

# HANDLING OF JIU REPORTS BY IAEA

*Prepared by*

***Sumihiro Kuyama***

**Joint Inspection Unit**



**Geneva  
2000**

## HANDLING OF JIU REPORTS BY IAEA

Prepared by  
Sumihiro Kuyama

### 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 IAEA

### 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 IAEA, 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, ITU, WMO, IMO, WIPO and UNIDO), 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 IAEA, followed by JIU comments and recommendations addressed to the Director General of IAEA.

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

---

<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 IAEA

The members of the Board of Governors are informed of all the JIU reports through an information circular sent out once a year. However, JIU reports are not distributed generally, and “copies of JIU reports are distributed to Member States upon request” only.

#### 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 IAEA’s current practice on distribution, 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 Director General of IAEA 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 organs in full as part of the documents containing the comments thereon of the Director General as well as those of ACC when statutorily required. This should be done sufficiently in advance of the meetings of the legislative organs to allow appropriate time for review of the reports(see also section 4).***
- (2) *Furthermore, as a supplement to the current practice as indicated in 1.1 and in Recommendation 1(1) above, the Director General, upon receipt of JIU reports, may wish to inform IAEA 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 IAEA*

JIU reports have not been taken up by the Board of Governors or the General Conference.

### *2.2 JIU Comments and Recommendations*

The current practice of IAEA, as indicated above, could be ameliorated through meaningful interactions and dialogues, as recommended below.

#### **RECOMMENDATION 2:**

- (1) *Upon receipt of the first draft of a JIU report for comments, the Director General would:***
  - (a) *indicate whether the report is, in his opinion, relevant to IAEA; 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 its final form should be submitted to the Director General, in accordance with Article 11, paragraph 4(a) of the Statute, for consideration by the relevant legislative organs of IAEA.***

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

#### *3.1 Current practice of IAEA*

No practice is available on this matter, because no JIU reports have been taken up by IAEA legislative organs.

#### *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).

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 and pursuant to the Recommendation 2(2) above, the Director 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 the participation of the Inspector(s) (introducing reports, answering questions, etc.) 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 IAEA*

As a consequence of the current IAEA practice as indicated in 2.1 above, neither relevant papers/comments nor decisions have been prepared/made on JIU reports/recommendations.

##### *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 to be 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:**

***Further to Recommendation 3 above, the Director General is invited to encourage the relevant legislative organs of IAEA 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 Director 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 IAEA

There is no formal follow-up system in place. According to the Secretariat, however, "*the JIU findings of relevance to the IAEA are taken into account in normal Agency operations (e.g., JIU/REP/97/5 on "Outsourcing" has been used as a basis for discussion at the IAEA Secretariat)*".

### 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, and the proposed follow-up system contained there has just been endorsed by the United Nations General Assembly in its resolution 54/16 of 29 October 1999.

#### **RECOMMENDATION 5:**

- (1) ***The Director General of IAEA 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>3</sup>, the Director General may wish to submit regularly to the relevant legislative organs 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 Director 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> (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"