

MINUTES

8th Annual Meeting of the Board of Directors of the Asian Ombudsman Association (AOA)

Date: 15-16 December, 2006,

Venue: Islamabad, Pakistan

List of participants is appended.

Taking up Agenda item 4 first, the President welcomed all the members of the Board. He thanked the members for participating in the meeting at a short notice and appreciated the contribution of those Ombudsman and other position holders who, after having completed their tenures, had retired. He, and the other members of the Board, appreciated the services of the former President, Mr. Imtiaz Sahibzada, and wished him well in his future endeavors.

The inability of Madam Mercedes N. Gutierrez, who had taken over as National Ombudsman of the Philippines, as well as Vice President in attending this Board meeting was granted. Similarly the leave of Dr. Chua Hong Teck, Director General Public Complaints Malaysia was noted.

Agenda Item No. 1

Approval of the minutes of the previous meeting of the Board of Directors, AOA, held in Hong Kong, on 28th NOVEMBER, 2005

Decision: The minutes were approved.

Agenda Item No. 2

Approval of agenda for the present meeting of the Board of Directors of the AOA

Decision: The Agenda items communicated by the Secretariat were approved for discussion/decisions.

Agenda Item No. 3

Implementation Report prepared by the AOA Headquarters regarding minutes of the last meeting of the Board of Directors

On the proposal of the President the members considered progress report on the decisions taken in the previous General Assembly and Board meetings of the AOA. The Secretariat presented a report on the subject and highlighted the decisions which are still pending for action by the member countries.

The members appreciated the effort of reviewing the performance of the association for the last decade and observed that more efforts are required to make the association vibrant, dynamic and proactive so as to attract more members of the Asian region. The members of the Board also observed that the activities of the IOI may be studied in detail and if possible adopted for the purpose.

The Board of Directors reviewed the detail progress of the decisions taken in 7th meeting at Hong Kong. The following points emerged for discussion:

- (i) No action was required on previous meeting minutes' agenda item no.1, 2, 4, 6, 9, 10, and 11.
- (ii) Agenda items no.3, 5, 7, and 8 thereof have been taken up as separate agenda items of the current meeting and is being discussed subsequently.
- (iii) It was reported that as decided in the 7th meeting under Agenda item 12 with regards to proposals about exchange of expertise of ex-members, no action has been taken.

Decision: The Board took notice of the progress and decided that all members must once again be reminded for action on Agenda item 12 of the last meeting before the next Board and General Assembly session in April 2007.

Agenda Item No. 4:

Taken up first and discussed.

Agenda Item No. 5

Consideration of the proposals received from the member countries on topics selected by them for research and study along with the mode of financing

The members of the Board regretted the inability of the member countries to finalize their proposals on the subject. However, some of the members presented the progress on the subject as follows:

- (i) Iran has prepared a detailed outline for preparing a report “The Role of Ombudsman in Enhancing Citizen’s Rights”. The project is to be undertaken by the University of Tehran Human Resource Department.
- (ii) The member from Macao presented the progress on the project “Research Awards on Comparative Studies of Ombudsman System in Asia” co-organized and co-financed by the Commission Against Corruption of Macao and the Macao Foundation. In-depth comparative studies between the Ombudsman system of Macao and that of one or two Asian countries/regions will be conducted. The grant receivers will be allowed to carryout the research in Chinese, Portuguese or English.
- (iii) The member from the Peoples Republic of China informed that proposals on the topic, “How the administrative supervisory institution (Ombudsman) can protect the public interest” have been received.

- (iv) The member from Japan informed that they will present an interim report on their topic, "The Ombudsman an Aid to Good Governance" before the annual conference in April, 2007.
- (v) The representative of the Republic of Korea informed that the presently drawing details of the topic, "Strengthening investigation functions of the Ombudsman and making Government agencies accept his recommendations" is in process.

Decision: After considerable discussion on the agenda item, the Board decided that:

- i) All members may finalise their research topics and give specific completion dates well before the annual conference.
- ii) Research studies may be of practical orientation and may not be academic in nature.
- iii) Studies may also discuss investigative techniques practiced in member countries and may suggest simplification of procedures for speedy remedies for maladministration.
- iv) Studies may consider linkages with civil society organizations for effective redressals of complaints.
- v) Research may also suggest measures for removal of constraints in implementation of Ombudsman's decisions/recommendations.
- vi) Attention may also be paid to suggest corrections in systemic failures that generate complaints of maladministration.
- vii) The research may present comparative analysis of working of the offices of Ombudsman in various countries.
- viii) The studies may also examine the current organizational structure in the offices of the Ombudsman in member and non-member countries which has enabled them to successfully perform their

functions. This will facilitate the re-organization efforts of the member states.

- ix) The research may also cover the parallel complaint redressal systems in various countries.
- x) The use of technology e.g. in the Republic of Korea may be also covered in the proposed research to enable member countries to benefit from their experiences.

Agenda Item No. 6

Consideration of proposal from member countries/institutions for investment of AOA funds

Report of the subcommittee for investing the funds in safe and government-guaranteed instruments with competitive rates of return was discussed.

Decision:

- i) Funds may remain in Pakistan.
- ii) An annual budget may be prepared for receipt and expenditure.
- iii) Part of the funds may be spent on strengthening and capacity building of the AOA secretariat. In the first instance a coordinator, well conversant with the functioning of Ombudsman's office, and expertise in IT, may be appointed, on contract basis on a salary not more than of US\$1000/- per month, to act as a coordinator and resource person at the AOA secretariat. The detailed job description of this resource person, along with his performance parameters, will be developed separately by the Executive Secretary of the AOA.

- iv) Performance assessment of the resource person will be done at the time of the General Assembly meeting at Hanoi after which further decisions on capacity building will be taken.
- v) Membership fee will be considered for restructuring at the forthcoming General Assembly meeting, keeping in view the financial resources of the members, to meet further needs/programmes of the Association.

Agenda Item No. 7

Consideration of the proposal submitted by the treasurer for meeting the expenditure incurred on the participation of the Executive staff in association's meetings from AOA funds

Secretary AOA presented the draft working paper on the agenda item. The members discussed various options on the subject. The President informed the Board that the Government of Pakistan will bear the expenses of the Executive staff when attending meetings of the Board, as well as the General Assembly, outside Pakistan. However, it was emphasized that the staff of the Secretariat is working overtime besides their own designated duties in their parent offices for which the Government of Pakistan would not be able to pay any overtime allowance, though the Government of Pakistan has provided maximum facilities like furnished office accommodation in a rented building etc. from its own resources. The Board was also informed that the Government of Pakistan pay 20% of the salary to its employees if they perform duties besides their specified job description. The Board appreciated this offer.

Decision:

- i) Payment of honoraria to the Executive staff of AOA @ 20% of their basic salary, on a regular basis, will be considered after decision on the restructuring of the membership fee at the General Assembly's meeting at Hanoi in April 2007.

Agenda Item No. 8

Review of the bi-annual News Bulletin of the AOA

The Board was informed that the first issue of the News Bulletin was published in August 2006 and circulated among the members. It was also placed on the official website of the AOA. Suggestions of the members for improvement were invited. The President suggested that each country may contribute a summary of the interesting cases concerning their subjects in simple language that can be comprehended by ordinary readers. Such material if forwarded in other languages can be translated in Pakistan with the help of the National University of the Modern Languages, Islamabad at a nominal charge from the AOA funds.

Decision:

- i) The publication will carry its present name of News Bulletin for the forthcoming issue of January 2007 and a new title/design may be considered in the Hanoi for the July 2007 issue.
- ii) The Coordinator to be hired as a resource person at the AOA secretariat will prepare lay out options for the bulletin which will be

placed before the General Assembly for approval in its meeting at Hanoi.

- iii) Space for each member country will be available on the electronic version for which they may send material to the AOA secretariat in an abstract form, within a month.
- iv) AOA website will also develop links with the websites of the non-member countries so as to give publicity to the Association's activities, as well as gain from their practices and experience.

Agenda Item No. 9

Consideration of application for membership by the Federal Insurance Ombudsman, Pakistan, as a full member

Decision: The Federal Insurance Ombudsman, Pakistan, was approved as a provisional member, as all requisite qualifications stood fulfilled. Being an institutional Ombudsman he would, however, be recommended as a non-voting member of the Association to the General Assembly in the Hanoi conference 2007.

Agenda Item No. 10

Consideration and approval of the financial statements of the AOA accounts for the period from 21st November, 2005, to 30th November, 2006.

The financial statement of the accounts of the AOA, including income and expenditure statement, and balance sheet up to 30th November, 2006, were perused and discussed by the members.

The President observed that the balance sheet was technically in an incorrect form as it did not show the assets and liabilities as balanced, rather had stated the liabilities as "zero".

The Treasurer of the AOA, i.e. Chief Ombudsman Republic of Korea, that the accounts may be forwarded to him for final certification. Some members were, however, of the opinion that in accordance with the international audit practice, a chartered accountant firm in Pakistan may be hired at a nominal fee for conducting the audit instead of sending the accounts to Korea.

Decision:

- (i) Balance sheet of the account may be prepared on the appropriate format.
- (ii) A chartered accountant firm may be hired to audit the accounts of the Association. The audit report will then be forwarded to the Treasurer for certification before presentation to the Board and the General Assembly.
- (iii) A list of defaulting members which had not deposited the annual fee may also be appended to this audit report.
- (iv) The defaulting members may once again be reminded of the arrears with a request to clear them before the Hanoi meeting.

Agenda Item No. 11

Consideration and approval of the theme of the 10th Conference of the AOA and other arrangements

Mr. Nguyen Huu Loc, Deputy Director General, Government Inspectorate of Vietnam informed the members that his office had selected the following two themes:

- i) Role of Ombudsman in combating corruption;
- ii) Strengthening the role of Ombudsman office in settling complaints.

He requested the members to select either of the themes so that he can inform his office/ government well in time as it had to make necessary arrangements for the holding of the Annual Conference of the AOA at Hanoi.

Some members were of the view that combating corruption did not fall within the jurisdiction of majority of the Ombudsman as separate institutions existed to deal with matters of corruption. They were of the opinion that a theme relevant to all offices of Ombudsman may be selected. They were of the view that addressing complaints against maladministration was more relevant to their functions.

Decision

- (i) “Strengthening the Office of Ombudsman in Settling Complaints”, was considered a more appropriate theme for the conference. However, it was agreed that the President and Secretary of the Board will discuss the issue separately with the representative of Vietnam to finalize the theme and other arrangements of the forthcoming conference.
- (ii) It was further decided that Ombudsmen of the non-member countries may be invited as observers in the 10th Conference of the AOA so as to introduce them to the usefulness of the Association membership.

Agenda Item No. 12

Any other item, which any member of the Board of Directors may like to discuss

On the motion of the President of the Board the issue of future strengthening the capacity of the AOA Secretariat was also taken up in the meeting. Various suggestions were presented by the members. However, they unanimously agreed that the Secretariat needed to work more proactively for which its capacity building was essential.

Decision:

- (i) AOA Secretariat may be upgraded as a resource centre for research and dissemination of related information through electronic linkages to members and other countries.
- (ii) All members may appoint 'coordinators/focal persons' in the offices of Ombudsman for interaction with the Secretariat and other member offices.
- (iii) AOA secretariat may develop a list of topics which may be made available to the members for conducting short studies.