Accountability in the United Nations

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Acronyms and Abbreviations

ACABQ	Advisory Committee on Administrative and Budgetary Questions
BoA	Board of Auditors
CPC	Committee for Programme and Coordination
ERP	Enterprise Resource Planning
GA	(UN) General Assembly
HR	Human Resources
IAAC	Independent Audit Advisory Committee
ICT	Information and Communication Technology
IPSAS	International Public Sector Accounting Standards
ISA	International Standards of Auditing
JIU	Joint Inspection Unit
OIOS	Office of Internal Oversight Services
PPBME	Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation
RBB	Results-Based Budgeting
RBM	Results-Based Management
SC	(UN) Security Council
SG	(UN) Secretary-General
ToR	Terms of Reference
USG	(UN) Under-Secretary-General

Executive Summary

This report presents the key findings from a study of the role and functioning of the Board of Auditors (BoA), the Office of Internal Oversight Services (OIOS) and the Joint Inspection Unit (JIU). It is based on assessment of central policy documents and research papers as well as in-depth interviews with key representatives from these organizations and other stakeholders. The report analyses the functioning, mandate and perceived effectiveness of each of these three core organizations. The findings can be summarized as follows:

The Board of Auditors is mandated to exercise an auditing function of all accounts in the UN system, and to report to the General Assembly through the ACABQ. The Board is an external oversight body, and selects which cases or financial records to examine, independently of the Secretary-General. It is generally seen as functioning well, although questions are raised about whether its mandate is adequately adjusted to the challenges of the UN organization. Respondents indicated that the Board focuses more on process accountability than on performance accountability, and that evolving efforts to introduce performance accountability within the Secretariat could be better supported if the BoA could develop and use common standards.

The Office of Internal Oversight Services (OIOS) is an internal oversight body, 'operationally independent' under the authority of the SG. It is mandated to perform monitoring, internal audits, inspections, investigations and evaluations, and can initiate, carry out and report incidents that it considers to fall within its purview. It exists to enhance monitoring and evaluation within the Secretariat and to support the SG as Chief Administrative Officer for internal oversight of the Secretariat and the UN regular budget. The Office is generally viewed as delivering high-quality reports, but, owing to strained relations with the Secretariat, there is a lack of follow-up and sustained attention to its recommendations. For example, OIOS work on techniques for risk assessment, to form part of more comprehensive management reform, has not been fully implemented. The tensions displayed between the SG and USG Ahlenius over the proper role of the Office indicate an unresolved issue over the degree of its operational independence from the SG.

The Joint Inspection Unit (JIU) is an external oversight body that answers to the General Assembly. It is made up of eleven inspectors who serve in personal capacities and who are expected to have special

experience in administrative and financial matters. The JIU is mandated to perform inspections and evaluations, and is charged with helping to improve management and coordination of those UN organizations that have accepted its purview. The Unit is seen by many Western countries as a tool for the G 77. Whether a result of this interpretation or not, reports from the JIU are typically presented as 'for information', instead of receiving proper treatment and follow-up in relevant UN bodies. The Unit is poorly resourced, without the capacity to fill its mandate effectively. Not adhering to criteria like merits and qualifications in appointing JIU inspectors is also seen as problematic.

Overall, the report finds that the UN Secretariat is currently subject to two forms of accountability. First, there is *process accountability,* or 'compliance', which focuses on *how* an organization or a bureaucracy achieves something rather than on *what* is actually accomplished. Process accountability involves such traditional conceptions of accountability as adhering to rules and regulations, including principles of due process. Second, there is *performance accountability*, which is of more recent vintage and focuses not on the 'how' but on the 'what': results, outputs and outcomes. While some progress has been made in introducing performance accountability within the UN Secretariat, serious administrative and political impediments remain. For performance accountability to work, there must be delegation of authority, adequate measures of outputs, and tools in place to deal with managers and organizational units that are performing below agreed targets. Today, such a system is not in place, and measures of performance accountability have been added onto, rather than replacing, more traditional measures of process accountability. This creates an exceedingly complex web of rules and regulations for doing things, all the while efforts are being undertaken – somewhat half-heartedly – to establish new mechanisms for performance accountability. This is further exacerbated by a pervasive tendency toward politicization, among member states and by UN management alike.

An effective system for accountability depends on mutual trust, effective cooperation, common objectives, reliable measurements, and associated sanctions and rewards. Lack of trust between member states, between member states and the Secretariat, and also as regards public perceptions within the Secretariat itself, results in a system that may look good on paper, but does not work well in practice. Excessive control and micromanagement and political games do not sit well with delegation of authority and greater powers for the SG and the Secretariat – which are required for the implementation of performance accountability.

It was beyond the Terms of Reference of this study to undertake a comprehensive review of the technical aspects of the UN's accountability mechanisms. The report focuses on institutional aspects – mandates, resources, coordination issues, etc.

Summary of main recommendations:

- Make the effective implementation of results-based management, including the development of performance indicators, a central concern for ongoing reform efforts.

- Consider establishing an independent ad-hoc commission of experts on accountability and on the UN system, to review mandates and current practice, and to suggest practical reform measures.

- In order to improve overall effectiveness as an operational actor as well as strengthening overall accountability, call for synchronizing the UN's programme cycle with its budget cycle

- Consider allying with like-minded countries with a strong interest in accountability, such as the UK, in initiating a review of accountability mechanisms of and inside peacekeeping missions.

- Assess the possibility of making the status and functioning of the OIOS a more central area for UN reform, especially as regards performance issues, possibly in collaboration with the IAAC.

- Support the ongoing work of the BoA to establish a common UN standard for audits.

- Take small steps with and through like-minded states to reduce the burden on reporting and coordination, and to increase the effectiveness of more genuine accountability measures in terms of being held responsible for results, rather than acting in conformity with a myriad of rules and regulations.

- Consider calling for increased funding for the JIU *if* a more robust mechanism can be established to ensure high-quality reports, and to hold the JIU accountable for the quality of its work, through, *inter alia*, requiring inter-governmental bodies of the UN to review and discuss JIU reports

– Consider calling for the mandate of the BoA to include suggested sanctions in its reporting procedures and recommendations.

Context

The traditional understanding of international organizations, and the UN in particular, has been that they are arenas for the interests of states, and functional tools for implementing whatever states agree to do collectively. According to this view, the legitimacy of the UN derives from its universal membership, so the operations of the UN – whether judged good or bad – would be attributable to the decisions of and resources committed its member states. Thus, the UN could do wrong only if it were set up to do wrong by member states.

A combination of two structural trends in the 1980s and 1990s changed all this. First, the so-called New Public Management techniques entailed a shift from hierarchical control towards increased delegation of tasks and accompanying responsibility for results to international organizations. Second, and most importantly, the end of the Cold War produced a more cooperative international climate and the UN became a far more important operational actor, not least in peace operations and humanitarian relief.

The UN is today seen not merely as an arena for the interests of its member states, but also as an operational actor in its own right, engaged in global governance in ways that cannot be reduced to the sum-total of member-state interests. This new status and role for the world organization has engendered a re-thinking of the basis for the UN's legitimacy. Legally, the UN's legitimacy still rests with its universal membership. But being an operational actor – charged, for example, with commanding some 120,000 military and civilians in UN peacekeeping operations – the UN Secretariat as such has come under increased scrutiny. The legitimacy of the UN is no longer seen to rest solely with its universal representation, but also with its operational effectiveness and efficiency in delivering results. The issue of *accountability* has moved to centre stage.

There has been considerable academic debate on the status of the UN as an independent legal persona within international law,[1] on the prospects for embedding the UN in a larger constitutional structure (Klabbers 2010), and on the potential for subjecting the UN to an emerging body of global administrative law (Kingsbury et al. 2005). In all these accounts, the UN, *qua* international organization, would be accountable to a set of rules and regulation *outside* the decisionmaking bodies

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[1] See www.un.org/law/ilc/

made up of member states. All these measures go well beyond what has to date been considered politically possible. As a result, most discussions about UN accountability have focused on internal accountability – on measures of reporting, oversight and control within the organization. It is this understanding of 'accountability' that dominates in UN debates about the topic, and it is also this understanding that informs this study, given its limited scope.

Accountability defined

Accountability has no clearly established meaning or definition (Mulgan 2000; Balint et al. 2008). According to two close observers, there is 'no generally accepted understanding of what accountability entails or how it could best be measured, assessed or instilled in the (UN) Organization. Who should be accountable to whom for what?' (Fowler and Kuyama 2007: 2).

Nonetheless, accountability is no longer seen as equivalent to bookkeeping and financial administration only, but also includes notions of good and effective governance. It is not 'accounting', but more often 'public accountability' in the sense of being held to account and being responsible. Tellingly, in Norwegian as in most other European languages, there is no semantic difference between 'responsibility' and 'accountability' (Mulgan 2002; Harlow 2002; Dubnick 2002; Scott 2000).

At the most basic level, accountability is based on the notion of authorization. There is an actor in authority (a 'principal'), who delegates to a subordinate actor (an 'agent') the responsibility for carrying out specific tasks, with the expectation that the agent will achieve the goals defined by the principal (Elgie 2001: 3).

In the UN system this is more complicated, since the system has not one but 192 principals (member states), and there are no clearly defined, system-level standards that can be used to hold the many different UN entities (agents) to account. Not only do views among member states differ on what accountability means – and also whether it should apply to the UN as an organization – there are also considerable variations, as shown below, among the units set up to perform accountability functions internally within the UN.

For the present report, 'accountability' is defined in line with the General Assembly's resolution 64/259, here quoted in full:

> Accountability is the *obligation of the Secretariat* and its staff members to be *answerable for all decisions* made and actions

taken by them, and to be *responsible for honouring their commitments*, without qualification or exception. Accountability includes *achieving objectives and high-quality results in a timely and cost-effective manner*, in fully implementing and delivering on all mandates to the Secretariat approved by the United Nations intergovernmental bodies and other subsidiary organs established by them in *compliance with all resolutions*, regulations, rules and ethical standards; truthfully, objective, accurate and timely *reporting on performance results*; responsible stewardship of funds and resources, all aspects of performance, including a *clearly defined system of rewards and sanctions*; and with due recognition to the important role of oversight bodies and in full compliance with accepted recommendations (emphasis added).

This comprehensive definition of accountability is difficult to unpack unless we introduce some important distinctions between external and internal accountability, and between process accountability and performance accountability.

According to a recent review of the OIOS (A/60/883 Add.2), 'external oversight is an activity, reporting on behalf of the ownership of an organization against *standards that are set outside of the organization*, for example generally accepted auditing standards…'. Internal oversight, by contrast, is 'a management function which, though objective in nature and independent of the operations which it reviews, reports to management'. This distinction is important, as we will show below regarding the discussion of the Office's 'operational independence', where tensions exist between the Secretariat and the General Assembly.

Process accountability focuses on *how* an organization or a bureaucracy achieves something, rather than on what is actually accomplished. Process accountability involves such 'traditional' conceptions of accountability as adhering to rules and regulations, including principles of due process. This is often also referred to as 'compliance'. Performance accountability, by contrast, is a term of more recent vintage. It is concerned not with the 'how' but with the 'what'. It concerns results, outcomes and outputs (Balint et al. 2008; Pollitt and Summa 1999; Harlow 2002: 114). Performance accountability has been central to recent management reforms in the UN. Following the aforementioned trend of new public management, accountability and control has come to be linked to results, where management is to set priorities and provide staff with incentives and where programme managers are held to account for outcomes, possibly linked with rewards and sanctions (Balint et al. 2008; JIU 2006: 3).

Interestingly, according to the SG's report on accountability, this means, *inter alia,* that

> …each manager or staff member must have relevant resources at his or her disposal, and must have adequate authority and control over those resources to achieve the mandated results. As stated in a previous report on accountability, 'accountability will be in direct proportion to the responsibility assigned and the authority delegated' (A/C.5/49/1).

As we shall discuss below, however, what is defined here as accountability in terms of results and the delegation of authority and responsibility to managers at different levels does *not* correspond with how accountability is practised at the UN. This mismatch between what are identified as management principles and what is actually practised stems in part from the fact that result-based accountability mechanisms have been added onto already established process mechanisms for accountability, rather than replacing them.

This problem is exacerbated by the ever-present politicization of accountability issues by UN member states: different groups of member states advance markedly different views of accountability. Crudely put, the developing countries favour bureaucratic, rule-following, process accountability, while the developed ones favour results-based, performance accountability. Add to this that the individual member states readily intervene to curtail, circumvent or shut down oversight and accountability of their own nationals' potential wrongdoings. Add further that the higher echelons of the UN bureaucracy – here the UN Secretariat – typically fail to act on reports of wrongdoings and also often intervene to shut down and halt investigations that identify wrongdoings which might negatively impact on perceptions of the organization among member states.

The following is based on interviews conducted in New York and Geneva with managers and staff of the Board of Auditors, the Joint Inspection Unit, and the Office of Internal Oversight Services. We first give a brief description of the three bodies, and proceed to report on what interviewees told us regarding the actual interpretation of mandates and roles, resources available, and possibilities for reform. We then turn to some cross-cutting, topical issues, and conclude by presenting some tentative recommendations.

The Actors

Defining the mandates of the respective oversight bodies is in fact rather complicated. New mandates from the GA are often added to the already existing body of mandates, producing overlapping and at times contradictory mandate structures. Furthermore, there exists no legal definition of what a mandate is. The UN is currently reviewing these mandates with the goal of simplifying and codifying the mandate structures into central databases for member states. As yet, however, there exists no single authoritative document that stipulates the mandate of any one of the actors under study. We have tried to identify the most common perception or interpretation of core mandates as these are manifested in everyday work practice, in key documents, and during interviews.

The focus is on the regular budget, except in some cases directly relevant for the oversight bodies under study.

The Board of Auditors (BoA)

The BoA, established in 1946, is mandated to exercise an auditing function for all accounts in the UN system, and to report to the GA through the Advisory Committee on Administrative and Budgetary Questions (ACABQ). The BoA is an external oversight body, and selects which cases or financial records to examine, independently of the SG. The ACABQ can, however, request the Board to report on specific issues, and has to agree on how the audit work is to be distributed among the auditors serving on the Board in accordance with four factors:

– an equitable distribution of responsibility for preparation of the free-standing reports to the General Assembly;
– the need to assign related audits to a single member so that the benefits of familiarity and expertise can be maximized;
– geographical and logistical factors; and
– triking a balance between giving members enough time to become familiar with an organization and thus making an effective contribution, and the need to rotate assignments periodically

The Terms of Reference (ToR) for the Board were changed in 2001(55/248), doubling the years of service for the members from three to five years. The time of service of members has a two-year

overlap – that is, every two years a new member is appointed. The Board consists of three elected members from UN member states, holding offices also as Auditor General in their respective countries. They are present at UN HQ in New York for about two weeks each year, but are to remain available for consultations throughout the year. The accounting is done by the national audit authorities corresponding to the inspectors' nationality. The BoA may also outsource tasks to the audit authorities of other countries or to private firms, like Ernst & Young, in case the national audit authorities serving on the Board are short of resources, or in need of specific expertise.

In addition, there is an Audit Operations Committee (AOC) support-ing the work of the Board, consisting of three full-time 'Directors of External Audit', each representing a member of the Board. They re-view audit plans, conduct topical and quality assurance reviews, comment and review the yearly audit report of the Board, and ensure that professional audit standards are upheld. There is also a full-time secretariat, headed by an Executive Secretary.

A related body is the UN Panel of External Auditors, comprising the three BoA members and the external auditors of each of the Special-ized UN Agencies. The purpose of the Panel is to promote coordina-tion of audits and information exchange between Agencies, and be-tween Agencies and the BoA.

Auditing practice is based on the International Standards on Auditing (ISA) and the Terms of Reference of the UN in relation to its Finan-cial Regulations and Rules (see res. 57/573).[2] The Board is mandated to ascertain whether the financial statements is representative of the period and the operations under audit of a certain entity, if the finan-cial statement is prepared according to pronounced accounting stan-dards, if they have been applied consistently, and whether the transac-tions made are in accordance with the UN Financial ToR. The Board is also, through the Financial ToR, mandated to conduct performance-related audits – that is, to examine the efficiency of both the specific financial procedures, but also the general management and operations of the organization. Funding for the BoA is provided by the various UN organizations.

Member countries can bid on having external auditors, and the candi-dates will be interviewed by BoA staff. The three members work to-gether as a team, more than on separate issues.[3] This fact has led some to question the selection procedure. The main challenge, one inter-

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2   Available from http://www.un.org/ga/search/view_doc.asp?symbol=ST/SGB/2003/7&Lang=E
3   Interview with BoA official, New York, 16/06/10

viewee said, is that the selection is not made on a competitive basis. It is 'not dependent on technical competence, but is political. They are talking in the 5th committee … and there are trade-offs, whether a country has technical capacity or not'.[4] This, it was pointed out, may result in unequal expertise or competence amongst the auditors, who are meant to work as a team. This, some held, is a situation that needs to be dealt with, as BoA 'has to respect the agenda, and the GA doesn't care'.[5]

During interviews, representatives of the BoA did not identify the mandate as being a problem, as there was seen to be 'nothing wrong with it'. However, one informant external to the BoA said that the biggest problem with the Board is that the Terms of Reference (that is, part of the mandate) of the BoA are too narrow. The ToR are heavily focused on compliance and rules to be followed, corresponding, then, to the idea of process accountability. It was said that, in reviews of peacekeeping, the Board will examine everything from the fuel efficiency of each of the vehicles, to how they comply with procedures, but that it is less preoccupied with effectiveness, even if that is part of its mandate. This, it was indicated, stems from the financial regulations in use; further, the 'BoA must be broadened, as they are not adding enough value',[6] and could be more assertive and give advice also concerning the management of the Secretariat.[7]

However, it was also pointed out by the BoA that as performance accountability has evolved, they incorporate standards for this from other countries. The auditors 'pick from their own practices'.[8] Still, this is not necessarily an efficient way of measuring performance, as it requires uniform, cross-sector benchmarks. This echoes the point that implementation of performance accountability is commonly sought by adding results-based accountability to already existing structures of process accountability, thereby creating separate and incompatible systems (A763/268).

As to the purely financial auditing, which hails from process accountability, the work of the Board is based on the International Standards of Auditing (ISA), as they are considered to be international best practices. HR manuals and 'authoritative documents from the UN internally' are used as well, but the BoA considers this 'UN system of common standards' to be deficient. They have recommended that the UN 'scrap their own standards' and use the internationally acknowledged standards fully, as they are 'closer to the private sector, and we

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4   Ibid.
5   Ibid.
6   Interview with ACABQ delegate 1, New York, 15/06/10.
7   Interview with a country mission staff member, New York, 08/09/10.
8   Interview with BoA official, New York, 16/06/10.

embrace that as accountants'.[9] The UN agreed to this in 2006, but implementation of a new 'Enterprise Resource Planning' (ERP) system has been postponed to 2014.

The BoA tracks implementation, and reports are freely available to member states. Figures from 2008, reported in 2009, show that the number of recommendations made by the Board decreased by 22%, from 651 to 507, compared with 2007. Despite this fall in recommendations, the number of recommendations implemented by the programmes and agencies declined from an already meagre 52 per cent in 2007, to 47 per cent in 2009 (A/64/98) – the lowest implementation rate amongst the oversight bodies under review here.

Comparison of the overall status of implementation of the recommendations of the Board for the biennium 2006-2007 as at 31 March 2009 and for the biennium 2004-2005 as at 31 March 2007
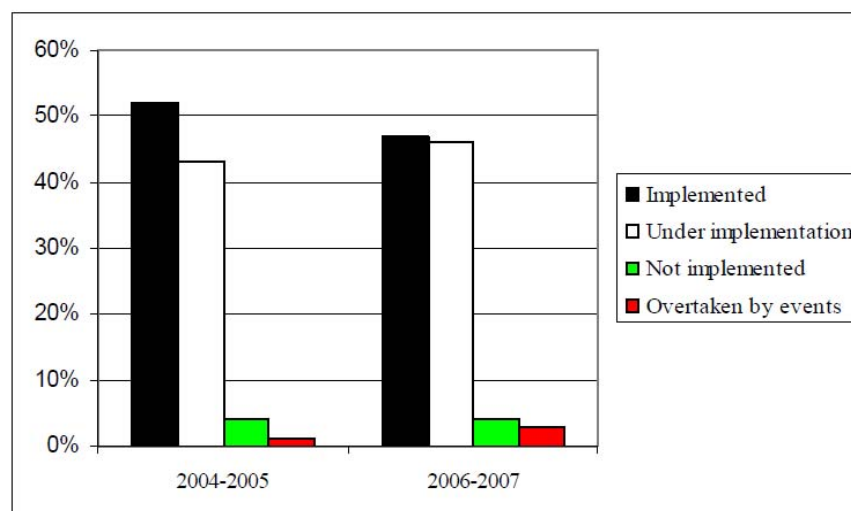
This low implementation rate is due in part to the lack of follow-up mechanisms to BoA recommendations, poor coordination in the implementation of recommendations affecting several organizations at a time, the long-term nature of many of the recommendations issued (particularly concerning coordination, ICT and HR solutions), and 'entities sometimes addressing recommendations in a symptomatic manner rather than implementing steps that could address the reported issues transversally' (A/64/98). Furthermore, as the drive in the UN is currently towards results-based management challenges, traditional process-concerns regarding financial audits, rules and regulations may enjoy lower priority in face of strong cross-pressure from many entities, including the SG, towards what are seen as more pressing issues

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9   Ibid.

– management reforms, results-based approaches and concerns with performance, risk, and efficiency.

There seems to be general agreement that the BoA is a necessary and important oversight body. However, it was pointed out that the reports from the Board are sent to the GA through the ACABQ, and it was queried whether this was an appropriate arrangement today. One ACABQ member argued that reports should rather be sent directly to the 5th committee: 'ACABQ shouldn't be commenting on the BoA reports! Why are we more competent? Why should we tell the 5th committee how to read the BoA reports? This shouldn't be a part of the system'.[10] The reason, it indicated, is that back in the 1940s, the committee had not wanted to have to deal with the technical aspects of accountability, which they delegated to the experts in the technical advisory body – the ACABQ. Today, however, many would question the current role of the ACABQ as a purely technical committee. On the other hand, cooperation between the BoA and the ACABQ was seen to be good.

No possibilities of sanctioning non-compliance with recommendations were mentioned by the BoA, except that the 'GA is monitoring and keeping a close eye'.[11] It was pointed out that there is some degree of overlap between the Board and the other oversight bodies, but that 'that is what the member states want'.[12]

With the BoA as with the other oversight bodies, there is a tension between process and performance accountability, relating also to the inherent tensions in transplanting models from the private to the public sector. Also, the myriad of guidelines, mandates and management processes makes it difficult to maintain a deliberate executive vision of how to manage the trade-off between the two. As in the other bodies, the political nature of accountability is seen as an inhibiting factor, but there is also the institutionalized belief (or excuse) that whatever happens in one's own organization is 'what the member states want'. In terms of mechanisms to ensure accountability, this is worrisome, since the norms and values of accountability seem to have become tempered over time by the politicized nature of the UN bureaucratic machinery.

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[10] Interview with ACABQ delegate 2, New York, 15/06/10.
[11] Interview with BoA official, New York, 16/06/10.
[12] Ibid.

The Office of Internal Oversight Services (OIOS)

Established in 1994 (48/218B), the OIOS is 'operationally independent' under the authority of the SG, headed by an Under-Secretary-General. It exists to enhance monitoring and evaluation within the Secretariat and to support the SG as Chief Administrative Officer for internal oversight of the Secretariat and the UN regular budget. The Office is mandated to perform monitoring, internal audits, inspections and evaluations, and may initiate, carry out and report incidents that it considers to fall within its purview. There are three divisions:

The 'Internal Audit Division' assesses internal controls. The 'Inspection and Evaluation Division' assesses the relevance and effectiveness of the various UN Programmes in relation to their mandates. The 'Investigations Division' conducts fact-finding missions to uncover possible cases of misconduct, in order to support the SG in any actions that could be taken in that regard.

The Office is intended to protect UN assets and ensure compliance with rules and regulations to avoid corruption, waste, abuse and mismanagement of resources (that is, process-oriented), while also ensuring the efficient and effective delivery of activities based on results-based approaches (that is, performance-oriented). The GA has stressed the advisory role of the Office to support project managers in exercising their responsibilities.

The 5th committee frequently reviews the OIOS. As will be detailed below, this has resulted in the establishment of new mandates, and additions and revisions to existing ones. The Office now reports directly to the GA, through the SG. The SG's comments are submitted to the GA in a separate report. The Office cannot propose any changes to decisions or mandates emanating from the GA. OIOS reports not submitted to the SG are now to be available to all member states (52/244; 59/272)

In additions, the Office submits an annual report to the GA, highlighting problems and challenges relating to a programme or operation, as well as its recommendations on lack of implementation. It also reports to the SG on the status of implementation of recommendations issued to Programmes. Programme managers have to provide the Office with updates on the implementation of recommendations every two years. Some 2000 recommendations are issued every year, of which about 90 per cent are implemented after three years.

The OIOS staff counts about 345 employees, about 220 of which are funded from resources outside the regular budget – of the OIOS

budget for 2008–2009 of about 49 million USD, 30 million USD was extra-budgetary resources.

Some have pointed to the problems inherent in the mandates of the Office. However, this is not shared by the OIOS senior staff and other employees we interviewed for this study. As one leader put it, the 'mandate is good enough, everything is there. It is even foreseeing. We are not restricted in any way by the mandate'.[13] It appears that problems have less to do with the mandates themselves – it is supposed to be an internal oversight function – than with the concrete implementation of this, and relationships with other bodies within the UN system. This, again, relates to the tensions between process and performance accountability. The three divisions within the Office are separated both institutionally and culturally. There are ongoing discussions and tensions as to the right mode of operation of the organization.

The OIOS is not responsible for reviewing all UN programmes and agencies, and some prefer to use their own internal, external, or national auditors. The Office depends on actors paying them for its services. It was said that large organizations, like the UNDP, have sufficient capacity to exercise their own oversight functions, and therefore opt not to pay OIOS for these. However, a harsher interpretation from a senior OIOS official was that 'those who give us (OIOS) funds for revision are those who need it the least' – that is, those programmes and agencies that for some reason do not want exposure rely on their own mechanisms.[14] According to another OIOS official, 'OIOS is a more open system than the internal audit of for example the UNDP. We disclose much more, they are much more reluctant to show things. They are not as independent as OIOS'.[15]

This, in turn, has to do with the claim made that OIOS can become too good – or, as one informant put it: 'everyone wants accountability, but not for themselves'.[16] Also, there can be too much accountability, especially considering the perennial nature of old mandates and arrangements (see the section on mandates below). In fact, a senior OIOS official indicated that 'there is far too much accountability' in that sense.[17] It was added, however, that there is not much overlap between the Office and the other oversight bodies.

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[13] Interview with senior OIOS official, New York, 17/06/10.
[14] Interview with senior OIOS official, New York, 16/06/10.
[15] Interview with senior OIOS official, New York, 17/06/10.
[16] Interview with senior OIOS official, New York, 16/06/10.
[17] Ibid; Interview with OIOS staff member, New York, 16/06/10.

Tensions between the OIOS and the Secretariat

It is frequently pointed out that relations between the Secretariat and the OIOS are poor. Many see the Office as having become too much of an external entity (see above on external vs. internal oversight) when it should act as an internal oversight body.[18] The Office should be operationally independent, but not structurally independent from the Secretariat. Given this development, it is said that the SG does not want there to be a lot of power in OIOS hands. Respondents from both the OIOS and the JIU mentioned bad working relations with the Secretariat.

The issue of OIOS 'operational independence' was central to the tensions between the SG and USG Inga-Britt Ahlenius, materializing on the question of whether the SG or the USG should appoint senior OIOS management positions. The case in point involved the critically important investigations division of OIOS being without a leader.

However, this also indicates a culture of mistrust between the member states (the GA) and the Secretariat. UN resolutions make it clear that 'OIOS (is) to operate within the parameters set out by the intergovernmental legislative bodies and, in particular, funds and programmes wishing to be served by the OIOS would themselves be responsible for the funding of any OIOS' activities conducted within these funds and programmes' (A/60/883 Add.2). Further, '(t)he OIOS shall not propose to the GA any change in the legislative decisions and mandates approved by the intergovernmental legislative bodies'(54/244). GA res 59/272 from 2004 made changes in the reporting mechanisms, making OIOS reports available to member states, in addition to the practice of making them available to the General Assembly through the Secretary-General. All this indicates that the GA sees the OIOS as being accountable to the member states, as opposed to the SG as Chief Administrative Officer.

The perception of the OIOS as a tool for the GA or member states individually has gradually evolved also because of the OIOS' view that the Secretariat has been failing in its duties to effectuate and implement appropriate controls – that is, to use OIOS in an efficient way. Also, the Secretariat has often failed to implement recommendations made by the OIOS, and mechanisms of control internally in the Secretariat are at best deficient. From our interviews with the Department of Management, it would appear that the OIOS and the Secretariat hold very different views on the degree to which recommendations are implemented. According to one informant, the SG has a problem with

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[18] Interview with ACABQ delegate 1, New York, 15/06/10.

the concept of internal oversight, and that 'his line is that loyalty should rule internally'.[19]

Tellingly, a senior OIOS official stated that 'the SG finds it bothersome that we report directly to the member countries. OIOS makes a point out of reporting directly to the GA. If it is only reported internally, there is no use'.[20] The 'end-of-assignment report' of former OIOS USG Ahlenius to the SG put this tension even more starkly: 'Rather than supporting OIOS…you have strived to control it which is to undermine its position' leading also to 'the weakening of the Secretariat and its position in the eyes of Member States.'[21]

This further strengthens the link between OIOS and the GA, thereby increasing the tension between the Secretariat and OIOS, and the mistrust between member states and the Secretariat. This is also a reason why the 5th committee was reluctant to take a stance on the operational independence of OIOS, as regards for example its independent capacity of making employment decisions.

As one interviewee put it, the OIOS 'should be an internal oversight body, with its independence guaranteed from the Secretary General. Now, it doesn't have the monopoly of appointing, and the OIOS budget is ambiguous. (Some argue that) they should have more power in budgetary terms, and the possibility of informing the GA directly. But if it goes straight to the GA, it isn't internal anymore'. It was argued that the independence of the OIOS had been overemphasized, and that 'it is (supposed to be) the SG's watchdog. It tried to become the dog watching the SG, and that is wrong'.[22]

According to the comprehensive review of OIOS (A/60/883 Add.2), the distinction between internal and external oversight functions is unclear, making the Office more of an external function rather than a management tool for the SG. These differing views of the role of the OIOS might serve to weaken its efficiency in the eyes of the member states as well as the SG. Whatever the proper functioning of the OIOS, its conflict-ridden relationship with and externality to both the SG and the GA would appear less than desirable.

Moreover, the Comprehensive Review (A/60/883 Add.2) points out: 'the ability of the OIOS to be an effective part of management's internal control structure is being severely impaired by management's dis-

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[19] Interview with a country mission staff member, New York, 08/09/10.
[20] Interview with senior OIOS official, New York, 16/06/10.
[21] Available from <www.foreignpolicy.com/files/fp_uploaded_documents/100719_0_ahleniussummary.pdf > (24.08.2010)
[22] Interview with ACABQ delegate 2, New York, 15/06/10.

trust of the OIOS. This distrust is a direct result of the combination of the investigative functions alongside the internal audit activities of the OIOS and the perceived adversarial role of OIOS'. The OIOS, in this view, should be an internal oversight function without detective-like investigation functions, which undermine its proper internal role. This points to the internal set-up of OIOS as yet another bone of contention.

The IAAC and the OIOS

The Independent Audit Advisory Committee (IAAC), operational from 2008, serves an important function as regards the OIOS – which is the sole organization whose performance it can assess. The IAAC is a subsidiary body of the GA, established to advise the Assembly 'on measures to ensure the compliance of management with audit and other oversight recommendations' (61/275). It also works with improving coordination and relations between the Department of Management and the OIOS, a task in which it is said to have been successful in the role as an 'honest broker'.[23] Indeed, the IAAC has a good track record for such a newly established organization, with some 75% of the 55 formal recommendations made having been acted upon. The IAAC will be an important player in any future efforts to revise or reform the OIOS. IAAC representatives indicated that *the* central issue for OIOS is what is meant by 'operational independence'.[24] The GA has postponed the issue until 2011, when conflicting views among member states and within the UN Secretariat can be expected.

Also informants in the IAAC noted that risk analysis and a focus on performance and results are imperative for improving the UN Secretariat's functioning and effectiveness. It was added that 'this is a major cultural issue inside the organisation, since the UN is an organization that does not really face competition, and because of this, an organizational culture has developed that values compliance over performance… there is a 'major cultural challenge' in getting this organization to shift towards performance'. It was also noted that the UN is a very 'risk averse' organization – 'risks must be mitigated, not minimized to operate effectively'. This leads on to our next point regarding the OIOS.

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[23] Interview with IAAC officials, New York, 07/09/10.
[24] Interview with IAAC officials, New York, 07/09/10.

Process or performance in the OIOS

Even though there has been little strategic leadership from the Secretariat as to the implementation of performance accountability, the OIOS has been developing techniques for risk assessment and for considering residual risks. This is a work in progress, but the Secretariat has no systemic approach to risk analysis. One representative of the ACABQ reported problems with the mandate of the OIOS, as no information from the OIOS reaches the ACABQ. That in turn means that the ACABQ not aware of new techniques being developed internally in the organization that it is set to oversee.

As OIOS operates with a strict separation between its divisions, tensions arise between them and between individual leaders. One official stated that the UN system is intentionally ambiguous and needs overhauling. It was said that the current system is based on lying, lip-service to good ideas, mumbo-jumbo and spinning wheels; and that 'results-based management works if you're producing light posts…'[25] Concerning this tension, another official exclaimed 'ah, I see you have spoken to [official in another division]!' and continued to argue that 'there are no contradictions between a broad mandate and measurements of results. We must be clear what we want to achieve, how to measure, what kind of decision to make. It doesn't matter if the mandate is broad or narrow. We have to break it into pieces, and micro-manage. There is no contradiction whatsoever between broad mandates and measurement.'[26] This concerns the previously mentioned negotiations over the concept of accountability, and the paradox inherent in combining system-oriented process accountability with a focus on rules and regulations, with performance accountability based on results-based management and delegation.

Budget and resources

Investigations and oversight are expensive. Merely *one* of the 'Oil for Food' reports cost 35 million dollars.[27] As a result, various senior OIOS positions remain vacant, while the Office has in addition requested new posts. While some noted that the OIOS had sufficient resources, its vacancy rate stands at about 15–20% and the organization seems to lack human resources. Moreover, staff are not allowed to prioritize among tasks. That creates a dilemma. As a senior OIOS official pointed out, 'we can't neglect any of our clients. Then, how to prioritize?'[28] This relates to a pervasive feature of the UN regarding the gap between commitments and mandates, and resources, and is to a high degree a function of the political nature of GA proceedings,

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25 Interview with senior OIOS official, New York, 16/06/10.
26 Interview with OIOS official, New York.
27 Interview with senior OIOS official, New York, 16/06/10
28 Interview with senior OIOS official, New York, 17/06/10.

with little concern for the capacity of the Secretariat. There is little discussion of resource allocation based on performance and the ability to deliver services. Furthermore, conclusions reached in the GA reflect political bargaining, with scant regard for resource constraints.

The Joint Inspection Unit (JIU)

Established in 1966, the JIU answers to the GA and legislatures of other entities of the UN system that have accepted its standing. It is made up of eleven inspectors who serve in a personal capacity, and who are expected to have special experience in administrative and financial matters. They are mandated to hold independent views through inspections and evaluations, to improve management and coordination.

The JIU is charged with investigating and evaluating 'all matters having a bearing on the efficiency of services and proper use of funds', and has powers of investigation in all matters concerning this. It is intended to facilitate coordination in the face of the existence of various system-wide actors and a mass of reports, plans and statements emanating from the UN system. The JIU is also meant promote cooperation between oversight bodies such as the OIOS and budget review bodies such as the Committee for Programme and Coordination (CPC).

The JIU issues reports, notes, and also confidential letters, submitted either to relevant legislative bodies or executives of organizations. When matters of a system-wide nature are treated, the reports are addressed to all organizations. Like the BoA, the JIU reports to the GA on the work of the secretariat, and submits an annual report to the Assembly.

According to the JIU statutes, 'executive heads of organizations shall ensure that recommendations of the Unit approved by their respective competent organs are implemented as expeditiously as possible'. Implementation is decided by the 'competent organ'/legislative organ of each unit, who must process the report within six months of receipt. They may also verify implementation themselves, and request the JIU to submit a follow-up report.

The JIU is mandated to implement both a tracking and a follow-up mechanism as concerns implementation. For each approved implementation, the executive head of the relevant organization is to submit to the JIU a chart detailing who is in charge of execution and a timetable for the implementation process (54/16; 52/54 Annex 1).

The JIU's standing in the UN system

There seems to be a perception amongst delegates from most Western countries that the JIU is controlled by the G77, 'debating their reports ad infinitum'.[29] This mistrust of JIU is often expressed by labelling the JIU as 'irrelevant' or 'politicized'. In any case, reports from the JIU are often presented as 'for information', instead of receiving proper treatment and follow-up. They are often seen as 'useless' and contradictory, and containing too many and too vague recommendations. Also the selection procedures have been criticized heavily. One UN delegate declared the JIU to be 'basically irrelevant', adding that 'there are no relevant criteria whatsoever for selection to the JIU'.[30]

Others, however, mentioned the JIU's potential to become an important oversight body,[31] and indicated that its problems had to do with '…personalities. Older delegates from the 5th committee are happy to be in Geneva. They are accountable to no one. The inspectors are bad.' It was noted that there are few researchers, and a 'lot of D2 prima donnas' [32] or 'diplo-auditors'.[33]

One OIOS official commented on the JIU saying that their mandate is very difficult. The inspectors are 'operating independently. The ones receiving their reports say that they are totally incoherent. They are operating in a vacuum, cut off from the decisionmaking procedures.'[34]

The JIU has acknowledged that the nomination of inspectors is 'an issue'. What is chosen is the country, not the person, thus making the selection political rather than based on expertise.[35] There are 'people that are not in the right place'.[36] The JIU itself indicated a knowledge gap, with too many people (inspectors) with the same profile. This is a result of the conveyor-belt style of advancement practices of going from the 5th committee, through the ACABQ, to the JIU.

The JIU is fiercely independent, and very protective of its mandate. One inspector repeatedly stressed, 'We are the only external (body). We are not dependent on any of the organizations. We are independent.' This independence even amounted to accusing the GA of unethical behaviour in not referencing the Units reports: 'Many [of our] recommendations are being implemented. Resolutions from GA bear them in mind even if not referred to explicitly. This is about intellec-

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29 Interview with ACABQ delegate 2, New York, 15/06/10.
30 Interview with ACABQ delegate 1, New York, 15/06/10.
31 Interview with ACABQ delegate 2, New York, 15/06/10; Interview with senior OIOS official, New York, 16/06/10.
32 Interview with senior OIOS official, New York, 16/06/10
33 Interview with BoA official, New York, 16/06/10.
34 Interview with senior OIOS official, New York, 16/06/10
35 Interview with JIU staff member, Geneva, 24/06/10.
36 Interview with senior JIU staff member, Geneva, 24/06/10.

tual property rights, this is not correct! It is like having read a textbook [and not citing it]. It is put in the preamble without saying a word. We see [our reports] reflected, without mentioning one single word. This is academically speaking incorrect...even operative paragraphs.'[37]

The responses from the JIU to its 'image problems' were directed more towards the Secretariat than towards the GA or member countries, revealing yet another difficult relationship, as in the case of the OIOS. Reference was made to claims from the Secretariat that the JIU is a burden because they criticized it, that it is unhappy with the reports, and wants to abolish the JIU. The Secretariat 'entrusted PricewaterhouseCoopers [with assessing the JIU] who concluded that there is no need for the JIU. This was rejected by the GA, so the charges [of irrelevance] are not accurate because the GA didn't abolish the JIU.'[38]

Other JIU staff said that the old image of the JIU has become entrenched, and that it is far too easy to call it an instrument of the G77, as they are not dominated by donors,[39] and that selection is made on a regional basis.[40] That was emphasized as an advantage, as being more representative of the UN organization, and was therefore also seen positively by the G77. The interests of the G77 are simply better served by the JIU, as its inspectors are appointed on the basis of regions. [41]

The JIU must struggle to make its reports available, because a 'drive from the Secretariat to make sure that recommendations are dealt with' is lacking.[42] JIU staff generally stressed that the interest (or lack thereof) of the member states is the key problem. If there is anything to accusations that the Unit's expert inspectors are politically appointed, it was underlined, that is because it is the member states who appoint them.[43]

Budget and resources
A recurrent theme was the JIU's lack of resources. The budget is small; staff cannot make many trips, and must use video conferences and websites to access information in working on the reports.[44] They do not have the capacity to follow up on recommendations, even if the OIOS is tracking some of them. Only one tenth of a position is dedicated to following up on recommendations. As one JIU staff member

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[37] Interview with JIU inspector, Geneva, 24/06/10.
[38] Ibid.
[39] Interview with senior JIU staff member, Geneva, 24/06/10.
[40] Interview with JIU staff member, Geneva, 24/06/10.
[41] Ibid.
[42] Interview with senior JIU staff member, Geneva, 24/06/10.
[43] Interview with JIU staff member, Geneva, 24/06/10.
[44] Interview with senior JIU staff member, Geneva, 24/06/10; Interview with JIU inspector, Geneva, 24/06/10.

expressed it, 'if you never question the answers you get back…this is not really the full thing.'[45]

The JIU conducts an average of 10 reviews per year, but has very limited travel funding. It was estimated that a team of one inspector and one evaluations officer could visit less than one field station per report. It is not possible to travel to donor capitals, to visit stakeholders, or bring in external consultants. This also leads to delays in getting the reports out.

The mandate was seen to be strong, and there were no expressions of dissatisfaction with it from the perspective of the JIU. However, the point remains: the JIU is unable to fulfil its mandate due to resource constraints. For one thing, some inspections and investigations are not conducted at all, because the resources are not there. This is not a question of mandate.[46]

Overlap and coordination

The JIU was the sole oversight body that during our fieldwork expressed concerns about undue overlap. For instance, the JIU had been told to postpone a visit because the BoA and the OIOS were conducting a similar task then, even though it was OIOS that had recommended JIU to make the visit in the first place. Still, it was stressed that cooperation between OIOS and the BoA runs smoothly, with channels of communications and information exchange that are used every day.[47] There are also annual meetings between these bodies.

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45 Interview with senior JIU staff member, Geneva, 24/06/10.
46 Interview with senior JIU staff member, Geneva, 24/06/10.
47 Interview with JIU staff member, Geneva, 24/06/10.

When the Technical Becomes Political

According to General Assemble resolution 64/259, the GA is 'aware of the significant flaws in terms of internal monitoring, inspection and accountability' (64/259). The OIOS argues that 'result-based management at the UN has been an administrative core of little value to accountability and decision-making' (763/268). Moreover, there seems to be a loose consensus that, as the OIOS puts it, 'there is nothing intrinsically deficient with either the design or the mandates of the overall system of oversight in the UN system' (JIU2006/2). The problem, then, is seen to be mainly with implementation and coordination. And such a problem is a deeply political one, not a technical issue.

During the interviews conducted for this report, we repeatedly tried to get UN staff to talk about the technical set-up or technical deficiencies in the current accountability system. However, it proved nearly impossible to touch on these issues, as the interviewees immediately began speaking of the political nature of accountability – even of the most 'technical' issues. The system is seen as always being for someone and for some political purpose. There was not much optimism as to the implementation of an accountability system, something that has been in the making for decades. The consensus seemed to be that it would be impossible to establish a well-functioning system of accountability with some degree of autonomy from political influence either from the SG or other heads of UN entities, or from member states.

Accountability mechanisms require mutual trust, effective cooperation, common objectives, reliable ways of assessing accomplishment of these, and associated sanctions and rewards (Stiglitz 2003: 111). However, lack of trust among and between member states, and concerns with public perceptions within the Secretariat, result in accountability mechanisms being used as a means to other, often political, ends (Balint et al. 2008).

There is a substantial concern among many countries, especially from the G77, that delegation of tasks and powers as required in results-based approaches, particularly when perceived as an empowerment of the Secretariat, will lead to the empowerment of influential donor countries. The GA and the (near) consensual voting within the 5th committee, and the primacy they accord to process accountability – clear rules and procedures – are seen as one of their central sources of power, even if these lead to inflexibility and inefficiency. This was

acknowledged by former SG Kofi Annan, when he in 2006 stated that these countries are 'driven to assert their influence by using the only means they believe is available to them – that is, by withholding their support from some of the many decisions, particularly on administrative and budgetary matters, for which consensus is required' (60/692, cited in Balint 2009)

This 'culture of mistrust' (Behn 2001: 85) leads to a fear of discretion and explains why the accountability pattern is still predominantly based on a myriad of rules and regulations, and why current reform efforts aiming for performance accountability and results-based management is difficult to establish. Excessive control, with micromanagement and political games, does not sit well with delegation of authority and greater powers for the SG and the Secretariat – a requirement for the implementation of performance accountability.

One particularly worrisome effect of the politicization of accountability mechanisms is that wrongdoings and mismanagement are not dealt with effectively, or often simply ignored.[48] To take but one example, OIOS does *not* want to direct attention towards the fact that there are no connections between performance and consequences, fearing to be burdened with responsibility for this. This tendency is compounded by the aforementioned lack of a common definition or understanding of what is meant by accountability, leading different actors to do quite different things, often at cross-purposes.

The mandates were not mentioned as being a problem, except as regards the above-noted dispute between traditional accountability and results-based management. Everything points to the lack of resources, particularly for the JIU, and the political nature of what is supposed to be the technical implementation of mandates.

Thus, in discussing possible issues to address in the context of reform efforts, we take as our point of departure that while accountability is often quite technical, in practice it is shot through with political concerns.

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[48] Interview with senior OIOS official, New York, 16/06/10; Interview with embassy staff, Geneva, 25/06/10.

Recommendations

The following recommendations are based on our assessment of the mandates, resources and enforcement features of each of the organizations under review, as specified in the ToR. We do not offer a political analysis of their political feasibility, as that would go well beyond the scope of this study.

Mandates

The JIU has concluded that 'there is nothing intrinsically deficient with either in the design or the mandates of the overall system of oversight in the UN system' (2006). Still, UN reform efforts are based more on making additions to existing layers of mandates and processes than undertaking any fundamental, systemic overhaul. The OIOS, for example, has argued that: '…the introduction of result-based management in the Secretariat has been dealt with as an addition to the myriad rules and procedural requirements…. It has not been accompanied by any relaxation of the volume, scope or detail of regulatory frameworks pertaining to financial, programmatic and human resource management. For each of these, there are separate and incompatible systems, rules and regulations (763/268).

Not only does this lead to overly cumbersome management processes: there is also no clear hierarchy between different sets of rules and regulations. That creates leeway and flexibility not so much to govern effectively and be held account for results, as to halt or delay the implementation of policies by reference to a myriad of different rules and regulations.

More concretely, the mandates of the oversight bodies under review are not seen to be the problem. It is rather the *implementation and co-ordination* of these that are hampered, mainly due to the politicized environment and lack of a centralized management structure in the UN.

The presence of an investigations function in OIOS could confuse the divisions between internal and external accountability. In connection with reforms of the JIU, it is proposed that the OIOS' investigations functions be placed in a strengthened JIU, and that the JIU and the OIOS in due course should become one unit. To ensure clear focus and coordination, the JIU, and later the conjoined body, should investigate only 'level 1' cases. Such cases are determined on the basis of

risk assessment indicators of the case in question, and would involve serious offences by the higher echelons of the UN, with potentially widespread consequences. Lower-level investigations should be conducted internally by the agencies and programmes. This is currently the rule, but is not always practised because of the political sensibilities involved in investigating level 1 cases. Here it should be noted that there have been incidents where oversight bodies are said to have outsourced level 1 cases to agencies, for fear of the political consequences of an investigation.[49]

One option to consider is establish an independent commission of experts on accountability and on the UN system to review existing practice and suggest practical reform measures. Such an approach would reduce the politicization of current reform efforts owing to internal turf-battles and political tensions between and among member states. Such a commission could also discuss and recommend areas for reform that would be more focused on public accountability, which is critically important for the legitimacy and credibility of the UN as an operational actor. This is all the more important in a context where UN funds, programmes and agencies are operating in a 'market' where a host of other actors (NGOs etc) are doing much of the same (operational) work as the UN.

Coordination

It is perhaps surprising to note that coordination is not mentioned as the most acute problem in the UN accountability system. There is overlap and there is always room for improvement on coordination. However, during the interviews some issues emerged as being ripe for reform. One recommendation that was flagged by some interviewees concerns scaling up the OIOS to be in charge of systems-level oversight and accountability. To achieve this, the OIOS budget would have to be separated from the SG's budget. At present, the OIOS in practice does not have its own budget, since it is an internal oversight body under the authority of the SG. It should not be up to each programme or agency to fund the OIOS to perform oversight functions, as this entails the risk that the entities most in need of independent oversight will avoid it.

Norway could consider gauging the possibility of making the status and functioning of OIOS a more central area for UN reform. While it is difficult to assess whether this is politically feasible, there are good reasons to believe that there is more room for make lasting changes

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[49] Interview with embassy staff, Geneva, 25/06/10; Interview with senior OIOS official, New York, 16/06/10.

on the functioning of the UN as an operational entity than as an inter-governmental and representative entity (through reform of the SC).

*As noted, the BoA is currently working to establish a common UN standard for audits. This work should be supported, with the caveat that one should not have blind faith that practices for auditing in the private sector will necessarily work well for the special needs and challenges of humanitarian operations and peacekeeping. Here, best practices from the Norwegian authorities (*Riksrevisjonen *etc.) could serve as a fruitful point of departure for a targeted interven-tion/proposal.*

There are in general no institutionalized fora between the JIU and the institutions at UN HQ in New York. Furthermore, there is no mecha-nism dedicated to following up recommendations from the JIU. This is problematic. While the recommendation about restructuring and fusing the OIOS and JIU will probably help in the long run, this should not distract attention from dealing with the lack of follow-up in the more intermediate term.

Norway could also consider addressing the lack of follow-up and sanctions by assessing and recommending ways to include the reports and recommendations of the JIU in substantive discussions among member states. Moving the reports of the JIU from 'for information' to 'for decision' would be but one small but we think important step in the right direction. It would put more pressure to bear on the JIU to improve the quality of its reports.

Quite a few of the interviewees pointed out that there is in fact no shortage of reporting and coordination. Particularly in the 5th commit-tee, there are strong tendencies towards of micromanagement and ex-cessive control. The overarching objective should be to move the sys-tem from a focus on rules and regulations and micromanagement on this basis, towards delegation of tasks based on clear performance in-dicators and effective sanctions.

Norway could consider taking small steps with and through like-minded states to reduce the burden on reporting and coordination, and increase the effectiveness of more genuine accountability in terms of being held responsible for results, rather than acting in conformity with a myriad of rules and regulations.

Funding and resources

Inspectors in both BoA and the JIU should be selected both in accordance with regional distribution *and* personal merit and expertise. This latter element is currently hampered by political concerns.

While probably difficult, given the current practice for nomination of senior leadership positions in the UN, every effort should be made to make qualification and merit a cornerstone in appointment procedures.

While there is every reason to believe that the JIU could do a better job with more resources, not least due to its independent position relative to the other bodies reviewed here, such increased funding should be accompanied by an internal oversight mechanism in the JIU.

Norway could consider calling for increased funding for the JIU if a more robust mechanism can be established to ensure high-quality reports and to hold the JIU accountable for its work. One option to explore – discussed in more detail below – is to focus on setting up credible, non-governmental watchdog functions outside the UN.

As mentioned earlier, a crucial missing link in the present accountability system is the absence of effective sanctions for poor performance or wrongdoings. Even if currently prohibited by the GA, every effort should be made to establish more effective sanctions.

Norway could consider linking its large contribution much more closely to the establishment of effective sanctions. While this is being done by Norway in some areas, it does not seem to be a firm general principle for contributions to the UN.

Implementation

The office of Policy Oversight and Coordination Services within the Department of Management in the Secretariat, functions as a counterpart to the oversight bodies under study. Its task is to make sure that recommendations are implemented, and it reports on this to the Management Committee.

The Management Committee, in turn, consists of 11 or 12 members, and meets each month to focus mainly on systemic issues and solutions. On a quarterly basis, they review the progress on implementation, and those departments that are lagging behind are 'reprimanded'.[50]

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[50] Interview with UN Department of Management staff, New York, 08/09/10.

The work of the Management Committee must be strongly supported, as their function is a necessary foundation for the above recommendations and their effective implementation and assurance.

Recommendations from the BoA have a low implementation rate (under 50%). This might be because of their focus on process accountability, and 'outdated' Terms of Reference, relative to results-based approaches currently in vogue (see above). Again, the lack of clarity about what accountability means creates flexibility of the wrong kind, making it easy to ignore recommendations.

Every effort should be made to support the work of the Management Committee in looking into this lack of clarity and the low levels of implementation of recommendations.

As noted, few links exist in resolutions between the concept of accountability and concrete action – more specifically, sanctions and rewards. 'A clearly defined system of rewards and sanctions' is a central element of the UN's definition of accountability. But, as the OIOS has pointed out, 'currently there are no individual-level sanctions available for the non-achievement of outcome-level results' (A/60/846/add.6, para. 39). There are few links to consequences, which also has to do with GA resolution 55/231, point 18, barring programme results from influencing the allocation of resources.

This concerns performance accountability on the individual level. But even in cases of violation of rules and process, there are no institutionalized options for sanctioning. As a senior OIOS official explained, 'even in cases of serious criminal offences, the perpetrators are usually carefully led out of the door after a couple of years. Criminal cases are being toned down.'[51] The sole element ever mentioned in available documentation is from a 'Human Resources Action Plan' (A/61/3189, para. 7), stating that 'consistent non-achievement of the targets could ultimately result in the delegated authority for recruitment and placement decisions being removed.' That has never happened and 'will never happen'.[52] It was said that the OIOS is 'afraid of commenting on this, because we then can receive the responsibility for it'.[53] The OIOS can, however, be mandated to recommend sanctions and rewards to the SG.

We have no data about how widespread a problem this is, but any case of non-action on serious offenses constitutes a serious problem that must be dealt with in some way. Inaction on this issue can render the

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51 Interview with senior OIOS official, New York, 16/06/10; Interview with embassy staff, Geneva, 25/06/10.
52 Interview with senior OIOS official, New York, 16/06/10.
53 Ibid.

UN less credible and legitimate in the eyes of the general public – among donors and beneficiaries of UN programmes and projects.

While the UN's legitimacy as a universal, inter-governmental organization does not ride on this issue, its status as an operational actor clearly does. This is perhaps the most difficult and complex challenge facing accountability in the UN. When actions cannot be met with sanctions or consequences, accountability is reduced to information exchange. One solution to this problem is detailed in the final recommendation below, proposing support to the creation of a watchdog function outside the UN to strengthen its public accountability through analysis and ratings of member states and UN organizations' performance.

The BoA recommendations 'do not cover the issue of disciplinary sanctions and measures that the Administration might wish to impose on civil servants who regularly fail to comply with the obligation to ensure adherence to the Financial Regulations and Rules of the United Nations, the financial management rules of the Organization as well as administrative instructions or connected directives.' (A/63/5 Vol. I)

Norway could consider suggesting that the BoA should be mandated to include proposed sanctions in its reporting procedures and recommendations.

Competence, learning and knowledge management

The institutional set-up of the UN affects the possibilities for learning. The political nature of the system makes the UN a very distinct learning system. As one study has argued, there are perverse incentives for those making policy and those that implement them, leading to suboptimal learning and exchange of information:

> on the principal's side, there may not be sufficient time, or technical competence, or interest to learn what is actually going on with policy implementation. On the agent's side, whatever is learned about policy implementation that might urge a change of methods or of the policy itself may never be articulated at all, for to do so might upset an existing political equilibrium (La Palombra 2001: 565)

Results-based management

While process and performance accountability live side by side, the emphasis among UN professional staff is very much on the latter. Thus, results-based management is currently a core component of ac-

countability work in the UN. An OIOS official noted, for example, that 'we must work within the parameters of our profession: risk management and governance.'[54]

Results-based management was first introduced in the Secretariat by the JIU, and is assessed by the OIOS (a763/268, para. 1) through at least three critical links. Each of these links is either weakly institutionalized or non-existent:

1. There must be a strategic framework that defines the objectives of the Organization. However, there is no complete strategic framework document for future budget cycles.

2. There must be logical frameworks for each sub-programme. However, broad objectives are not linked to those at the lower levels. Indicators of activities and output are not conducive to the achievement of established objectives, and performance measures are not always linked to corresponding indicators of achievement. Finally, external factors are not based on an appropriate risk assessment.

3. There must be a connection between results and resource allocations. This is effectively prohibited by the GA through resolution 55/231, barring the use of indicators of achievement for adjustment of resources and limiting the authority of the SG to shift resources.

The OIOS summarizes a central problem with the current system in noting that 'if results actually produced do not guide GA decision-making and if simultaneously there is no relaxation of process controls, result-based management will continue to be an administrative core of no real utility'. It proceeds to stress, moreover, that 'there is no clear common understanding of the objectives of results-based management at the UN Secretariat' (A/63/268).

Because of the tensions involving the GA, the Secretariat and the oversight bodies, it is hardly surprising that no substantive efforts have been made at delegating authority to the Secretariat. The result is a vicious cycle of politics, as delegating authority is a necessary prerequisite for establishing performance accountability (JIU 2006: 2). The way the UN functions today – as regards member-state behaviour and that of the Secretariat – seems to undermine the very objective that it is set to achieve in terms of performance accountability and results-based management.

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54   Interview with senior OIOS official, New York, 17/06/10.

Building on work already being done by the Department of Management, Norway could consider making the effective implementation of results-based management, including the development of performance indicators, a central concern. This would have to include a review of who is authorized by whom to do what by the GA, and whether more authority could be delegated to the SG and the Secretariat. While certainly administrative and technical in nature, much seems to ride on this issue for the effectiveness and legitimacy of the UN as an operational actor.

The UN is in dire need of a strategic framework that defines the objectives of the Organization, synchronized with budget cycles. At present, there exists no complete strategic framework document for future budget cycles; moreover, there is a general lack of corporate leadership.

If results-based management is to be implemented, the programming process needs to be reorganized. Currently, there are separate cycles for programming and budgeting. The Strategic Framework is costed by the Secretariat, becomes the budget which is sent to the 5th committee for approval and, as seen, detailed discussions. (The 5th committee does not assess results or outcomes; it is concerned with costs only.) This process takes a full four years, and is not 'suitable to an organization that is supposed to be flexible and respond effectively to evolving challenges and crises'.[55]

Norway could consider initiating, with like-minded countries of which there are many on this issue, a process aimed at streamlining and synchronizing UN programme and budget cycles.

Interviewees referred to the inclination of member states to politicize, and their reluctance to delegate authority, but also the fact that the organization of strategic planning is located in the budget section. The UN Office of Programme Planning and Budget is directly under the Controller within the Department of Management. This leads to an emphasis on a small picture approach to programme planning that is consistent with a focus on control rather than delivery, and on dollar amounts rather than outcomes and performance. An alternative would be to locate an office concerned with strategic programme planning within the office of the SG. This could probably be done quickly within the existing authority available to the SG (see Mathiason 1997).

Situations such as those described above are not uncommon in large organization, and have been extensively analysed in institutional and

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55   Interview with a country mission staff member, New York, 08/09/10.

organizational theory. In cases where regulations and new programmes run counter to the interests of powerful members in an organization, regulations may provide only very ambiguous criteria for identifying compliance. The response is often 'believable displays of conformity' to satisfy external constituencies, or other internal groupings, even if these displays are effectively *decoupled* from the everyday work of the organization (Meyer and Rowan 1977).

A strategic answer to this challenge is to institutionalize watchdog functions outside rather than inside the UN. The past two decades have seen a strong growth in non-governmental agencies producing authoritative investigations, analyses and ratings of the performance of firms, states and also international organizations. Such an external and informal watchdog function can bypass the political obstacles to reform inside the organization. Transparency International, Human Rights Watch and International Crisis Group are among the organizations that have had great success in their naming and shaming tactics to facilitate political change.

Norway could consider the establishment of a watchdog function outside of the UN to help ensure public accountability. The rationale could be that there is no system-wide system for keeping track of existing mechanisms or the rate of compliance by Secretariat and member states with the UN's own regulations and professed rules and objectives. In the long term, naming and shaming based on in-depth analyses and credible facts can be effective as a tool for building up political support for much-needed reforms.

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