

MINUTES

12th General Assembly Meeting of the Asian Ombudsman Association (AOA)

**Date: 8th December, 2011,
Venue: Numazu, Japan,
List of participants is attached.**

In his opening remarks, Ms. Conchita Carpio Morales, National Ombudsman, Philippines Vice President, Asian Ombudsman Association (AOA), welcome all members and in particular the new members who has recently joined the AOA and attending the General Assembly meeting for the first time. She also thanked Mr. Hideo Arai, Director General, Administrative Evaluation Bureau, Japan for the immaculate arrangements for the meeting. The Vice President highlighted the importance of this meeting in view of the fact that the members have to elect new Board of Directors. Thereafter, the agenda of the meeting as proposed by the Executive Secretary was taken up for discussion.

Agenda Item No. 1

Approval of the Audit Statements of the AOA accounts for the years 2009 & 2010.

The audit reports for the period from 1st January 2009 to 31st December, 2009 and 1st January, 2010 to 31st December, 2010 prepared by M/s AZ & Co. and WA Associates (Pvt.) Limited were placed before the Board of Directors during its 12th & 13th Annual Meetings held on 26th August, 2010 and 5th December, 2011 respectively. The Board approved the placement of the Audit Reports before the General Assembly.

Decision:

The General Assembly approved the audited accounts for the years 2009 & 2010. Resolution No.2 so adopted is placed at annex-I.

Agenda Item No. 2

Consideration of proposal for hosting the 13th AOA Conference in 2013.

On invitation of proposals to host 13th Conference of the AOA in 2013, by the AOA Secretariat the General Inspection Organization, Islamic Republic of Iran, has offered to host the 13th AOA conference in Tehran, Islamic Republic of Iran. The Board of Directors while

supporting the proposal, recommended to the General Assembly to accept the offer of the General Inspection Organization, Islamic Republic of Iran.

Decision

The General Assembly unanimously approved the Board's recommendation to host the 13th AOA Conference in Tehran, Iran.

Resolution No.2 so adopted is placed at annex-II

Agenda Item No. 3

Elections of the office holders and members of the Board of Directors of the AOA.

During the 10th meeting of the General Assembly held on 2007 at Hanoi Vietnam, elections of the Board were held. The terms of office holders and members were expiring, hence new elections were required.

2. Accordingly, in terms of Clause II Sub-Clause 2-1 and 2-2 of the Code of Conduct of the Association, the nominations for all offices on the Board were invited. The position was as follows;-

- a. No nomination for the post of President was received. Under clause 9(1) of the Bye Laws of AOA, the Board of Directors in its meeting held on 4th December 2011, vide Resolution, No. 1 of BoD had been pleased to resolve that;-
” (a) if the Wafaqi Mohtasib (Federal Ombudsman) of Pakistan is appointed by 31 May 2012, he or she shall be invited to be the President of AOA; and
(b) if no person is appointed to the post of Wafaqi Mohtasib (Federal Ombudsman) Pakistan by 31 May 2012, or if the Wafaqi Mohtasib declines the invitation, the Board of Directors shall determine how the post of the President of AOA is filled.”

The resolution adopted by the Board of Directors was placed before the General Assembly for consideration and ratification.

- b. Only one nomination of Ms. Conchita C. Morales i.e., the Ombudsman of Philippines was received against the post of the Vice President. She had been pleased to withdraw her nomination to serve as Vice President, on account of

her official commitments at home. Subsequently, Dr. Fong Man Chong, Commissioner for Commission Against Corruption, Macao, SAR China nominated Mrs. Panit Nitithanprapas, the Chief Ombudsman of Thailand, for the post of Vice President for the term commencing 8th Dec, 2011. The nomination was seconded by Mr. Danang Grindwardana, the Ombudsman of Indonesia.

Accordingly, under clause 9(1) of the Bye Laws of the AOA, the nomination of Mrs. Panit Nitithanprapas, was placed before the General Assembly for consideration and approval.

- c. Only one nomination was received for the post of Secretary i.e. Mr. Alan Lai, the Ombudsman of Hong Kong. He, therefore he stood elected unopposed.
- d. Only one nomination was received for the post of Treasurer i.e. Ms. Kim Young-ran, Chairperson Anti-Corruption & Civil Rights Commission, Republic of Korea. She, therefore, stood elected unopposed.
- e. After accepting the nomination by Mrs. Panit Nitithanprapas, the Chief Ombudsman of Thailand for the post of Vice President, there were only five candidates against five posts of the members of the Board of Directors, i.e.
 1. Ms. Ma Wen,
Minister, Ministry of Supervision, Peoples Republic of China.
 2. Mr. Hiedo Arai,
Director General, Administrative Evaluation Bureau, Japan
 3. Justice Pour Mohammadi,
Government Inspection Organization, Islamic republic of Iran.
 4. Dr. Fong Man Chong,
Commissioner for Commission Against Corruption, Macao, SAR, China,
 5. Dr. Tam Weng Wah, Director General,
Public Complaints Bureau, Malaysia.

Consequently, the above mentioned candidates stood elected as member of the Board of Directors. The General Assembly was requested to approve accordingly.

2. As the Vice President placed the Resolution passed by the Board of Directors, before the General Assembly for ratification, inviting the Wafaqi Mohtasib for the Presidentship of the AOA, Mr. Shoaib Suddle, Federal Tax Ombudsman, on point of order raised an objection saying that there is discrimination in the voting rights of the full members of the Association.

Voting rights of the full members admitted from one country has been restricted to the founding members or to the Ombudsman enjoying the status of National/ Federal Ombudsman. He stressed that voting rights of other full members from the same country should be brought at par. He also questioned whether the next term of the AOA Presidentship was offered to Pakistan or specifically to the Federal Ombudsman of Pakistan. In case the offer was for Pakistan then the choice of nominating the candidate for Presidentship is left to the Forum of Pakistan Ombudsman (FPO), a forum representing all Ombudsmen Federal and Provincial Ombudsmen in the country.

3. Replying to the above raised objection/suggestion the Secretary AOA (Mr. Alan N. LAI) explained the General Assembly that suggestion put forward by the honourable members needs amendment in the Bye-Laws of the Association that entails necessary process described in the Bye-Laws and Code of Conduct of Business of the Association. Therefore, General Assembly is not in a position to deviate from the standard prescribed procedure. He informed the General Assembly that the proposal submitted by the honourable member will be processed in accordance with law.

4. The Executive Secretary explained to the honourable member that the Board of Directors were pleased to extend the offer for Presidentship for the next term to the Federal Ombudsman of Pakistan, considering the service rendered by the office of the Wafaqi Mohtasib and AOA Secretariat being housed and operated in the office of Wafaqi Mohtasib. He informed the house that the resolution passed by the Board is placed for ratification or otherwise.

Decision:

The Chairperson placed the Resolution adopted by the BoD and recommending to the General Assembly for ratification regarding nomination of Federal Ombudsman of Pakistan as President AOA before the house, which carried with majority votes. Resolution No. 3 adopted by the General Assembly is at Annex-III.

2. Other Motion tabled by Federal Tax Ombudsman Pakistan before the General Assembly for adoption, allowing one institution one vote right, for consideration under Bye Law 9(1) of the Bye Laws of the AOA while suspending Clause III of the Code of Conduct was not carried by the house and rejected. Only one vote was casted in favor of the Resolution. However, it was decided that the motion/proposal moved by Federal Tax

Ombudsman Pakistan will be processed by the AOA Secretariat as provided in the Bye-Laws and Code of Conduct of Business of AOA.

3. The nomination of Mrs. Panit Nitithanprapas, Chief Ombudsman- Thailand, placed before the General Assembly for consideration and approval, under clause 9(1) of the Bye Laws of the AOA, was approved. So she stood elected unopposed.

4. Since only one nomination was received against each post of Secretary i.e. Mr. Alan Lai, the Ombudsman of Hong Kong and Treasurer i.e. Ms. Kim Young-ran, Chairperson Anti-Corruption & Civil Rights Commission, Republic of Korea, therefore, both stood elected unopposed.

5. After election of Mrs. Panit Nitithanprapas, the Chief Ombudsman of Thailand as the Vice President, there were only five candidates against five posts of the members of the Board of Directors, i.e.

1. Ms. Ma Wen,
Minister, Ministry of Supervision, Peoples Republic of China.
2. Mr. Hiedo Arai,
Director General, Administrative Evaluation Bureau, Japan
3. Justice Pour Muhammadi
Government Inspection Organization, Islamic republic of Iran.
4. Dr. Fong Man Chong,
Commissioner for Commission Against Corruption, Macao, SAR
5. Dr. Tam Weng Wah, Director General,
Public Complaints Bureau, Malaysia.

Consequently, the above mentioned candidates stand elected as member of the Board of Directors. Accordingly Resolution No.4 of 2011 adopted by the General Assembly declaring the results of the election of the office bearers and members of the Board of Directories is placed at annex-IV.

Agenda Item No.4

Approval of resolution for membership of the AOA for the following applicants:

- i. **The Lok Ayukta (Ombudsman), Government of National Capital Territory of Delhi, India**
- ii. **The Lok Ayukta (Ombudsman), Andhra Pradesh, India**
- iii. **The Commissioner for Human Rights (Ombudsman) Republic of Azerbaijan.**

- iv. **Office of the Ombudsman (Provedoria) for Human Rights and Justice, Democratic Republic of Timor-Leste.**
- v. **The Commissioner for Human Rights, Republic of Tatarstan.**

The Office of the Lok Ayukta (Ombudsman), Government of National Capital Territory of Delhi, India, the Lok Ayukta (Ombudsman), Andhra Pradesh, India, the Commissioner for Human Rights (Ombudsman) Republic of Azerbaijan, office of the Ombudsman (Provedoria) for Human Rights and Justice, Democratic Republic of Timor-Leste and the Commissioner for Human Rights, Republic of Tatarstan had applied for Full Memberships of the Association.

2 The Board of Directors in its meetings held on 26th August 2010 and 5th December 2011 examined and recommended their membership applications as they found eligible in the light of Bye-Law 5(1) and Article I of the Code of Conduct of Business of the Association for full membership. It was recommended to the General Assembly to accept the membership applications of the Lok Ayukta (Ombudsman), Government of National Capital Territory of Delhi, India, the Lok Ayukta (Ombudsman), Andhra Pradesh, India, the Commissioner for Human Rights (Ombudsman) Republic of Azerbaijan, office of the Ombudsman (Provedoria) for Human Rights and Justice, Democratic Republic of Timor-Leste and the Commissioner for Human Rights, Republic of Tatarstan had applied for Full Membership of the AOA.

Decision:

The General Assembly unanimously ratified the Board's recommendations for awarding Full Membership to the Lok Ayukta (Ombudsman), Government of National Capital Territory of Delhi, India, the Lok Ayukta (Ombudsman), Andhra Pradesh, India, The Commissioner for Human Rights (Ombudsman) Republic of Azerbaijan, office of the Ombudsman (Provedoria) for Human Rights and Justice, Democratic Republic of Timor-Leste and the Commissioner for Human Rights, Republic of Tatarstan.

Resolution No.5 of 2011 as adopted is at annex-V.

Agenda Item No.5

Vote of thanks to the Office of the Director General, Administrative Evaluation Bureau, Japan and his Excellency Hideo Arai, Director General for hosting the 12th conference of the Asian Ombudsman Association.

While concluding the session of the General Assembly the Vice President, thanked the participants for their interaction and valuable inputs during the meeting. On behalf of the members of the Association, she also express her sincere appreciation and gratitude to his Excellency Mr. Hideo Arai, Director General, the deputies, staff of the office and all ranks of the other departments of the Government of Japan; for their warm hospitality extended to the delegates and participants whose needs and comforts were fully attended to.

Resolution No.6 of 2011 adopted by the General Assembly is placed at annex-VI.

LIST OF PARTICIPANTS
12TH GENERAL ASSEMBLY MEETING
8TH DECEMBER, 2011 TOKYO, JAPAN

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| 1. | Mr. Huawei Zhang
Vice Minister,
PEOPLE'S REPUBLIC OF CHINA | Voting Member
(Representative) |
| 2. | Dr. S. D. Ximenes
Provedor,
Provedoria for Human Rights and Justice
EAST TIMOR. | Voting Member |
| 3. | Mr. Alan N. LAI
Ombudsman of Hong Kong,
HONG KONG (CHINA). | Voting Member |
| 4. | Mr. Justice N.K. Mehrotra,
Lok Ayukta, Uttar Pradesh,
INDIA | Voting Member |
| 5. | Mr. D. Girindrawardana,
Chief Ombudsman,
INDONESIA | Voting Member |
| 6. | Dr. G. Bolandian
Deputy for Planning & Resource Management,
ISLAMIC REPUBLIC OF IRAN, | Voting Member
(Representative) |
| 7. | Mr. Hideo Arai
Deputy Director General,
JAPAN. | Voting Member |
| 8. | Ms. Kim Young-ran
Chairperson, (ACCRC)
REPUBLIC OF KOREA. | Voting Member |
| 9. | Mr. Tursunbek Akun
Ombudsman
Kyrgyz Republic | Associate Member |
| 10 | Mr. Fong Man Chong Vasco,
Commissioner Against Corruption,
MACAU (CHINA) | Voting Member |

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| 11. | Dr. Tam Weng Wah,
Director General,
Public Complaint Bureau,
MALAYSIA | Voting Member |
| 12. | Mr. Nazir A. Qidwai,
Regional Director,
Provincial Ombudsman Sindh,
KARACHI (PAKISTAN) | Voting Member
(Representative) |
| 13. | Dr. Muhammad Shoaib Suddle
Federal Tax Ombudsman
ISLAMABAD (PAKISTAN) | Full Member |
| 14. | Mr. Azhar Ali Farooqi
Federal Insurance Ombudsman
KARACHI (PAKISTAN) | Full Member |
| 15. | Ms. Conchita Carpio Morales,
National Ombudsman,
PHILIPPINES. | Voting Member |
| 16. | Mr. L.A. Tissa Ekanayake,
Parliamentary Commissioner for Administration,
SRI LANKA | Voting Member |
| 17. | Mrs. Panit Nitithanprapas
Chief Ombudsman,
THAILAND. | Voting Member |
| 18. | Mr. Nguyen Duc Hanh,
Deputy Inspector General,
Government Inspectorate of Vietnam,
SOCIALIST REPUBLIC VIETNAM | Voting Member
(Representative) |

EXECUTIVE SECRETARY

Khawaja Muhammad Naeem, Secretary, W. M. Secretariat, Pakistan.

ADMINISTRATOR

Mr. Abdur Rauf Khan, Director, W. M. Secretariat, Pakistan.



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 8TH DECEMBER 2011

RESOLUTION NO. 1 OF 2011

APPROVAL OF THE AUDIT REPORTS OF THE AOA ACCOUNTS

Whereas the audit reports for the period from 1st January 2009 to 31st December, 2009 and 1st January, 2010 to 31st December, 2010 prepared by M/s AZ & Co. and WA Associates (Pvt) Limited have been approved by the Board of Directors in its meeting held on 26th August, 2010 and 5th December, 2011 respectively;

Now, therefore, the GENERAL ASSEMBLY of the Asian Ombudsman Association RESOLVES to accord its approval to the audit report.

Adopted, this 8th day of December 2011, at Tokyo, Japan.

ACTING PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 8TH DECEMBER 2011**

RESOLUTION NO. 2 OF 2011

HOSTING OF 13TH AOA CONFERENCE IN 2013

Whereas under Bye-law 6(2) and 6(4)(g) of the Bye-Laws, the General Inspection Organization, Islamic Republic of Iran, has offered to host the 13th AOA Conference in Tehran, Islamic Republic of Iran;

Now, therefore, the GENERAL ASSEMBLY hereby RESOLVES to accept the offer of the General Inspection Organization, Islamic Republic of Iran, to host the 13th AOA Conference in 2013;

Adopted, this 8th day of December 2011, at Tokyo, Japan.

ACTING PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 8TH DECEMBER 2011**

RESOLUTION NO. 3 OF 2011

ELECTION OF THE PRESIDENT OF THE AOA

Resolved that :

- (a) if the Wafaqi Mohtasib (Ombudsman) is appointed by 31 May 2012, he or she shall be invited to be the President of AOA; and
- (b) if no person is appointed to the post of Wafaqi Mohtasib by 31 May 2012, or if the Wafaqi Mohtasib declines the invitation, the Board of Directors shall determine how the post of the President of AOA is filled.

Adopted, this 8th day of December, 2011, at Tokyo, Japan.

ACTING PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 8TH DECEMBER 2011**

RESOLUTION NO. 4 OF 2011

**ELECTION OF THE OFFICE BEARERS AND MEMBERS
OF THE BOARD OF DIRECTORS**

Whereas the term of the office of the incumbent office bearer and Directors of the Association is to expire on 27th April, 2011 (vide Resolution No.5 of 2007, of the General Assembly dated 28th April, 2007);

Now, therefore, the GENERAL ASSEMBLY in its meeting of 8th December, 2011 elects the following members as officer bearer and members of the Board of Directors, for a term of four years as envisaged in Bye-law (7(2) of the Bye-laws of the Association.:-

PRESIDENT	Wafaqi Mohtasib (Federal Ombudsman), Pakistan
VICE PRESIDENT	Mrs. Panit Nitithanprapas, Chief Ombudsman, Thailand
SECRETARY	Mr. Alan N. Lai, Ombudsman, Hong Kong, SAR China.
TREASURER	Ms. Kim Young-ran, Chairperson, Republic of Korea.
MEMBERS:	
1.	Ms. Ma Wen, Minister, Ministry of Supervision, Peoples Republic of China.
2.	Mr. Justice Mostafa Pourmohammadi President, General Inspection Organization, Islamic Republic of Iran.

3. Mr. Hideo Arai,
Director General,
Administrative Evaluation Bureau,
Japan
4. Mr. Fong Man Chong Vasco
Commissioner,
Commission Against Corruption,
Macau SAR China.
5. Dr. Tam Weng Wah,
Director General,
Public Complaints Bureau,
Malaysia.
- 5.

Adopted, this 8th day of December, 2011, at Tokyo, Japan.

ACTING PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 8TH DECEMBER 2011**

RESOLUTION NO. 5 OF 2011

**APPROVAL OF THE APPLICATIONS OF OMBUDSMEN
INSTITUTIONS FOR FULL MEMBERSHIPS**

Whereas the following Ombudsmen had applied for full memberships of the Asian Ombudsman Association (AOA) and their applications on the recommendation of the Board of Directors were accepted by the General assembly in its meeting of 8th December, 2011:

- i. The Lok Ayukta (Ombudsman), Government of National Capital Territory of Delhi, India
- ii. The Lok Ayukta (Ombudsman), Andhra Pradesh, India
- iii. The Commissioner for Human Rights (Ombudsman) Republic of Azerbaijan.
- iv. Office of the Ombudsman (Provedoria) for Human Rights and Justice, Democratic Republic of Timor-Leste.
- v. The Commissioner for Human Rights, Republic of Tatarstan.

And whereas the applicants meet all the prescribed requirements of full memberships under the provision of Bye-Law 5(1) and Article 1 of the Code of Conduct of Business of the Association;

Now, therefore, the GENERAL ASSEMBLY of the Asian Ombudsman Association (AOA) in the 12th Meeting RESOLVE to accord its approval to all the above mentioned Institutions full members of the Asian Ombudsman Association.

Adopted, this 8th day of December 2011, at Tokyo, Japan.

ACTING PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 8TH DECEMBER 2011
RESOLUTION NO. 6 OF 2011
GRATITUDE TO JAPAN AND HIS EXCELLENCY
MR. HIDEO ARAI, DIRECTOR GENERAL, ADMINISTRATIVE
EVALUATION BUREAU, MINISTRY OF INTERNAL AFFAIRS
AND COMMUNICATIONS (MIC), FOR HOSTING THE 12TH
CONFERENCE OF THE ASIAN OMBUDSMAN ASSOCIATION**

Whereas the success of the recently concluded 12th Asian Ombudsman Association Conference held at Tokyo, Japan from 6th & 7th December, 2011, could not be made possible without the whole hearted cooperation and support provided by the host country through the Director General, Administrative Evaluation Bureau, Ministry of Internal Affairs and Communications (MIC), staff of the office and all ranks of the other departments of the Government;

And whereas the warm hospitality and generosity extended to the delegates and participants whose needs and comforts have been fully attended to, has made the Conference memorable and extremely enjoyable;

Now, therefore, the GENERAL ASSEMBLY hereby RESOLVES to express its sincere appreciation and gratitude to his Excellency Mr. Hideo Arai, Director General, and staff of the office, members of the staff of the other departments of the Government, for the successful hosting of the 12th AOA Conference held from 6th & 7th December, 2011, at Tokyo, Japan.

Adopted this 8th day of December, 2011, at Tokyo, Japan.

ACTING PRESIDENT

Attested:

SECRETARY