt of the first draft of a JIU report for comments, the Secretary-General would indicate whether the report is, in his opinion, of relevance to ITU; and**
- (2) JIU, by taking into account the comments in (1) above, would indicate which reports the Unit believes should be considered by the relevant legislative organ(s) of ITU when JIU submits "the original version [of the report]" to the Secretary-General, in accordance with Article 11, paragraph 4(a) of the Statute.**

### **3. Agenda items under which JIU reports are considered**

#### *3.1 Current practice of ITU*

JIU reports are considered under the agenda item entitled "Relations with the United Nations and other International Organizations".

#### *3.2 JIU Comments and Recommendations*

For the purpose of facilitating an effective consideration of JIU reports by legislative organs, it is important to place the reports under appropriate substantive agenda item(s).

Accordingly, the United Nations General Assembly resolution 50/233, in operative paragraph 4, requested the United Nations Secretary-General, and invited other executive heads, "*to take the necessary measures to ensure that the thematic reports of the Unit are listed under the appropriate substantive agenda items of ... legislative organs*".

#### **RECOMMENDATION 3:**

***On the basis of the intent of operative paragraph 4 of United Nations General Assembly resolution 50/233, the Secretary-General may wish to arrange that:***

- (a) JIU reports are placed under appropriate substantive agenda item(s) in the light of their subject matter; and***
- (b) sufficient time is allocated for consideration of JIU reports, with Inspector(s) introducing reports as an established practice.***

#### **4. Secretariat papers/comments (on JIU reports) submitted to legislative organs, and decisions taken by legislative organs on JIU reports/recommendations**

##### *4.1 Current practice of ITU*

- (a) Current practice is that the ITU Secretariat submits to the Council a list of the titles of all JIU reports, together with comments on the JIU reports of direct relevance to ITU. This practice, however, can be compared with the following phrase contained in resolution 57, referred to in 2.1 above:

*“The Plenipotentiary Conference of the ITU (1994), ... instructs the Secretary-General [of the ITU] ... to submit to the Council reports [not just the titles of the reports] of the JIU having a bearing on the Union, together with comments he considers appropriate”.*

- (b) The Plenipotentiary Conference, in the same resolution 57, further instructed: “... the Council to consider the JIU reports submitted by the Secretary-General, and to take action thereon as it deems fit”. Actual practice appears to be less specific on the matter.

##### *4.2 JIU Comments and Recommendations*

By inviting “the legislative organs of ... participating organizations to take concrete action on the recommendations of the Unit”, the United Nations General Assembly, in its resolution 50/233, intended to improve the impact and effectiveness of the JIU, and to facilitate the follow up on (implementation of) JIU recommendations approved by the respective legislative organs.

In this context, it is important that:

- (a) the statutorily-required comments on JIU reports by the executive heads and/or ACC should be prepared in time for the relevant meetings of legislative organs in order to facilitate an effective and timely consideration of JIU reports before they have become obsolete;
- (b) the practice of submitting just the titles of JIU reports for simply information purposes should be discouraged. Instead, secretariat papers submitted to legislative organs should assist in leading to concrete actions on each of the recommendations contained in JIU reports as indicated in (c) below; and
- (c) legislative organs do not limit action on JIU recommendations to just taking note of them, or to endorsing the comments by the executive heads and/or ACC. Instead, legislative organs are urged to take specific actions along the lines proposed in Recommendation 4<sup>2</sup> below.

#### **RECOMMENDATION 4:**

***The Secretary-General is urged to encourage the relevant legislative organ(s) of ITU to take specific decisions (endorse, modify or reject) on each of the pertinent recommendations contained in the JIU reports, basically along the following lines:***

- (a) ***Approves recommendations ..., and ...;***
- (b) ***Approves recommendations ..., and ...taking into account the comments thereon by the Secretary-General (and/or ACC; and/ or the debate in the session);***
- (c) ***Reserves its position on recommendations ...; and***
- (d) ***Does not approve recommendations ....***

<sup>2</sup> A similar recommendation had already been made in the JIU annual report contained in United Nations General Assembly document A/38/34, which was subsequently adopted by the General Assembly in its resolution 38/229 of 20 December 1983.

## 5. Follow-up actions by secretariats on the implementation of JIU recommendations

### 5.1 Current practice of ITU

There is no formal follow-up system in place with regard to the implementation of JIU recommendations<sup>3</sup>.

### 5.2 JIU Comments and Recommendations

- (a) The implementation of JIU recommendations is the final and most important step in assuring the effectiveness of JIU activities.

In this context, Article 12 of the JIU Statute stipulates:

*“Executive heads of organizations shall ensure that recommendations of the Unit approved by their respective competent organs are implemented as expeditiously as possible. Such implementation may be subject to verification by the competent organs of the organizations ...”*

- (b) This issue has been addressed in an annex (*“Towards a more effective system of follow-up on reports of the Joint Inspection Unit”*) to the JIU annual report contained in United Nations General Assembly document A/52/34<sup>4</sup>.

#### **RECOMMENDATION 5:**

- (1) ***The Secretary-General of ITU is invited to proceed with the implementation of the follow-up system on JIU reports along the lines proposed in the annex of JIU annual report A/52/34.***
- (2) ***In this context, and on the basis of Article 12 of the JIU Statute as well as following the good practices in some other organizations<sup>5</sup>, the Secretary-General may wish to submit regularly to the relevant legislative organ(s) status reports concerning the measures taken on the implementation of the approved JIU recommendations, as well as on the recommendations not requiring legislative actions but accepted by the Secretary-General and/or ACC.***

***Such status reports could also include information and analysis on the impact derived from implementation of JIU recommendations.***

<sup>3</sup> The ITU Secretariat states, however, that the issue dealt with by the JIU report “Regional presence of ITU” (JIU/REP/94/2) (see 2.1 above) is a continuous concern (standing agenda) to ITU and, as such, some of the JIU recommendations are being kept in mind

<sup>4</sup> The proposed follow-up system contained in JIU annual report A/52/34 has just been endorsed by the United Nations General Assembly in its resolution 54/16 of 29 October 1999.

<sup>5</sup> (1) The United Nations General Assembly requested the Secretary-General to submit to it report on the implementation of the recommendations of the JIU as early as 1972 (res 2924B (XXVII) of 24 November 1972). Subsequently, in one of its most recent resolutions (res 52/220 of 13 February 1998), the General Assembly requested “that the individual sections of the programme budget for the biennium 2000 - 2001 contain a summary of the relevant recommendations of the internal and external oversight bodies and, for each recommendation, information on the follow-up action taken.” (2) UNESCO’s Executive Board included, in one of its recent decisions, a provision to the effect that the Secretary-General should report regularly on the implementation of the approved recommendations. (3) WMO Executive Council recently approved a resolution which contains a provision that the WMO Secretary-General should give careful consideration to the implementation, as appropriate, of the JIU recommendations which are pertinent to WMO, and to report to the Council. (4) IMO Council endorsed “the intention of the IMO Secretary-General to make every effort to observe the new procedures (i.e., the follow-up system contained in the annex of JIU annual report A/52/34) at least in respect of the JIU reports which are of direct relevance to the work of IMO”