

HANDLING OF JIU REPORTS BY UNDP

*Prepared by
Sumihiro Kuyama*

Joint Inspection Unit



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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 the United Nations (including 4 of its affiliated bodies: UNDP, UNICEF, UNHCR and WFP) and the 12 other participating organizations (ILO, FAO, UNESCO, ICAO, WHO, UPU, ITU, 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 regarding 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 Note¹ presents the current practice of UNDP, followed by JIU comments and recommendations addressed to the Administrator of UNDP.

The Joint Inspection Unit looks forward to working closely with the UNDP Administrator, and his secretariat, on ways to improve the handling of its reports.

¹ Separate Notes are being prepared for each organization.

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

1. Distribution practice regarding JIU reports

1.1 Current practice of UNDP

In spite of the provision stipulated in JIU Statute Article 11, paragraph 4(c) (see 1.2 below), JIU reports are made available to the UNDP's Executive Board members upon request only (in other words, JIU reports are not distributed generally). However, where, in the view of UNDP, specific Executive Board action is considered to be required (as in JIU/REP/98/5 - see 4.1 below), copies are distributed to Board members*.

* *In this context, it is noted that delegations in New York have not only easy access to the hard copies of JIU reports as a part of General Assembly documents, but also ready electronic access to JIU reports through the Optical Disk System (ODS) of the United Nations secretariat.*

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, and as a supplement to the current practice of UNDP, JIU intends to make its reports available on-line through its planned Website.

RECOMMENDATION 1:

- (1) *With a view to ensuring that JIU reports are available to the UNDP Executive Board members, the JIU reports submitted for action in accordance with the JIU Statute, Article 11, paragraph 4 and Recommendation 2(2) below, should be transmitted to the Executive Board in full as part of the documents containing the statutorily required comments of the Administrator/ACC. This should be done sufficiently in advance of the Executive Board meetings to allow appropriate time for review of the reports (see also section 4).***
- (2) *Alternatively, or as a supplement to the above, the Administrator, upon receipt of JIU reports, may wish to inform Executive Board 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), in addition to advising them to access General Assembly documents in hard copy, or electronically through the Optical Disk System (ODS) of the United Nations Secretariat for JIU reports.***

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

2.1 Current practice of UNDP

A list of all JIU reports are provided to the Executive Board at its Annual session (in May/June), but actual consideration appears to be limited to just a few reports which are of "interest" or concern to UNDP.

For instance, in the case of Annual session 1999, consideration by the Executive Board was limited, de facto, to the two (JIU/REP/98/2 and JIU/REP/98/5) among the five reports presented to the Annual session.

2.2 JIU Comments and Recommendations

The current practice of UNDP, 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 Administrator would:**
 - (a) indicate whether the report is, in his opinion, relevant to UNDP; and, if not, indicate why; and**
 - (b) ensure that the comments are specific in addressing each of the recommendations of the report, including indication whether some or all of the recommendations could be accepted by him without legislative action.**
- (2) JIU would take the comments in (1) above into account in deciding whether the Unit believes the report in final form should be submitted to the Administrator, in accordance with Article 11, paragraph 4(a) of the Statute, for consideration by the Executive Board.**

3. Agenda items under which JIU reports are considered

3.1 Current practice of UNDP

JIU reports are considered generally within the context of the "Annual report of the Administrator" as an addendum: "Reports of the Joint Inspection Unit".

** In the case of Annual session 1999, however, a report (JIU/REP/98/2) was also placed under a separate substantive agenda item.*

3.2 JIU Comments and Recommendations

For the purpose of facilitating effective consideration of JIU reports by legislative organs, it is important to place the reports under appropriate substantive agenda item(s), as a contribution from a subsidiary body of UNDP Executive Board, assuring at the same time sufficient time for consideration.

Accordingly, 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 Administrator 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 UNDP

- (a) In the past, UNDP reporting (on JIU reports) to the Executive Board used variable formats, sometimes providing a very brief summary, together with brief comments, highlighting recommendations of particular interest to UNDP. In the case of Annual session 1996, for instance, only the titles of JIU reports were listed. Nevertheless, it was noted in this context that *“the contents of JIU reports have been taken into account, as necessary, in the activities of UNDP and will be reflected in the reports before the Executive board in so far as they are relevant to the respective agenda items for its sessions during the year”* (DP/1996/18/Add. 3, March 1996).
- (b) Current UNDP policy is, however, to prepare a summary on “Reports of the JIU” (an addendum to the Annual report of the Administrator), with, for each JIU report, three sections: (1) scope; (2) recommendations of interest to UNDP; and (3) comments by UNDP. Where specific action or consideration of an issue by the Executive Board is recommended by UNDP Secretariat, this is brought to the attention of the Executive Board. For example, the 1999 annual session addressed three issues* raised in JIU/REP/98/5 on UNOPS.

* *management committee; user advisory group; and desirability of a UNOPS segment at the Board*

- (c) Current UNDP policy is also to provide suggested action, where required. Normally, this suggested action is ‘take note’, especially if the recommendations of the JIU report fall within the delegated authority of the Administrator. According to UNDP, however, if specific action by the Executive board is considered to be required, some action may be suggested or a cross-reference provided to another more detailed report where the issue is supposed to be taken up with a detailed suggestion for action. For example, in the case of the report on UNOPS, there was, in addition to the “Reports by the JIU” addendum, another more detailed report prepared by UNOPS, with suggestions for action by the Executive Board.
- (d) On the basis of (c) above, the decision taken by the Executive Board is normally just to ‘take note’.

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 comments² 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 presenting just the titles of JIU reports should be discouraged. Instead, secretariat papers on JIU reports 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 just 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 4³ below.

² The statutorily-required comments on JIU reports (Article 11.4 (d) and (e)) are not always prepared in a timely manner. Furthermore, these comments, generally speaking, appear to be, once in a while, at variance with the earlier comments made on the first draft of JIU reports.

³ 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, to which an Annual report of the Administrator (DP/1984/6 of 10 February 1984) made reference.

RECOMMENDATION 4:

The Administrator is urged to encourage the Executive Board 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 Administrator (and/or ACC; and/ or the debate in the session);***
- (c) Reserves its position on recommendations ...; and***
- (d) Does not approve recommendations***

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

5.1 Current practice of UNDP

- (a) According to UNDP, if the Executive Board 'takes note', there is follow-up at the level of the management of the Organization in that the recommendations of the relevant report are taken into account in the work of the units concerned.
- (b) One example of follow-up actions taken concerns JIU/REP/97/2 (on United Nations publications), which recommended that all United Nations substantive legislative bodies include a review of publications. Executive Board decision 97/17 on UNDP communication and information policy addressed this issue. Subsequent follow-up included preparation of the report of the Administrator to the Executive Board on the UNDP communication, advocacy and information policy (DP/1998/23).

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/52/34⁴.

RECOMMENDATION 5:

- (1) The Administrator of UNDP is invited to proceed with the implementation of the follow-up system on JIU reports along the line 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 organizations⁵, the Administrator may wish to submit regularly to the Executive Board 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 Administrator and/or ACC.**

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

⁴ 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.

⁵ (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 Director 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".