



JOINT INSPECTION UNIT
of the United Nations System
CORPS COMMUN d'INSPECTION
du Système des Nations Unies

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Agenda item number 145 – Administration of Justice at the United Nations
Fifth Committee, seventy-first session

Presentation of JIU Report JIU/REP/2015/6

Review of the organizational ombudsman services across the United
Nations system

(11 October 2016)

Mr. Chairman, distinguished delegates,

The Joint Inspection Unit (JIU) has the honour to introduce to the Fifth Committee the JIU report entitled “Review of the organizational ombudsman services across the United Nations system” issued under symbol JIU/REP/2015/6 (and as a document of the General Assembly A/71/117 of 30 June 2016). The comments of the CEB constituting the management response may please be seen in document A/71/117/Add. 1 of 16 September 2016.

The objective of the review was to make an independent assessment of the functioning of the organizational ombudsman offices in United Nations system organizations by mapping their mandates and practices; identifying their enabling environments, and intention to adhere to the principles set out in international standards; assessing their contribution to identifying systemic

issues; identifying good practices, including cooperation with other ombudsman practitioners; and capturing and analysing the perceptions and satisfaction of the main groups of clients.

The recommendations made to the legislative bodies and the executive heads are intended to improve the enabling environment in which the organizational ombudsman offices are functioning. For the JIU, it is always a delicate issue to formulate recommendations for the independently functioning entities. Therefore, our recommendations do not affect the operational or managerial activities of ombudsman offices, but rather request them - through the executive heads - to consider our recommendations individually, or through voluntary cooperation of the ombudsman offices in the United Nations system organizations.

We found that the terms of reference of the ombudsmen in United Nations system organizations need to be revised, improved and promulgated because they are not comprehensive, are out-dated with many being more than a decade old, and they do not properly reflect the changed reality. For example, the integrated Office of the United Nations Ombudsman and Mediation Services that serves three pillars (the United Nations Secretariat, the funds and programmes and the Office of the United Nations High Commissioner for Refugees) has not yet revised and promulgated its terms of reference as requested by General Assembly resolution 62/228 of 2007.

Promoting the role of the organizational ombudsman is not only the

responsibility of the ombudsman, but the active contribution of the management and staff associations is also a necessary condition to increase the visibility and effectiveness of the ombudsman offices. The report thus recommends including questions relating to the ombudsman service in staff surveys in order to identify the kind of activities that should be organized to increase the awareness and understanding of the organizational ombudsman function among the staff.

Headquarters staff with direct access to the ombudsman office are in a privileged position compared to their colleagues in field offices because they can have face-to-face contact with their ombudsman. However, it appears that organizations will not avail themselves of the possibility of using the services of another United Nations system organization ombudsman to offer their field-based staff a choice between face-to-face contact with that ombudsman, and virtual contact with their own, headquarters-based, ombudsman. The excuses given are that the rules, regulations, policies, procedures, practices and culture of each organization are different and that there would be resource implications. We found those differences and reasons to be blown out of proportion and can only add that “where there’s a will, there’s a way”.

Reported statistics cannot be fully compared for several reasons. When a visitor presents his or her case to the ombudsman, it can cover more than one issue and while issue classification is standardized, there is variation as to how each ombudsman determines whether to record a visitor’s query as a case, or as just information seeking, and what procedures to apply in handling a

case. A standard operating procedure or case management manual for ombudsmen in the United Nations system is needed to ensure consistency. Such a manual should be the result of a collective effort through voluntary cooperation of the ombudsman offices in the United Nations system.

Currently, only the Ombudsman of the United Nations Secretariat reports annually to the General Assembly through the Secretary-General on identified systemic issues. The JIU position is that all ombudsmen of United Nations system organizations should be able to report to their respective legislative bodies. Furthermore, ombudsmen should be able to do so whenever they consider that the magnitude of unresolved systemic issues may require the attention of Member States. This practice would not jeopardise the ability of ombudsmen to resolve issues through informal means as it can be managed without breaching confidentiality. The advantage being that Member States are informed in a timely manner about systemic issues which may be affecting the efficient operation of an organization.

Continuous training and certification through the ombudsman certification process is strongly recommended. Additionally, while recognizing the special and independent nature of the ombudsman's function, the JIU recommends that a process involving management and staff representatives be used to appraise the work of the ombudsman. The participation of all stakeholders in the appraisal of the ombudsman's work, occasionally supported by the results of an external peer review, would enhance accountability without compromising the critical independence of the function.

Finally, the United Nations and Related International Organizations network of ombudsmen and mediators, which is larger than the United Nations system, should create a sub-group that is limited to United Nations system organizations to address United Nations system-specific challenges and the recommendations contained in this JIU report. We are convinced that more systematic cooperation among the United Nations ombudsman services would result in a more equitable treatment of the staff, regardless of their duty station or organization, and that it would strengthen coherence in the system. This point has particular relevance, given the emphasis on increased mobility across the system.

Mr. Chairman, the JIU is thankful for the opportunity to present this report and will be willing to provide clarifications and answer any questions that the Committee may have.

Thank you, Mr. Chairman.