

AOA NEWS BULLETIN



January-June 2008

Message From the President



I would like to thank all the members of the AOA for their invaluable contribution, support and consistently excellent inputs.

The year 2007 was my first year as President of the AOA and it has been an eventful period during which I have learned and greatly benefitted from interaction with members individually as well as collectively. The AOA is our shared platform for interaction and knowledge sharing to promote the principles and practice of Ombudsmanship in Asia and I am extremely thankful to all members for contributing to this shared vision for the Association.

As we move in to the New Year, I am sure that our efforts to transform into a

knowledge-driven, more active and relevant institution will gain further momentum and build on the small steps taken during the last one year. In this respect, I would particularly like to thank the Board members, whose advice and insights have helped sharpen our institutional focus.

The interest all members have demonstrated and the quality of your inputs, in spite of competing pressures on your time, augurs well for the Association and strengthens my resolve to add more value for the members in terms of better services in the coming years.

I assure members of my full commitment to the AOA and towards actualizing the goals and objectives it was set out to achieve and look forward to continued positive support from all members.

Javed Sadiq Malik
President

ADB Mission Discusses TA Support With The President of the AOA

A high powered delegation of the Asian Development bank (ADB), comprising Mr. Juan Miranda, Director General of the Central & West Asia Department at ADB, Mr. Peter Fedon, Country Director Pakistan and Mr. Werner Liepach, Principal Director of the Office of Co-financing called on the Wafaqi Mohtasib (Ombudsman) and the President of the AOA in August 2007. The Mission was fielded by the ADB in response to the President's letter to the ADB, requesting for Technical Assistance (TA) support for establishing the AOA Knowledge Management Resource Centre. The AOA Board and General Assembly had approved the establishment of the Centre at the Hanoi meeting in April 2007. Mr. Juan Miranda, Director General ADB, who led the Mission, appreciated the initiative of the AOA to build capacity of member institutions through a multi-pronged strategy and conveyed ADB's agreement in principle to provide TA and associated financing for the Centre. Thanking ADB and the Mission for its

support, the President of the AOA expressed the opinion that the establishment of the Centre and implementation of activities under it, would greatly benefit members to upgrade their institutional performance through better information sharing and knowledge management and in particular through more frequent, targeted interaction among second and third tier staff in member institutions.

As a follow up to the ADB Mission's meeting, the Secretary to the Wafaqi Mohtasib (Ombudsman) met the ADB senior management in Manila during the month of October 2007 and also called on the Vice President of the AOA, the Ombudsman of Philippines, who has played an important role in coordinating with ADB on this issue. It is expected that ADB will be finalizing its financing arrangements soon, with implementation on the TA likely to begin in the first quarter of 2008.

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EDITORIAL



Ethsham Khan Executive Secretary

While extending warm “seasons greetings” to the honourable members of the Association, I hope that you will find this first issue of 2008 more interesting and analytical than the past.

There are some changes in the sections which may invite your comments and suggestions. Improvements in the contents of the bulletin are only possible with the cooperation, suggestion and inputs of the members.

Some of the new changes, which you will come across in the current issue include showcasing new and innovative projects in member countries captioned under “Spot Light on” a “Knowledge Brief”, covering new research endeavors on the subject of the Ombudsmanship and “Guidance Notes”, highlighting the important issues and thinking on the subject of investigations.

I may share with you the fact that the new AOA Website and Discussion Board(Blog) has been attracting attention over the past months.

Nearly five hundreds people have viewed the Blog. Members are however requested to send regular posts and add their comments continuously to make the Discussion Board more vibrant and dynamic.

Saying goodbye with a wish that 2008 may bring peace and prosperity to you and your countries, the AOA Secretariat hopes to show you further progress on various issues at the next AOA Board meeting in Tehran on 21-25 April 2008.

SPOTLIGHT ON

Philippines Ombudsman's “Lifestyle Check Hotline” Project Launched

To increase awareness and promote active participation of the public in the fight against graft and corruption, particularly in the conduct of lifestyle check investigation, the Field Investigation Office (FIO) has launched the OMB Lifestyle Check Hotline (OMB LSC Hotline) during the Office's 3rd Integrity TV Show which was held last December 9, 2006 at the SM Mall of Asia, Pasay City.

The OMB LSC Hotline opens its line of communication to encourage the public to report incidents of corruption, especially of the ill-gotten or unexplained wealth of government officials and employees.

FIO investigators, particularly the Associate Graft Investigation Officers and the Legal Assistants serve as Hotline Agents on a daily rotation basis, from eight in the morning until five in the afternoon.

In preparation for the additional task, the investigators were oriented in a simulation/workshop and dry run on December 7, 2006 and February 5, 2007, respectively for the first two batches of agents.

The orientation covered basic telephone etiquettes, the duties and responsibilities of the OMB LSC Hotline personnel, and the procedure for receiving various calls and complaints from the public.

The actual operation of the OMB LSC Hotline started last December 11, 2006. Since then, numerous calls and complaints have been received by the Hotline agents. Aside from requests for the conduct of lifestyle check investigation, complaints received include bribery/extortion and requests for public assistance, among others. Follow-up calls were also received. The OMB LSC Hotline numbers are 927-4102 and 927-2404 (telefax). And as the OMB LSC Hotline banner say “corruption is not a victimless crime”, so let us encourage the public to break their silence and report crimes of corruption.

Source: <http://aoablog.wordpress.com>



Vice President AOA
Madam Mercedes N. Gutierrez
National Ombudsman Republic of the Philippines

Guidance Note

UNDP Launches Guides For Ombudsman Institutions

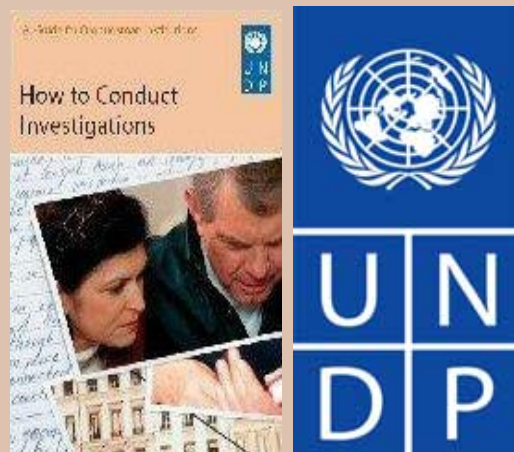
This Guide has been prepared by the United Nations Development Programme Bratislava Regional Center.

The Guide shares knowledge about best practices developed by Ombudsman institutions around the world to receive complaints and provides personnel of Ombudsman institutions with accessible guidelines on how to communicate and interact with individuals and groups that contact the Ombudsman institution to make complaints or seek information, and generally how to handle complaints.

The Guide also contains best practices on policies regarding receipt of complaints, procedures to be followed when receiving complaints, personnel policies, confidentiality, bias, service equity (i.e. everyone receives the same

level of services and the same access to service), physical access to an office, and protection of complainants and witnesses against retribution.

Click here to download the document



KNOWLEDGE BRIEF

Comparative Study On Administrative And Financial Arrangements Of The Hong Kong And Pakistan Ombudsman Offices

This study focuses on the administrative and financial arrangements of the Office of the Hong Kong Ombudsman and the office of the Wafaqi Mohtasib (Ombudsman) of Pakistan, with a view to identifying and exploring essential elements of good practices of an independent ombudsman office. Ombudsman offices worldwide adopt different operational arrangements in organizing their internal administrative

activities. Some of these arrangements are historical and resemble those in government departments. Some others, though have their origin in government, evolve over time to meet changing needs and circumstances to become what they are today.

There is no absolute yardstick for determining which type of arrangement is better or excel over others. Each of them has its own cause for existence.

However, no matter what arrangements are adopted and the extent to which they contribute to the smooth running of the office, administrative and financial autonomy is,

without doubt, an essential element for achieving operational independence of an Ombudsman office.

With such autonomy, an Ombudsman can have a free hand to determine how best to deploy his resources and maximize the cost-effectiveness of his management systems and practices to serve the community.

The experience of the Hong Kong Ombudsman Office is certainly a worthy reference for other Ombudsmen to take into account for planning for their long-term development.

What's new on the AOA Website and Blog

A. New reports added on the AOA website

Dear viewers we have various new reports posted on the website. These have been given for your reference. Please click on the link below to open the desired report.

- 📎 Proposal for establishment of the AOA knowledge management resource center, AOA secretariat.
- 📎 Simplification of Procedure for Speedy Relief, Pakistan.
- 📎 Comparative Study On Administrative And Financial Arrangements Of The Hong Kong And Pakistan Ombudsman Offices.
- 📎 Establishment of Database, Pakistan.
- 📎 Golden Handshake , Pakistan.
- 📎 Report on Accounting of Income Tax Collection, Pakistan.

B. The AOA Budget for the year 2007 has been posted on the website.

C. Conference news

Central Asian Conference

2nd ISSYK-KUL International Ombudsman and National Human Rights Institutions Forum

The Ombudsman (Akyikatchy) Institution of the Kyrgyz Republic took the initiative of holding the above conference on 22nd -24 October, 2007.

The conference was attended by the Human Rights Institutions and the Ombudsmen of quite a few Republics of the Russian Federation along with representations from Latvia, Ukraine and Tajikistan.

AOA members from Islamic Republic of Iran, Kyrgyzstan, Azerbaijan, the Ombudsman of Balochistan

Province of Pakistan, and Secretary of the Wafaqi Mohtasib Secretariat/ Executive Secretary of the Asian Ombudsman Association attended.

The conference was a dynamic, interactive process on issues like human rights observance in transitional countries, inspections and investigations on Ombudsman's own initiatives, the role of Human Rights Institutions/Ombudsman in labor migrates rights protection and slavery prevention, factors hindering the performance of Ombudsman Institutions.

Members exchanged views on the above and shared experiences in

their respective countries.

All participants agreed that such conferences can promote Ombudsmanship in the world.

Source: AOA Secretariat



AOA Library Established at the AOA Secretariat

In pursuance of the decision of the Board of Directors of the AOA, a library has been established at the AOA Secretariat. The library is open to staff of member institutions, researchers, visitors, journalists and students who can gain access to information about and knowledge products of the member institutions. A considerable amount of material is available, organized country wise and includes Annual Reports, research reports, case studies, newsletters, policy briefs and Fact Sheets. There is a separate section for material relating to non-AOA members. The library also facilitates online research by providing access to CD-ROMS, the World Wide Web and electronic databases. Over

time, we will be adding more online material to enable remote access to the library's resources. The AOA library responds to requests for research assistance by telephone, fax or email. Please contact Ali Shah, Manager Coordination of the AOA (Tel: +9251 2202845 Fax: +9251 2270609 email: coordinator@aoa.org.pk) if you wish to access any material from the AOA library.



Contributions to the library in the form of any print or electronic material related to Ombudsmen, are welcomed from both AOA members as well as non-members.

To be added to the library mailing list please email us at info@aoa.org.pk

Members from Asia Participate in the IOI Meeting

The International Ombudsman Institute (IOI) held its Board meeting in Sydney, Australia from 7-9 November 2007. Several members of the AOA, including the Wafaqi Mohtasib (Ombudsman) of Pakistan, the Ombudsman of Hong Kong, the Ombudsman of Macao and the Ombudsman of Korea participated in the meeting in their capacity as Directors of the IOI Board.

The IOI meeting focused on several outstanding issues and debated important subjects, including the role of the regions in promotion of the IOI's charter. The Wafaqi Mohtasib (Ombudsman) of Pakistan presented several suggestions on the strengthening of the

region's role, arguing that the implementation of any initiatives to promote Ombudsman under the IOI banner takes place in the regions; he also called for closer cooperation and coordination with regional Ombudsman associations such as the AOA. The Ombudsman of Hong Kong, who is the Secretary of the IOI Board supported the suggestion, as did the Ombudsman of Korea, who serves as the Vice President of the Asian region on the IOI Board.

Amongst several decisions taken at the meeting, it was decided to examine the impact of an expanded membership base on the issue of voting rights. A three member committee was formed for this

purpose, comprising the Wafaqi Mohtasib (Ombudsman) of Pakistan, the Ombudsman of Catalunya (Spain) and the Ombudsman of Quebec. The committee will report to the Board in its next meeting, after having examined the issue and sent its recommendations.



Mr. Javed Sadiq Malik, Ombudsman of Pakistan and Mr. Cheong U, Ombudsman of Macao



THE OMBUDSMAN OF AZERBAIJAN PARTICIPATES IN INTERNATIONAL CONFERENCE ON HUMAN RIGHTS

The Head of scientific and analytical section of Ombudsman Institute on Human Rights of the Republic of Azerbaijan, Zaur Aliyev, participated in an international conference jointly organized by Ombudsman of the Republic of Tataristan and the K. Adenauer Fund on "Monitoring of ensuring human rights: role of state structures and non-governmental organizations in protection of human rights", held in Kazan.

The event was held with participation of representatives of the K. Adenauer Fund; regional Ombudsmen of the Russian Federation; representative of Ombudsman Institute of Russian Federation; representatives of Ombudsmen of Azerbaijan, Ukraine and Kyrgyzstan; staff of Kazan State University, non-governmental organizations and mass media representatives.

Representative of Ombudsman of the Republic of Azerbaijan, Z. Aliyev, presented a report on "Role of Ombudsman of the Republic of Azerbaijan in ensuring human rights and

monitoring".

He informed participants about establishment of the Ombudsman's institution as a result of legal reforms implemented in the Republic, adoption of Constitutional Law on Ombudsman, role of Ombudsman in building up legal state and civil society and monitoring activity in the field of human rights. At the same time, representatives of Ombudsman's Institute

non-governmental organizations, proposals made in connection with realization of the mentioned document on the part of Ombudsman of the Republic of Azerbaijan, holding of public hearing in regions of Republic in connection with this issue and work carried out in this direction.

As the representative of Ombudsman underscored, 17 statements were sent to such international organizations as UN, OSCE, Council of Europe etc. to restore grossly violated rights of refugees and internally displaced persons.

Representative of the K. Adenauer Fund and regional Ombudsmen and, representatives on Human Rights of Russian Federation highly appreciated the efforts of Azerbaijani Ombudsman in this regard.

Participants of the conference were presented the annual report of the Ombudsman of the Republic of Azerbaijan and copies of National Action Plan on protection of human rights.

Source: www.demaz.org



Office of the Ombudsman of the Republic of Azerbaijan

informed participants of the event about National Action Plan on protection of human rights, approved by decree of the President of the Republic of Azerbaijan dated December 28, 2006. Principal items of this document include; creation of work group comprising members of state agencies and

New Minister Of Supervision Appointed



Minister Ms. Ma Wen

Ms. Ma Wen, Deputy Secretary of the Central Commission for Discipline Inspection (CCDI) of the Communist Party of China (CPC), was recently appointed as the new Minister of Supervision.

The AOA Secretariat would like to extend a warm welcome to the new Minister and looks forward to be working with Ms. Ma Wen and benefitting from her experience.

Ms. Ma Wen, 59, a native of Wuqiao county of North China's Hebei Province, joined the CPC in 1972.

After graduation from Nankai University in 1982, Ms. Ma worked as Deputy Secretary of the branch school of Nankai University CPC Committee and Deputy Secretary of CPC Nankai University Committee. She began to serve as member of the Standing Committee of CCDI in 1997 and was appointed Deputy Secretary of the CCDI in 2004.

Ma's predecessor, Li Zhilun, died of illness at the age of 65 in April. (Xinhua)

CHINA

China Establishes Corruption Prevention Bureau

China announced in Beijing, the establishment of the National Bureau of Corruption Prevention (NBCP).

"The founding of the Bureau is to meet the need to effectively prevent corruption in China," said Bureau head Ma Wen at a press conference. Ma, who is also Minister of Supervision, said the Bureau will focus on supervising and regulating the use of power and adopt effective measures to prevent the abuse of power.

She said the Bureau will study ways to stem corruption at their roots, constantly improve corruption prevention systems, push for the sound operation of these systems and coordinate corruption prevention efforts of various departments. The new Bureau will report directly to the State Council, or China's cabinet. "The Bureau won't step in the investigation of individual cases as it doesn't have the power," said Qu Wanxiang, Deputy Head of the Bureau. Qu said the Bureau has been assigned the task to push forward transparency of government information at various levels, which he said is the way to "prevent corruption at its root".

The NBCP will also evaluate loopholes in new policies that may give rise to corruption and study countermeasures. It will also push for sharing information among the prosecutors, police, banks and courts and the NBCP. "The NBCP staff will collect and analyze information from sectors including banks, land use, medicine and telecommunications and share it with other departments," Qu said. He said this is an important basic job for finding and exposing corruption as early as possible, a deterrent to corruption activities and an effective way to prevent corruption. The Bureau is also tasked to inspect corruption prevention work at various levels, conduct pilot projects and develop a set of standards to judge whether a department or an official is clean. Qu said the Bureau will guide the anti-corruption work in companies, public undertakings and non-governmental organizations, help trade associations to establish self-discipline systems and mechanisms, prevent commercial bribes, and extend corruption prevention work to rural organizations as well as urban communities.

"Corruption not only happens among civil servants in government departments, but also among employees in private sectors and other organizations," he said.

The Bureau will also engage in international cooperation and international aid in corruption prevention, according to Qu. The Bureau will, under the framework of the United Nations Convention Against Corruption, offer help to

developing countries on corruption prevention and work to win technical support and other sorts of help from foreign countries or international organizations, Qu said. He said the Bureau will learn from the anti-corruption experience of foreign countries and would like to exchange information with international organizations and other countries. China punished 16 ministerial-level or higher officials for "serious corruption" in the last five years. According to the Central Commission for Discipline Inspection (CCDI), 97,260 officials were disciplined last year, more than 80 percent of whom had failed to carry out duties, taken bribes or violated the party's financial rules. Several high-profile officials had fallen in corruption scandals, including the former head of the food and drug administration and former party head of China's economic hub Shanghai. "We can't count on punishment only. It will take effect for some time but did not touch the root of corruption. We need to enhance the preventive measures," said Yan Qunli, a CCDI official in charge of anti-corruption publicity and education programs. China's policies to prevent corruption used to focus on moral education of government and party officials but in recent years a series of rules and regulations were issued to deal with systemic loopholes, covering administrative approvals, financial management, official promotion and penalty on corrupted officials. The CCDI also kept working out policies against "new forms of corruption" trying to catch as many

corrupted officials as possible. Four months ago it has issued a regulation covering several new fields of bribery like taking stocks and shares as gifts, buying houses or cars at ridiculously low prices from those who ask them for favors, laundering bribes by gambling and asking bribers to arrange jobs after retirement.



Ma Wen (R), head of the National Bureau of Corruption Prevention, and Qu Wanxiang, deputy head of NBCP, attend the ceremony officially unveiling the establishment of the anti-corruption bureau in Beijing September 13, 2007. [Xinhua]

(Xinhua)

Deluge Of Complaints Leads To Crash Of Anti-corruption Website On First Day

The website of the National Bureau of Corruption Prevention (NBCP) crashed on Tuesday, just hours after its launch, as droves of people logged on to complain about corruption among officials.

The website (yfj.mos.gov.cn) was closed for most of the afternoon on its launch day, Beijing Youth Daily reported.

An NBCP official, who did not want to be named, confirmed the breakdown had occurred.

"Repairs were carried out soon after the website broke down and normal service has now been resumed, he told the Xinhua News Agency.

"The number of visitors was very large and beyond our expectations," he said.

While many of them referred to report specific cases of official corruption, these were redirected by the webmaster to other sites, such as that of the Ministry of Supervision. Other visitors made calls for the strengthening of the government's anti-corruption efforts, and comments about the need for special attention to be given to cases involving institutes of higher education and grassroots governments.

"The corruption problem in China is a fatal illness. Establishing more institutions will not solve the problem," one comment read.

The enthusiasm that greeted the launch of the website reflects the growing frustration felt by the public toward corruption at government level, which has been accentuated by several high-profile cases in recent years.

Several senior officials, including Qiu Xiaohua, the former director of the National Bureau of Statistics; Zheng Xiaoyu, the former head of the food and drug administration; and Chen Liangyu, the former Party head of Shanghai, have been found guilty of serious corruption. Last year, more than 90,000 officials were disciplined, according to official figures.

(www.chinadaily.com)

HONG KONG



Ombudsman's Awards Acknowledge Exemplary Public Services

At the 11th Presentation Ceremony on 24 October 2007, the Ombudsman, Ms Alice Tai, JP, presented Ombudsman's Awards to the winners. The Grand Award went to the Buildings Department, while the Judiciary Administration and the Student Financial Assistance Authority each received a trophy. Twenty-four public officers were also honored for their exemplary services in complaint handling.

Commenting on her role as Ombudsman, Ms Tai saw herself as an impartial adjudicator and not an advocate for any party. "Where public organisations are at fault, we criticise them and recommend remedy and improvement for better administrative

systems and better service delivery. Where complaints are vexatious or unreasonable, we do not hesitate to comment either. We set out to be fair and to base our conclusions on facts alone,"



said Ms Tai. "The ultimate aim is to redress grievances and address issues arising from maladministration in the public sector and improve the quality and standard of public service through independent, impartial and objective investigation".

The Ombudsman Awards Scheme was first launched in 1997 for recognition of significant contributions towards fair, open, accountable and efficient public administration. Since 1999, it has been extended to include meritorious public officers. Nominations for public officers are made by heads of organizations and assessed by a selection panel chaired by the Deputy Ombudsman.

Source: Office Of the Ombudsman Hong Kong

CASES INVESTIGATED

Housing Department fails to notify tenants of surcharge for overstaying in public housing

A complainant purchased a flat under the Housing Authority's Home Ownership Scheme ("HOS") in the secondary market. She did not vacate her public housing unit within 60 days after the purchase as required by the condition of the Scheme. Later, the Housing Department ("HD") informed her that she was required to pay triple rent for overstaying. The complainant considered this unfair as she had not been informed of this policy.

While the policy of charging higher rents for overstaying is reasonable so as to avoid double subsidy from public funds, the quantum of triple rent had not been publicised. The Ombudsman considered HD to have a duty to give tenants fair and clear warning of the consequences of overstaying, as regards both the requirement of paying higher rent and the quantum of the higher rent, both at the time of their HOS application and close to the expiry of the 60-day limit.

Home Ownership Scheme purchasers in shock over slope maintenance responsibility

In a Home Ownership Scheme ("HOS") estate, comprising two phases of development, the Hong Kong Housing Authority ("HA") put Phase I on sale before the Deed of Mutual Covenant ("DMC") was ready. A year or so later, HA obtained temporary lease of an adjacent slope as a works area, on condition that the slope would be managed and maintained by the

lessee until the Lands Department ("Lands D") took back possession of the site. HA included this liability in the DMC to pass on such responsibility to the purchasers collectively.

When construction of Phase II was completed, HA asked to return the slope but Lands D refused to take possession. Two years later, owners of the estate learnt of this liability when Lands D demanded the clean up of the slope. The Owners' Corporation ("OC") shouted "foul" and accused HA of shifting maintenance responsibility to owners of the estate without prior notice.

The Ombudsman found that HA had not made a sufficiently full and timely disclosure of information to purchasers. While purchasers were themselves responsible to study the terms of the lease and the DMC before, in reality they seldom had ample opportunity or sufficient knowledge to understand all details in the voluminous sales and purchase documents. They would generally look to the developer to disclose key information about the deal and depend on solicitors handling the transaction to explain their responsibilities.

In this case, The Ombudsman found that HA did not fully disclose the potential responsibility for maintaining the slope: even the sales brochure did not list the slope in question. For this, the Ombudsman recommended that HA should assume management and maintenance responsibility for the slope until its repossession by Lands D. HA accepted the Ombudsman's recommendation.

Source: Office Of the Ombudsman Hong Kong

CASE UNDER INVESTIGATION

Ombudsman Probes Government Measures For Street Management

The Ombudsman initiated a direct investigation into the effectiveness of measures to control on-street activities, including promotional activities and display stands; placing of skips; and illegal parking of bicycles; which were increasingly causing nuisance, inconveniencing and even endangering pedestrians and road users. The investigation would examine the roles and responsibilities of Government departments concerned; current legislation and other measures to tackle the activities; coordination among Government departments concerned in taking control and enforcement action; effectiveness of the measures; and areas for improvement.

Visit to Ministry of Supervision, PRC

Under an Exchange Programme with PRC's Ministry of Supervision, the Ombudsman led a delegation to Beijing, Liaoning and Neimungu in August 2007. The Exchange Programme was started in 1996 and comprises bi-annual reciprocal visits between personnel of the two offices, with the objective of better understanding each other's supervisory laws, systems and procedures.



ISLAMIC REPUBLIC OF IRAN



IRAN ENERGY WARNING

The head of General Inspection Organization (GIO), Mohammad Niazi, warned Iranians Friday of the high rate of wastage of energy in the country, and called for expert planning to remedy the situation.

"Shortage of energy will lead to more serious problems for the people," Niazi said, adding that wastage of energy is also a serious problem of industrial countries".

Niazi said that industrial countries waste energy at the rate of five percent and other countries at 10 percent.

He said Iranians waste energy at the rate of 18.5 percent which 'is neither reasonable nor acceptable.'

Stressing the need to take effective steps to minimize wastage of energy in Iran, Niazi called for a technical and economic evaluation of the cost of wastage by pertinent officials and employment of expert services to map out strategies to reduce wastage.

He stressed that mapping out of strategies without undertaking expert assessment could lead to counter active efforts and loss of national assets.

Niazi also said the people should be properly informed of steps they can take to minimize wastage and the negative effects on the country if wastage continues.

(Source: <http://www.gio.ir>)



Mr. M. Niazi
President General Inspection
Organisation

JAPAN



NEW OMBUDSMAN APPOINTED IN JAPAN



Mr. Yuichi Seki
Director-General
of the
Administrative Evaluation Bureau

Mr. Yuichi Seki has been appointed as the new Director-General of the Administrative Evaluation Bureau. The Administrative Evaluation Bureau falls within the Ministry of Internal Affairs and Communications (MIC), Japan.

The AOA Secretariat would like to extend a warm welcome to the new Ombudsman in Japan and looks forward to be working with Mr. Yuichi Seki and benefitting from his experience.

Mr. Yuichi Seki has had an impressive career with the MIC. In 1975 after graduating from the Tohoku University, he entered the Administrative Management Agency (the predecessor of MIC). In 1992-1993 he became Director for Inspection of the Administrative Inspection Bureau Management and Coordination Agency and in 1993-1995 he held the post of Director of Subcontract Enterprise Division Planning Department Small and Medium Enterprise Agency. During 1995-1997 he served as Director for Management Administrative Management Bureau Management and Coordination Agency.

Following his last post, in 1997-1998 he served as Director for Inspection Administrative

Inspection Bureau Management and Coordination Agency.

Mr. Yuichi Seki during 1998-1999 held the position of Director of General Affairs Division in the Administrative Inspection Bureau. However in 1999 he left his post and joined the Minister's Secretariat holding the position of the Director of Accounts Division. He held this post till 2001. In 2001 he was appointed as Director-General Chugokushikoku Regional Administrative Inspection Bureau Management and Coordination Agency and held this position till 2002. During 2002-2003 he served as Deputy Director-General for the Postal Service Policy Planning Bureau.

In 2003-2004 Mr. Yuichi Seki held the position of Assistant Commissioner for the Fire and Disaster Management Agency within Ministry of Internal Affairs and Communications. It was not until 2004-2005 that he became the Deputy Director-General of the Administrative Evaluation Bureau. In 2005-2007 he became the Director-General of the Kanto Regional Administrative Evaluation Bureau and in 2007 he was promoted to the esteemed position of Director-General of the Administrative Evaluation Bureau.

The Collective Training Programme for Administrative Counselors held in Tokyo.

From 12th to 14th in November, the Collective Training Programme for Administrative Counselors in 2007 was held in Tokyo. This training session focused on administrative counselors who are expected to be regional leaders among their local administrative counselors. For this annual training session, 54 administrative counselors assembled in Tokyo from all over Japan.

In Japan, there are around 5,000 administrative

counselors. Administrative counselors are private citizens who are commissioned by the Minister for Internal Affairs and Communications to receive peoples' complaints regarding governmental administrative action, to give out proper advice, to convey the issues to the appropriate administrative agencies of the government.

During the programme, the participants had discussion sessions in which they exchanged their views about such themes as "The Effective Way of Administrative Counselors Activities", "The method of building up a closer connection among the counselors" and had a case study session. The participants also heard lectures about the current situation of Japanese Administrative Counselors' Activity given by the Director of Administrative Counseling Division, Administrative Evaluation Bureau of the Ministry of Internal Affairs and Communications and about the verbal communication skills for counseling presented by a guest lecturer.

Source: Office of the Ombudsman in Japan



Participants at the collective training program
held in Tokyo

REPUBLIC OF SOUTH KOREA



Mr. Shin Chul-young Has Been Appointed As The New Chief Ombudsman Of Korea



The AOA secretariat would like to extend greetings for the new Ombudsman of Korea. The AOA looks forward to working with Mr. Shin Chul-

Young, both in his capacity as a member and as treasurer of the AOA.

Chief Ombudsman Shin Chul-Young was born in the South Chung cheong Province in 1950 and is a graduate of Seoul National University Department of Mechanical Engineering. He has long been a spokesperson for the Korean people. Throughout the 1980s and 1990s, he was involved in a range of civic activities and served as secretary-general of the Citizens' Coalition for Economic Justice (CCEJ) and later as a standing commissioner of the Economic and Social Development Commission (formerly the "Korea Tripartite Commission") In 2005, he was appointed secretary-

general and standing ombudsman of the Ombudsman of Korea's office and took the helm of the organization as the eighth Chief Ombudsman on November 30, 2007. As secretary-general, he dedicated himself to devising effective policy for the protection of the socially vulnerable and the resolution of social conflicts. Chief Ombudsman Shin believes that Korean society should resolve its unnecessary conflicts through dialogue and work together, hand-in-hand, towards the well-being of all.

Source : (<http://www.ombudsman.go.kr>)

November 1 Declared as Shinmungo Day

The Ombudsman of Korea held a ceremony to declare November 1 as Shinmungo Day at the Korea Press Foundation Center on November 1.

Shinmungo Day may be traced back to King Taejong of the Joseon Dynasty. Some 600 years ago, King Taejong set up a special drum named Shinmungo near the royal residence to directly receive complaints from the common people.

With a beat of the drum, anyone could directly lodge a complaint with the king. Shinmungo Day was declared in a bid to revive the spirit of

Shinmungo.

The Ombudsman of Korea seeks nothing shorter than to practically guarantee citizens' rights and interests and encourage the public's participation in state affairs, thereby creating a bottom-up system that reflects the people's will in Policy-making.

The declaration of Shinmungo Day is also the declaration of the Ombudsman of Korea's role and responsibilities to the nation and the world.

The ceremony was attended by over 200 people, including former and incumbent chief Ombudsmen and secretary-Generals, Ombudsman Grand Award recipients, and representatives of socially vulnerable groups. The ceremony was accompanied by a variety of cultural and academic events including a photo



exhibition, public solicitation for testimonials regarding public inquiries and suggestions, and a seminar.

The Ombudsman Grand Award was presented during the ceremony to model agencies among the over 580 administrative agencies and government-run companies nationwide. The office of Geumjeong-gu, Busan was honored with the award - a presidential commendation - for the most effective handling of public inquiries and grievances of any agency in the country.

Source: Office of the Ombudsman, Korea.



REPUBLIC OF SOUTH KOREA



Ombudsman Participates in 2nd UCLG World Congress in Jeju

The Ombudsman of Korea took part in the second United Cities and Local Governments (UCLG) World Congress. Its booth publicized Online Citizen Participation Portal, a comprehensive government online portal that allows citizens to make inquiries, suggestions, and complaints more easily and provides more convenient and prompt service.

The Congress was held at the International Convention Center Jeju from October 28 through 31 and was a resounding success. More than 2,000 participants representing over 1,000 cities and NGOs from 136 countries attended.

In addition to Online Citizen Participation Portal, the Ombudsman of Korea's electronic government exhibition pavilion featured the Ministry of Government Administration and Home Affairs' Onnara

system (a job performance management system) and Information Network Village, the Korean Intellectual Property Office's KIPOnet, and the Public Procurement Service's Korea ON-line E-Procurement System (KONEPS). The Ombudsman of Korea showed PR videos, handed out brochures, and performed demonstrations for individual systems and explained how to use them. Online Citizen Participation Portal grabbed the most attention as a consolidated government channel of the Internet era to effectively and efficiently address public inquiries, suggestions, and complaints.

Global NGO for Police Oversight, Altus, Visits Ombudsman

An international NGO that oversees justice systems and policing around the world, visited the Ombudsman of Korea on September 5, 2007.

The delegation led by Dr. Pramod Kumar (head of the Institute for Development and Communication of India) requested the Ombudsman of Korea to provide Altus with



advice and information elicited from its public services regarding police law enforcement.

The Altus Global Alliance was formed in 2004 as a cross-border NGO to look into justice systems and policing across the world. The alliance is headquartered in The Hague, the Netherlands and has six institutes in the US, Russia, India, and other countries with more than 200 experts. "Altus" is the Latin word for "high". In October 2006, Altus organized the Police Station Visitors Week, during which 1,390 civilians in 23 countries visited 471 police stations to assess the quality of public service in five areas, including community orientation and physical conditions.

Source: Office of the Ombudsman, Korea.

Ombudsman of Korea Boosts Services for Overseas Complainants

An overseas service system is in place, including a comprehensive call center regarding government services.

In 2006, the Ombudsman of Korea made a seemingly small but very important improvement to its overseas services: it now has its delegations to overseas events visit nearby Korean communities to hear their inquiries and complaints regarding the Korean government's services.

Up to the end of the first half of 2007, these delegations had 13 bull sessions with about 250 Koreans abroad on all continents but Africa. The meetings not only helped the Ombudsman of Korea better understand the difficulties faced by overseas Koreans, they also provided opportunities to improve its collaboration with overseas establishments of the Ministry of Foreign Affairs and Trade and other relevant agencies, which were the major providers of government services for Koreans abroad.

Those bull sessions also led the Ombudsman of Korea to reach out farther to overseas Koreans in its various projects and programs. In May 2006, an exclusive online service window for ethnic Koreans abroad was set up. Through Online Citizen Participation Plaza (www.epeople.go.kr), the Ombudsman of Korea had already been providing convenient one-stop online

services regarding government services. Korean citizens can conveniently file complaints and call up the status of their processing. However, the web site is only for Koreans citizens who have resident registration numbers, not for ethnic Koreans overseas. The new exclusive service window can be used by all ethnic Koreans, accessible through the homepage of the Ombudsman of Korea. Koreans abroad wanting to make inquiries or complaints can



also reach the Ombudsman of Korea by phone. Following the opening of its domestic call center on May 10, 2007, the Ombudsman of Korea set up an exclusive line for Koreans abroad in June, 2007.

Ombudsman Brokers Compromise Between Protection of Cultural Heritage and Convenience of Residents.

The Korea Rail Network Authority

(KRNA) is double-tracking the 76.5 km section of the Donghae Nambu line between Ulsan and Pohang. The basic design of the new track was completed in 2003, and the track is slated to open in 2012.

According to the initial plan, the new track was to run through the village of Indongri from east to west, but the plan hit a snag. Indongri, located in Gangdong-myeon, Gyeongju-si, Gyeongbukdo Province, is a village of 400 residents who maintain the nearby folk village of Yangdong-ri. Yangdong-ri was designated as a folk village for the protection of cultural assets, posing an obstacle to the plan. The problem was seemingly resolved when the KRNA acquire permission to run a train through the village from the Cultural Heritage Administration (CHA).

However, the residents of Indongri, expecting inconvenience as a result of the split of the village into two sections, filed a collective complaint with the appropriate authorities including the KRNA, the CHA, and the City of Gyeongju, to seek a change to the planned line.

Time to get the Ombudsman of Korea involved! As a result of complaint conciliation meetings, the blue line was adopted instead of the originally designed red line, so the village will not be divided after all.

Source: Office of the Ombudsman, Korea.



Transparency International Report: Macao Retains Ranking Macao Ranked 6th in Asia-Pacific, according to the 2007 CPI released by TI

Transparency International (TI) released the 2007 Corruption Perception Index (CPI) in September 2007. Macao's ranking remained the same as in 2006 6th among 25 Asia Pacific countries/regions, following New Zealand, Singapore, Australia, Hong Kong and Japan. Among the 180 countries/regions in the world, Macao ranked 34th this year (26th in 2006).

The CPI is a composite index commonly used to: (1) measure the extent of integrity of the government, and (2) serve as a reference of risk assessment for investors. Results showed that the five countries with the top global ranking of integrity were Denmark, Finland, New Zealand, Singapore and Sweden (same score for the first three countries). Hong Kong ranked 14th (15th in 2006). China ranked 72nd (70th in 2006). Portugal ranked 28th (26th in 2006). Taiwan, along with Macao, ranked 34th.

The slip in Macao's ranking was foreshadowed by one of the sources for the CPI the report of "Trend of Corruption in Asia" released by the Political and Economic Risk Consultancy in March 2007. Nevertheless, the report stated that the ex-Secretary for Transport and Public Works being "arrested for allegedly accepting bribes and engaging in illegal financial activities does not show so much that the problem of corruption is worsening as it does that the government is trying to fight it."

Part of the Ranking of the 2007 CPI

Country/Territory	Asia-Pacific Ranking	Global Ranking
Denmark	-----	1
Finland	-----	1
New Zealand	1	1
Singapore	2	4
Sweden	-----	4
Australia	3	11
Hong Kong	4	14
Japan	5	17
Portugal	-----	28
Macao	6	34
Taiwan	6	34
Malaysia	8	43
South Korea	8	43
China	10	72
India	10	72
Total	25	180

Source of information: "Transparency International".
Details can be found from the website www.transparency.org

Promotion of Integrity

The CCAC Organizes Symposia on Integrity Management

In order to promote, the CCAC co-organized five Integrity Management Symposia in July with the office of the five Secretaries. Attendants in the symposia are Directors of Bureaus and Department Heads of the Macao SAR. The five

Secretaries also attended and delivered speeches. Besides its own staff, the CCAC invited a number of specialists from Hong Kong ICAC, Hong Kong Police Force and Development Bureau of the Government of Hong Kong to share their insights and experiences with the participants. It is hoped that the exchanges and interactions with the directors of public administration will raise the awareness of integrity management in various government departments and further promote professional ethics to public servants at large.

Website For Teenagers Created By Ccac

To further strengthen its educational efforts, the CCAC



The website for teenagers "Teencity"

created a website called "Teencity" at www.ccac.org.mo/teencity (in Chinese) with an aim to help teenagers cultivate moral values and a positive attitude for life. "Teencity", now linked to the websites of many schools, contains sections of experience sharing, flash games, psycho tests, case reviews and e-card services, etc.



Directors of Bureaus and Department heads attending a symposium



Launch of Integrity Management Plan

The Macao SAR Government announced the "Program of Public Administration Reform 2007-2009" in July 2007. Key reform strategies proposed include building a clean administration, strengthening the professional ethics and integrity awareness of the public servants at all levels, with an aim to enhance the overall capacity and quality of the Government.

Following the five Integrity Management Symposia organized in July, the CCAC launched the Integrity Management Plan. Until the end of October 2007, the CCAC has signed the "Integrity Management Plan Protocol of Collaboration" with more than 50 government departments. The Protocol stipulates various aspects regarding supervision, corruption prevention and education. The departments have to further refine their internal code of conduct, enhance the transparency of administrative procedures and review the operations systems with the CCAC for proactive corrections when suspected cases of corruption or malpractices caused by system defects are detected. The departments are responsible for implementation while the CCAC is responsible for providing technical assistance. Through an effective communication mechanism, both parties will review together the results of implementation periodically.



Photo taken with the heads of the Macao Customs Service at a protocol signing ceremony

CCAC Organizes the "Ombudsman and Legality in Administration International Exchanges between China and Portuguese-speaking Countries" Conference

In commemoration of the 15th anniversary of the anti-corruption work in Macao, the CCAC hosted the "Ombudsman and Legality in Administration International Exchanges between China and Portuguese-speaking Countries" from 16th to 21st October 2007. The program was divided into two parts. The first part was a 2-day conference and visit in Macao. The second part was a 2-day study visit to Beijing, China.

The opening ceremony of the conference was presided by the Secretary for Administration and Justice, Ms. Florinda Chan, the Commissioner Against Corruption, Mr. Cheong U and the heads of delegations from 8 countries/regions.

Guest speakers invited to share experience include: Vice-Minister of Supervision of the PRC, Mr. Chen Changzhi, the Ombudsman of Hong Kong, Ms. Alice Tai, Deputy Ombudsman of Portugal, Mr. Jorge Correia de Noronha Silveira, the Chief Ombudsman of Brasil, Ms. Antónia Eliana Pinto, the Ombudsman of Angola, Mr. Paulo Tjipilica, Minister of Justice of Guinea Bissau, Ms. Carmelita Barbosa Rodrigues Pires, the Ombudsman of East Timor, Mr. Sebastião Dias Ximenes, Permanent Secretary of the Ministry of Justice of Mozambique, Mr. Ângelo Sitole and Deputy Commissioner Against Corruption of Macao, Ms. Endy Tou. The conference attracted more than 100 participants, who were

mainly Directors of government departments, prosecutors, judges, lawyers, legal advisors and professors.

The Chief Executive, Mr. Edmund Ho met with the heads of the delegations during their stay in Macao. The delegates also visited the headquarter and the branch office of the CCAC and had a meeting with the Commissioner, Mr. Cheong U. Ms. Alice Tai, as the Secretary, and Mr. Cheong U, as a Board member, introduced the role and functions of the IOI and encouraged the non-member delegates to join the IOI to strengthen their capacity through staff training and experience sharing.



A group photo at the conference "Ombudsman and Legality in Administration International Exchanges between China and Portuguese-speaking Countries"

Apart from the meetings, the delegates also visited a number of cultural heritage sites in Macao.

On 18th October 2007, the Portuguese-speaking delegations, accompanied by the Macao delegation led by Ms. Endy Tou, flew to Beijing, China for a 2-day study visit hosted by the Ministry of Supervision.

The delegates were warmly received by the heads of the Ministry of Supervision led by the Vice Minister, Mr. Chen Changzhi and had a meeting with Vice Secretary General, Mr. Wang Tie, where attendants had constructive discussions on corruption-prevention.

Source: Commissions against Corruptions

MACAO SAR



The event provided a valuable opportunity for the exchange of views and experiences and paved the cooperation between China and Portuguese-speaking countries.



The Chief Executive, Mr. Edmund Ho Meeting The Delegation Heads



The Vice Minister Of Supervision Meeting The Delegates In Beijing, China

Contacts and Exchanges with Other Institutions

Visit by the Committee on Justice, Human Rights and Good Governance of the National Economic and Social Advisory Council, Thailand

In August 2007, a delegation of 24 members from the National Economic and Social Advisory Council, Thailand led by the President of the Committee on Justice, Human Rights and Good Governance, paid a visit to the CCAC. The delegation was received by the then Acting Commissioner, Ms. Endy Tou, Deputy Commissioner, Mr. Afonso Chan and Chief of the Cabinet, Ms. Fanny Ho. The delegation was briefed on the operations and the initiatives of promoting good governance of the CCAC. Both parties agreed to strengthen cooperation in the future.

Visit By The Ombudsman Of East Timor

Upon completion of the "Ombudsman and Legality in

Administration International Exchanges between China and Portuguese-speaking Countries", the delegation of East Timor, led by the Ombudsman Mr. Sebastião Dias Ximenes, flew back from Beijing to Macao for an additional 2-day visit. The delegation visited the CCAC and had a meeting with the Commissioner, Mr. Cheong U and the Deputy Commissioner, Ms. Endy Tou.



The delegates in a meeting with the heads of the CCAC

Mr. Ximenes appreciated the opportunity of learning from the experiences of the CCAC and introduced the current situation and challenges in East Timor. He also invited Mr. Cheong U to pay a reciprocal visit to East Timor.

Mr. Cheong U explained the roles and operations of the International Ombudsman Institute and the Asian Ombudsman Association and expressed willingness to assist the Ombudsman of East Timor when necessary. Both parties deemed the meeting beneficial to mutual understanding and future cooperation. During their stay in Macao, the delegates also visited public departments, namely, Civic and Municipal Affairs Bureau, Public Administration and Civil Service Bureau and Identification Bureau.

Source: Commission Against Corruption, Macao



The Delegation Of East Timor Paid A Visit To The Ccac

MALAYSIA

WORKING VISIT TO THE OFFICE OF OMBUDSMAN OF HONG KONG AND CCAC MACAO

Deputy Director General I, Public Complaints Bureau (PCB), Mr. Isbah Idrus and Principal Assistant Director (Complaints)6, Mr. Md. Nasir Ecssoff visited the Office of Ombudsman Hong Kong and Commission Against Corruption (CCAC) Macao from 3rd December to 5th December 2007. The purpose of the visit is to familiarise delegates on with the roles of these agencies in managing complaints and prevention of corruption, as well as strengthening ties between members of the Asian Ombudsmen Association (AOA). During the visit, Mr. Isbah and Mr. Md. Nasir discussed and exchanged views on complaints management with their counterparts in Hong Kong and CCAC Macao. On the last day of the visit, they took the opportunity to pay a courtesy visit to the Malaysian Consulate Office in Hong Kong.



Petronas Tower In Kuala Lumpur Malaysia

PCB SHINES IN QUALITY DAY OF PRIME MINISTER'S DEPARTMENT 2007

Putrajaya: Public Complaints Bureau (PCB), Prime Minister's Department won four awards during Quality Day of Prime Minister's Department held on 27th November 2007. The department won three categories and one special award. The two champion's awards received by PCB were for its website and exhibition booth in B Category. The special award was given to PCB for Best Complainant's Relationship Management also in B Category. The overall champion award for best website among agencies in Prime Minister's Department have enabled PCB to keep the Minister's of Prime Minister's Department's Challenge Trophy. The awards were received by the Director General Dr. Chua Hong Teck from the Chief Secretary to the Government, Tan Sri Mohd Sidek Hassan.

OFFICIAL OPENING OF PCB'S OFFICE IN SARAWAK

Kuching: Minister in Prime Minister's

Department Tan Sri Bernard Giluk Dompok have officiated the official opening of new PCB's office in Sarawak.

The function was held at Auditorium Sultan Iskandar and attended by Director General from federal and state level agencies and also community leaders. Tan Sri Bernard in his speech expressed his confidence that complaints against federal agencies in Sarawak can be resolved quickly with the existence of PCB here. He also hopes that all Director General of federal agencies can tender their fullest co-operation to PCB.

Director General of PCB, Dr. Chua Hong Teck urged media to promote the existence of PCB in Sarawak and also its roles and responsibilities in resolving public complaints against in Sarawak. The publicities of the existence of PCB's office in Kuching will be announced effectively during Mobile Complaints Counter and Integrated Mobile Counter which be held very soon.

MEETING BETWEEN DIRECTOR GENERAL OF PUBLIC COMPLAINTS BUREAU (PCB) WITH ALL FEDERAL MINISTRIES / GOVERNMENT AGENCIES, PUBLIC RELATIONS OFFICERS

Putrajaya: A meeting session between Director General of PCB with all PRO's from Federal Ministries / Agencies was held on the 13th November 2007. The meeting was the third meeting to be held in 2007 and it was attended by 45 PROs representing their agencies.

Director General of PCB, Dr. Chua Hong Teck in his speech, mentioned that there are two objectives of the meeting. One is to explain the implementation of

Complaints Monitoring System whereby the system will be given to all Ministries to assist them in managing public complaints more efficiently and the project will be completed in the end of 2008. The second objective of the meeting was to explain a module that is currently developed under i-Aduan System which is to assist Yayasan Kajian & Strategi Melayu (YKSM) in implementing Projek Khidmat Inovasi Awam (PIKA).

It involved monitoring news regarding public services on the print media so that necessary action could be taken by the respective ministries. Deputy Director General I, Mr. Isbah Idrus and several investigation officers also were present during the meeting.

PAKISTAN



Wafaqi Mohtasib (Ombudsman) Of Pakistan

Wafaqi Mohtasib (Ombudsman) directs CDA to improve sanitation and solid waste management system

In response to public outcries against the deteriorating conditions of sanitation in the Federal capital, the Ombudsman has directed the Capital Development Authority (CDA) which is responsible for this basic municipal function, to develop and implement a Standard Operating Procedure for improving delivery of this basic municipal service. After reviewing the legal framework and examining in detail the current system of sanitation and solid waste disposal within the

territorial jurisdiction of CDA, the Ombudsman determined that the Bylaws and Regulations did not prescribe the operational procedures necessary to carry out the daily garbage disposal functions of the Authority in an organized, effective and accountable manner. CDA has thus been directed to develop these procedures, including assigning clear responsibilities in terms of specified areas/sites, fixing the number of daily shifts of sanitation staff, laying down the frequency and timings of garbage collection during the day and instituting supervisory checks at regular intervals.

This case also provides the first instance of a new business approach, with the Ombudsman's office assisting the CDA in developing the SOP. The Ombudsman's office developed and shared guidelines for developing the SOP and then also provide mentoring and advice during the phase of developing the SOP itself. This new approach is an example of the advisory role the Ombudsman intends to play to help address systemic failures that lead to recurrent public grievances.



WAFAQI MOHTASIB GIVES FINAL NOTICE TO EPA TO TAKE IMMEDIATE ACTION TO PREVENT POLLUTION OF KHANPUR LAKE

In the light of public complaints appearing in the print media, the Wafaqi Mohtasib (Ombudsman). Mr. Javed Sadiq Malik has taken cognizance of the reported pollution in and around the Khanpur Dam Lake and has termed neglect on the part of the Environmental Protection Agency (EPA) to adequately address the issue, as 'maladministration', as defined in President's Order No.1 of 1983.

The Khanpur Dam Lake is a source of drinking water supply to the cities of Islamabad and Rawalpindi. Public complaints had pointed to real estate development around the Khanpur Dam Lake area and the contamination of the water reservoir due to dumping of waste into the lake. In order to determine the facts, and mindful of the potential public health hazards for the citizen's of Islamabad and Rawalpindi, the Wafaqi Mohtasib (Ombudsman) ordered an investigation into the matter.

After providing the EPA, who are responsible for monitoring such pollution, with due opportunity to present its case and following careful review of reports of experts on the

extent and causes of pollution, the Wafaqi Mohtasib (Ombudsman) determined that the public complaints were based on facts and that the steps taken by the EPA to prevent pollution in the lake were inadequate and unsatisfactory.

In view of the above position, the Wafaqi Mohtasib has now directed EPA to take immediate steps in accordance with their law to put a stop to the pollution in Khanpur lake by requiring both the real estate developers and the residents of WAPDA colony to make adequate arrangements for disposal of solid waste to the satisfaction of the EPA within a period of 60 days.

Ombudsman asks CDA to devise transparent procedure for changes in land use of designated parks

The Wafaqi Mohtasib (Ombudsman, Mr. Javed Sadiq Malik, has, on a citizen's complaint that appeared in the press, taken suo moto notice of the installation of mobile phone towers in public places such as parks.

The Wafaqi Mohtasib (Ombudsman) has asked the Capital Development Authority (CDA) to ensure that, a comprehensive procedure be evolved for transparent and criteria-based approvals at an appropriate

level in the CDA, for changes in land use.

The investigation carried out by the office of the Wafaqi Mohtasib (Ombudsman) in this matter revealed that in the absence of any defined procedure and policies governing the erection of structure in open areas and parks, CDA officials had permitted erection of mobile phone towers in at least on children's park and five designated park sites in sectors G-6/4, G-9/4, G-10/2, G-10/3, G-11/2, G-11/3.

Moreover, approval for the changes in land use and original layout plans, were mostly given at lower tiers of management, without any specific criteria and transparent procedure for such approval. The Ombudsman determine that failure to put in place and follow appropriate procedures and criteria for approving changes in land layout plans amount to arbitrary decision making and thus falls within the definition of "maladministration" as given in President's Order No.1 of 1983.

CDA has been asked to confirm within 60 days that a policy in this regard has been framed and transparent procedure developed, including assigning clear responsibilities and authority at appropriate levels, for approving changes in layout plans of open areas in the city.

(Source : Wafaqi Mohtasib Pakistan)

Office of the Ombudsman of Punjab

POLICE POST OWNER PAID RENT ON OMBUDSMAN INTERVENTION

On the orders of Punjab Ombudsman, Jhelum District Police Officer (DPO) has paid a sum of Rs167,700 as rent of privately owned shops occupied by Chotala Jhelum police station.

Complainant Chaudhry Abbas Ali rented out his 15 shops located at Sanghoi, tehsil & district Jhelum, to the police department for establishing of police Post Chotala at a monthly rent of Rs430 per shop, but despite his efforts, the local police neither paid the rent nor vacated the shops.

The complainant requested Mohtasib Secretariat that his grievance be redressed. In its departmental response, DPO Jhelum conceded, that the said premises were taken on rent by the SHO vide a written agreement, but could not be occupied due to inundation and as such, the claim of the complainant as unfounded. Punjab Ombudsman Abdur

Rashid Khan directed Jhelum Revenue officer to get a spot enquiry conducted, which showed that the Police had actually occupied and utilised 13 shops but never paid the rent. He then directed the DPO Jhelum to make payment of 13 shops as per agreement and the order was complied with. The rent of 13 shops amounting to Rs.167,700 was paid to the complainant, while the shops have now been vacated.

PUNJAB OMBUDSMAN OBTAINS SPECIAL EXAM CHANCE FOR STUDENTS

The Punjab Board of Technical Education (PBTE) has accorded approval to grant a special examination to all candidates, who had appeared in diploma in commerce (part-I) first annual examination 2004, and trying to clear their compartments.

The board has accorded approval on the orders of Punjab Ombudsman Abdur Rashid Khan. According to a news release issued here on Tuesday, a complainant, Muhammad Azam, submitted that he had appeared in

Diploma in Commerce (part-I) first annual examination of the PBTE in 2005 and failed in English. Consequently, he was allowed to clear the compartment till first annual exam 2007. He appeared in the first annual exam 2006 but failed and was directed to appear in all subjects. Later, he requested the ombudsman to direct the PBTE to allow him a chance till first annual exam 2007 to clear the compartment in accordance with its previous decision. In its response, the PBTE submitted that students were given four chances to pass the examination under the Board's rules. The complainant had appeared in the first annual examination 2004 but failed. The Board did not conduct the second annual exam in 2004. For this reason, the complainant took the first annual exam in 2005 but did not appear in second annual exam 2005 and then appeared again in the first annual examination 2006 and failed. The Board said that in this situation, complainant availed the four chances available for clearing the compartment under the rules.



In his decision, the ombudsman observed that PBTE had amended Clause 3 of the "Promotion Rules 2001" in 2004 that in future no supplementary examination would be held in diploma in commerce (part-I) and DBA (part-I).

It issued a direction in this regard in September 2005 that supplementary examination for diploma in commerce (part-I) for late college students would be held in 2005. The complainant, however, did not take the supplementary exam and appeared in the annual examination 2006 because he thought that he was entitled to clear the compartment till annual exam 2007.

Consequently, the ombudsman directed the PBTE controller (exams) to place the matter before the competent authority for another chance regarding the candidates, who participated in the first annual exam 2004 in diploma in commerce (part-I) and to take a decision based on principles of justice and fair play.

In its compliance report, the PBTE informed the ombudsman secretariat that the board had approved a special chance to all such candidates, who had appeared for the first time in the first annual examination 2004 of the diploma in commerce (part-I).

GOVERNOR LAUDS OMBUDSMAN'S PERFORMANCE

Punjab Ombudsman Abdul Rashid Khan presented the annual report for the year 2006 to Punjab Governor Lt Gen (r) Khalid Maqbool at the Governor's House.

The Governor praised the role being played by the Provincial Ombudsman in providing relief to people by redressing their grievances concerning government departments and observed that speedy and inexpensive justice to people was the top priority of the government.

He said efficient and effective working of Ombudsmen at federal and provincial level, side by side with the courts, was proof of the

government's commitment to redressing public grievances and ensuring quick justice.

"The government lauds the services rendered by the Ombudsman in providing relief to the masses," he said.

The Ombudsman said the number of people of people who contacted him in the year 2006 was 40 percent more than the previous year.

He said a total of 1,743 cases were decided in 2006, out of which relief was provided in 62 percent cases, while in the remaining cases enquiries revealed that no irregularities were committed.

He explained that those not satisfied with the Ombudsman's decision could file an appeal with the Governor. During 2006 as many as 451 people who exercised their right to appeal to the Governor were provided relief.

(Source: Office of the Ombudsman Of Punjab)

Office Of The Ombudsman Of Sindh

NEW OMBUDSMAN OF SINDH , PROVINCE APPOINTED



Mr. Asad Ashraf Malik, formerly Chairman Anti-Corruption (AC) Sindh has been appointed as the Ombudsman of Sindh. The AOA Secretariat extends a warm welcome to the new Ombudsman of Sindh and looks forward to benefitting from his experience and expertise.

Mr. Asad Ashraf who is highly respected for his integrity and principles, has a rich experience of law and administration spanning over 35 years. He is a graduate in Civil Engineering from NED University

and has a diploma in Business Administration from IBA. He has served on various important assignments like Director Intelligence Bureau, Commissioner Sindh Social Security, DIG Headquarters, Additional Inspector General of Police Sindh, Capital City Police Officer Karachi, Chairman Cotton Export Cooperation and before taking over as Provincial Ombudsman he was posted as Chairman Anti-Corruption Sindh since 2004.

During his service as Chairman AC Sindh and during his tenure as head of the anti-corruption establishment since 2004 Mr. Malik was able to retrieve 25,000 acres of Government of Sindh land, which had been occupied and owned fraudulently through furnishing bogus documents.

Dr. Ishrat Husain Applauds The Ombudsman Of Sindh For Helping The Aggrieved

Dr. Ishrat Husain, Chairman of National Commission on Government Reforms, visited the head office, of the Provincial Ombudsman of Sindh during June 2007 and expressed his pleasure and

satisfaction on the achievements of the Ombudsman, Mr. Yousuf Jamal. He addressed the officials of the Provincial Ombudsman Sindh Secretariat and exchanged views and ideas on matters of mutual interest and concern.

Ombudsman of Sindh plans to increase accessibility of services for the underprivileged

The new Ombudsman of Sindh, Mr. Asad Ashraf Malik, is planning to launch an on-site complaint handling service for targeted areas deemed as underprivileged due to a lack of transport and information networks. In addition, the complaint handling service will provide a counseling service for the public. On the basis of these efforts, the Ombudsman of Sindh is trying to improve accessibility for underprivileged regions & classes on an incremental basis.

Source (Office of the Ombudsman of Sindh)

PHILIPPINES



OMB AND FILIPINO-CHINESE BUSINESSMEN JOIN HANDS IN THE FIGHT AGAINST CORRUPTION

The Office of the Ombudsman and Filipino-Chinese businessmen joined hands and committed to work together to achieve a graft-free and business-friendly investment climate in the country. The Office of the Ombudsman and the Federation of the Filipino-Chinese Chamber of Commerce Industry Inc. (FFCCCII), signed a Memorandum of Agreement (MOA) which aimed to curb the deleterious effects of corruption in the country's business sector.

Ombudsman Ma. Merceditas N. Gutierrez and FFCCCII President John K. Tan led the signing of the MOA during the sectoral briefing with Filipino-Chinese businessmen at the Federation Center in Muelle de Binondo, Manila. Acting Assistant Ombudsman Evelyn A. Baliton of the Public Assistance and Corruption Prevention Office (PACPO) and FFCCCII Executive Vice President Tan Tian Siong witnessed the MOA signing.

Under the MOA, the FFCCCII was accredited as the Ombudsman's official graft watch unit for the National Capital Region as well as in regions where the Federation has accredited chapters.

As a graft watch unit, the FFCCCII will assist in the conduct of lifestyle checks on government personnel and provide the Ombudsman with recommendations on how to improve the systems and procedures being practiced in government agencies where businessmen usually have transactions. Ombudsman Gutierrez hopes that the move will help eliminate red tape and reduce if not totally eradicate opportunities for corruption, and thus improve the country's image as an investment haven among local and foreign businessmen. The Tanodbayan also appealed to businessmen to be firm in their stand against graft and corruption in all their dealings with government officials and employees. "You know it takes two to tango," the Ombudsman said. "Hindi magkakaroon ng korupsiyon sa isang agency kung walang private person na kasama. We will make it easy for businessmen to deal with these agencies, so they can tell them to stick to the rules and not to ask money to facilitate transactions or secure clearances or permits." The Office of the Ombudsman had earlier signed a similar MOA with members of the Mactan-Lapu-Lapu Chamber of Commerce. On Friday (October 19), a MOA was signed between the Ombudsman and businessmen in Davao City.

Ombudsman reacts on Transparency International report

Ombudsman Ma. Merceditas N. Gutierrez today clarified that contrary to reports, the Philippines' corruption perception rating did not deteriorate.

Reports earlier stated that the country's ranking dipped following the release by Transparency International (TI) of its 2007 Corruptions Perceptions Index (CPI), which ranked the Phils. 131st, along with Burundi, Honduras, Iran, Libya, Nepal and Yemen.

Reports compared the Phils.' 2007 rating to that of the 2006 CPI, which ranked the Phils. 121st, along with Benin, Gambia, Guyana, Honduras, Nepal, Russia, Rwanda, and Swaziland. Ombudsman Gutierrez noted however, that the 2007 CPI ranked 180 countries while the 2006 CPI only covered 163 countries. On the other hand, the Phils.' CPI score for both years remains the same: 2.5. She said, "This means that the country's corruption perception ranking only slid down to 131 owing to the increase in the number of countries covered by the report, and not due to a perception of worsening corruption in the Philippines."

Even TI in its report affirmed that "While ranking countries enable TI to build an index, a country's score is a much more important indication of the perceived level of corruption in a country.

A country's rank can change simply because new countries enter the index or others drop out." The CPI ranks countries with scores ranging from 0 (highly corrupt) to 10 (highly clean). TI in its report cited Austria, Bahrain, Belize, Bhutan, Jordan, Laos, Macao, Malta, Mauritius, Oman, Papua New Guinea and Thailand as examples of "deteriorations from CPI 2006 to CPI 2007".

On the other hand, it stated that "improvements can be observed from 2006 to 2007 for Costa Rica, Croatia, Cuba, Czech Republic, Dominica, Italy, Macedonia, Namibia, Romania, Seychelles, South Africa, Suriname and Swaziland."

TI also explained that the country which obtained the lowest score should not be interpreted as the world's most corrupt country. It said, "The country with the lowest score is the one where corruption is perceived to be greatest among those included in the list."

Ombudsman Gutierrez also stressed that for its part, the Office of the Ombudsman is exerting all efforts to curb graft and corruption in the country. Aside from the prosecution of high-profile cases, it has embarked on a massive corruption prevention and information dissemination campaign to gain support for the government's fight against the said problems.

SC upholds Ombudsman's authority over appointments

THE Supreme Court (SC) has upheld the power and independence of the Office of the Ombudsman in appointing its officials and personnel. In a 13-page Decision penned by Associate Justice Renato Corona, the SC en banc set aside and voided

Opinion No. 44 of the Civil Service Commission (CSC) which disapproved the Office of the Ombudsman's request to establish its own qualification standards for the positions of Director II of the Central Administrative Service (CAS) and Finance Management Service (FMS).

Voting 13-0, the SC declared that the Ombudsman is an independent body and "as a guaranty of this independence, the Ombudsman has the power to appoint all officials and employees of the Office of the Ombudsman, except his deputies. This power necessarily includes the power of setting, prescribing and administering the standards for the officials and personnel of the Office."

It said the Ombudsman has been vested with the power of administrative control and supervision of the Office which includes the authority to organize directorates for administration and allies services and to prescribe and approve its position structure and own staffing pattern.

It also pointed out that this power of the Ombudsman "includes the authority to determine and establish the qualifications, duties, functions and responsibilities of the various directorates and allied services of the Office. This must be so if the constitutional intent to establish an independent Office of the Ombudsman is to remain meaningful and significant."

The high court said that the "CSC cannot substitute its own standards for those of the department or agency, especially in a case like this in which an independent constitutional body is involved."

The case stemmed from the letter of the Office of the Ombudsman dated July 28, 2003 to the CSC requesting the approval of the amendment of qualifications standards for Director II positions in the CAS and FMS of the Anti-graft body, so that it should only require "Career Service Profession/Relevant Eligibility". The CSC requires "Career Service Executive Eligibility/Career Executive Service" for the said position.

The CSC issued Opinion No. 44 on Jan. 23, 2004 disapproving the request. This prompted the Ombudsman to elevate the case before the SC.

The SC ruling granted the Ombudsman's petition and set aside the CSC Opinion. It further ordered the CSC to approve the amended qualification standards for Director II positions in the CAS and the FMS of the Office

(Source: <http://www.ombudsman.gov.ph>)

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