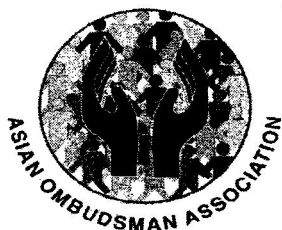


MINUTES OF THE MEETING



**3RD ANNUAL MEETING OF
BOARD OF DIRECTORS OF THE
ASIAN OMBUDSMAN ASSOCIATION
19TH JUNE, 2001
TOKYO, JAPAN**

DRAFT
MINUTES

MEETING OF THE BOARD OF DIRECTORS OF FAOA HELD ON 19TH
JUNE 2001, TOKYO, JAPAN

Item No.1. The word of thanks to Ombudsman of Philippines for holding the 5th Annual Conference

The Board adopted the resolution to convey its vote of thanks, appreciation, and congratulation to the Ombudsman of Philippines for holding a successful moot of the Asian Ombudsman Association on July 17-21, 2000.

Item No.2. Approval of the minutes

The minutes of the meeting of the Asian Ombudsman Association's Board of Directors held in Manila in July 2000, were approved.

Item No.3. Approval of the agenda items

The Board's formally adopted the agenda.

Item No.4. Recommendations on the proposed amendments in bylaws of AOA

It was agreed that the brief review of the proposed amendments may be carried out rather than rejecting them all summarily.

Article-1. Name

In the proposed amendments, the name of the Association was slightly altered, but the Board decided that the change in the name of Association was not called for at this juncture, and it was rejected.

Article-2. Headquarters

The proposal was to establish a branch office of AOA in the host country holding the conference. This proposal was also rejected.

Article-3. Association's insignia

There was a proposal for amendment in the Association's insignia. This proposal was also rejected, and it was thought that the insignia, already approved, was very proper and suitable, and therefore should be retained.

Article-4. Objectives

Proposed amendments, in Article 4, Sub-Article 2(b) as proposed was adopted. Sub-Articles 2 (c), (f), and (i) were rejected, while Sub-Article 4(2)(g) was adopted. On Article 4(2)(h), there was a detailed discussion. It was rejected by way of vote. It was resolved

that in the absence of relevant provisions of laws of various member countries, regions, proposed objective to curb corruption or corrupt practices could not be inserted in the list of objectives of the AOA for the time being.

Article-5. Membership

In Sub-Article (1). The word "a" was proposed to be added before the words, "voting members" and it was carried. The word "on" before the words "universities, hospitals, prisons and press" was allowed to be substituted by the word "of". The word "from" before the word "persons" be substituted by the word "on" in Sub clause (3). In Sub clause (4), the word "in" after the word "otherwise" was allowed to be substituted by the word "on". Sub-Article (5), (6), and (7) were proposed to be amended, but the amendments were rejected.

Article-6. General Assembly

Again, the proposed amendments in Sub-Article (2) to (6) were unanimously rejected.

Article-7. Board of Directors

In Sub-Article (2) to (4) in Article 7, the proposed amendments were rejected. The proposed amendments in Sub-Article (5) were accepted, so the word "of" before the words "their services" were allowed to be substituted by "for". In proposed amendments in Sub-Article 6 were rejected. However, the amendments in Sub-Article 7(9) in Article 7 were unanimously accepted.

Article 8. Secretariat

The proposed amendment in Article 8, concerning the appointment of auditor, for the time being was rejected.

Article 9. Miscellaneous

Amendments proposed were adopted unanimously.

Item No.5. Membership issue of specialty Ombudsman.

There was an application by the Federal Tax Ombudsman of Pakistan for the membership of the Association, the application was not properly moved by the Federal Tax Ombudsman of Pakistan. He only sought permission to move the application for membership. It was resolved that a committee comprising of the President, Vice-

President, and the Secretary shall examine the application when moved for membership and make recommendations to the Board for further deliberations.

Item No.6. Withdrawal of the membership by Civil Service Commission of the State of Kuwait.

The Civil Service Commission of the State of Kuwait was one of the founding members of this Association, but for reasons not disclosed by the Commission, they wanted to withdraw from the membership of the Association in writing, and the application was produced and presented before the Board of Directors. And they, with regrets, noticed the withdrawal. And since there is a provision for withdrawal and there is no need to work upon that, therefore, the application was allowed to be processed.

Item No.7. Enhancing the cooperation amongst the member countries

With regard to enhancing the cooperation amongst the member countries for the cause of ombudsmanship in Asian region, country members of the Board were requested to send their proposals for consideration in the next meeting of the Board of Directors.

Item No.8. Assistance to member countries

With regard to research and studies in the field of Ombudsmanship, it was decided by the Board that the proposal shall be submitted by the members before the next meeting of the Board.

Item No.9. Proposal for the venue of the 8th Annual Conference of the Asian Ombudsman Association to be held in 2003

It was resolved and decided that the offers may be sent to the President for hosting 8th Annual Conference of the AOA in 2003.

Item No.10: Appointment of the staff of Asian Ombudsman Association Secretariat and fixation of their remuneration.

The Board authorized the President to take a decision on the appointment of staff and fix their remuneration.

Item No.11 (Additional) Procedure of Election.

It was resolved that the procedures of election and other related matters shall be worked out by the Secretariat i.e., the President, the Vice-President, and the Secretary.

Item No.12 (Additional) Balance sheets of the foreign currency account i.e.

dollar account and the Pakistan Rupee currency account

It was brought on the agenda, and the President produced the balance sheets of the foreign currency account i.e. dollar account and the Pakistan Rupee currency account and approved by the members of the Board of Directors.

Meeting of the Board of Directors

June 19th, 2001

•Chairman• ...Board of Directors of the Asian Ombudsman now is in order, and we start the proceedings.

I welcome all the directors of the Asian Ombudsman Association to this meeting of the Board of Directors. The last meeting we had was in Manila, Philippines. On your behalf and on my own behalf, I express our gratitude for the arrangements that were made during our stay in Philippines, Manila, last year. Our stay was very comfortable and also rewarding in many respects, particularly the exchange of experiences with one another.

Now so far as today's agenda is concerned, you have before you the printed agenda for the meeting of the Board of Directors of Asia Ombudsman Association, Tokyo, Japan on 19th, that is today.

First item on the agenda is word of thanks to the Philippines for holding 5th conference successfully and also rewarding. So this should be read as adopted. The words are: "The 5th Conference of AOA in Manila, Philippines, was a successful one and in regard to achievements of its objectives, and the organizers made excellent arrangements for the delegates who shared their views and experiences for the flourishing of the ombudsmanship in the Asian region. Therefore, the Board of Directors conveys its word of thanks, appreciation, and congratulations to the organizers for holding a successful move at Manila."

Any dissent?

• • Just to... it's a notice we have received just a few days ago, probably during your absence. It will be sent to you from Manila, the proceeding of the 5th Conference.

•Chairman• Thank you.

So the first item is adopted.

Second is the approval of the minutes of last meeting of Board of Directors. The last meeting of the Board of Directors was held on the eve of the 5th Conference of AOA held in Manila, Philippines, from 17th to 20th July, 2000. Various points, items were discussed. It was decided to postpone the discussion of

the proposed amendments in the Bye-Laws. The General Assembly deliberated and passed resolution concerning the election of the Board of Directors; payment of membership fee; encouraging other non-member Asian countries to adopt the system of ombudsmanship; four, authorizations to the president to appoint staff for AOA head office; establishment of study group and information center; six, grant of scholarship et cetera, et cetera.

So, any dissent? Any amendment in these resolutions?

• • Can we have.... our explanation...first item.... Philippines? ...to the presidents and to all delegates.... We appreciate the Philippines government for hosting very successful sessions last year. ... the proposals concerning thanks and appreciations... by this suggestion that the posts of appreciations and thanks could be given in written and conveyed in written to the government of the Philippines. It will be a good initiatives for that, that the hosting country receives words of thanks in written by the other nations. In that way we can convey such message in written to the government of Philippines. Thank you.

•Chairman• Actually, so far as this aspect is concerned, we have already taken care of it by incorporating the minutes and conveying the copy of those minutes to all the member countries including the previous host country.

• • Yes, it is correct, but what we have done was words of appreciations by the president of this time, and my suggestion goes to the appreciations for the Board of Directors. And such is going to be written and conveyed to the previous host country, as an approved recommendation by the Board of Directors, not only by the president.

•TAI(Hong Kong)• In fact, if I may clarify, Mr. President, at the conclusion of the Manila Conference, on behalf of the Association, I think the plenary session of the membership of the AOA supported and wrote a thanks to both the ombudsman of Philippines and also to the government of Philippines for the hospitality that they had extended to all delegates in Manila. So that was done. But there is--I see no harm in doing it again in extending to the ombudsmen of Philippines a formal gratitude of the Board of Directors as proposed by the vice president.

•Chairman• Okay. Shall we proceed further?

Now, the third item on the agenda is the approval of the agenda. The draft

agenda items for the meeting of Board of Directors requires formal approval by the directors before opening of the discussion. Is the draft agenda approved?

So the draft agenda items for the meeting of Board of Directors is formally approved by the directors. Now the discussion is open.

Now the proposed amendments to the AOA's articles, Bye-Laws. The existing Article 1 of the Bye-Law is that the Association shall be called Asian Ombudsman Association. Proposed amendment is--and I read it--: "The Association shall be called Asian Ombudsmen Association."

•(Iran)• I believe that the statute of the Association has been As far as possible, we should not change it so rapidly the statute which is very varied document... If it requires some change in the of the statute, such principle could be, and should be, observed, that not to make such rapid changes if they're not required. If we can agree upon such principle, then we can take into considerations the recommendations and proposals. For example, concerning the name calling, the change of "ombudsman" to "ombudsmen."

As far as I was within the drafting of the statute personally, we have already discussed such matter. The name calling is concerning all associations, not the personalities or persons or members. And during the adoption of the statute, all member states represent Japan, Pakistan, China, and the others. Therefore, I don't require it as incumbent and necessary to change such name calling. There is no change in the substance of the matter. And besides to that, the International Ombudsman has the same name calling, International Ombudsman, not Ombudsmen. Therefore, we can base upon the principle of not changing if it doesn't require... it is required, and to me, as the name has been registered, I don't believe that it is such substantial changing. Thank you.

•Chairman• Mr. Hisao Tsukamoto, the voting member from Japan,

•TSUKAMOTO(Japan)• It is already written here, but I think that one of the most important thing is to think about how it is related in terms of our Association with International Ombudsman Institute. And it appears that changing name to "Ombudsmen" may be somewhat unique in the regional ombudsman associations of the world. So I am very negative about change of the name from Ombudsman to Ombudsmen.

• Chairman • Anybody else?

• • Since the International Ombudsman Institute, as mentioned by the Iranian delegate and the Japanese delegate, use Ombudsman, I think it is unnecessary to change the figure of the word.

• Chairman • Now in this....., the question is: Should we discuss this amendment any further, or should we drop it? Other amendments also.

• TAI • May I ...? Perhaps as secretary, I could put in a little bit of background here. The proposals, in fact, raise two issues of concern. One is the question of change for the sake of changing, as both the Iranian delegations and the Japanese ombudsman has raised, and secondly is a constitutional problem of procedure. These amendments were tabled in Manila when we were there last year, with our prior notice to all the members of the Board. It was tabled by Philippines. The Board of Directors in Manila decided that, a) there was not enough time to consider the matter, and b) it also raises important questions of procedure. So the consideration of the proposals were deferred until later, until this meeting. So I think that we hold it to the Philippines which proposed the proposals to consider it, and if we disagree, then as a matter of decision, perhaps the Board of Directors ought to take a view to reject the proposal rather than defer it. Personally, I think Hong Kong would agree with the views expressed, that unless there are changes in substance, then we do not go for change for the sake of changing; because it is a very young organization, we need time to develop policies and procedures. We should not go for lots of changes for the sake of it.

• Chairman • Thank you. Any other views on the point that has been taken by Ms. Alice Tai.... Association?

• • So let the practice for some years more and see whether we need, if it is necessary to lessen(?) member or not.

(synchronous free discussions)

• • Mr. President, with respect to the proposals, it is my humble proposal that in order to show respect for the proposals being given, we can consider item by item, not to reject all of them, but maybe we can take less time, but taking into consideration every item, and if it is not substantial, then we can reject it, but not rejecting all of them in one word. For example, the first item has been approved;

it has been rejected then, it is okay, then we can take into consideration other proposals, not to reject it all of them... It seems that most of us do believe that the name changes are not substantial, but we can talk and discuss it in a very brief time, and taking and making the decisions.

•Chairman• So, so far as this amendment in Article I is concerned, can we deem it dropped?

•TAI• If we look at the summary of comments, I think that gives a very good analysis.

•Chairman• ...comments...., at the end of... No comments by.... somebody have comments... that Hong Kong China, Japan, Macao, they say no. Jordan, no comments; China, no comments; Iran, no comments. So the first item is dropped.

The second one is, the existing item is, the headquarters of the Association shall be located at Islamabad, Pakistan. However, a member in host country or region where the annual general meeting of the Association is held may establish office for the purpose. Proposed amendment--and I read it and I quote--: "The headquarters of the Association shall be located at Islamabad, Pakistan, with a branch office in the country of the AOA president. However, a member in host country where the annual general meeting of the Association is held may establish a temporary office for the purpose." The comments were invited. We received comments from Hong Kong China, Japan, Macao China, and People's Republic of China. And so, in the case of Islamic Republic of Iran, the comments by Hong Kong China, is no comments; Japan, no comments; Macao, no comments; China, no comments; Iran, no comments; Jordan, no comments. So this item, too, is dropped. So it is dropped. Shall we drop it?

•TAI• Korea also supports dropping it?

•(Korea)• Yes.

•Chairman• Article 3. Association's insignia. Existing insignia, the Association's insignia, shall be at Annex I at the end of our file(?). And so they wanted to amend it like this, the Association insignia shall be indicated as in Annex 1. I think it's the same except that World Ombudsmen was proposed, but since the amendment has been dropped, this also has to be dropped. So far as summary of comments is concerned, Hong Kong, no comments; Japan, no comments; Macao

China, no comments; China, no comments; Iran, no comments; Jordan, no comments. So shall we drop it, too?

Yes. Amendment of Article 3 is also dropped.

Article 4, objectives. Existing...., 1) The Association shall be independent, non-political, democratic and professional body. Subarticle 2) It is formed for the following objectives: (a) To promote the concepts of Ombudsmanship and to encourage its development in Asia; (b) To develop professionalism in discharge of the functions as Ombudsman; (c) To encourage and support study and research regarding the institution of Ombudsman; (d) To sponsor training and education programs for the institutions of Ombudsman in the region; (e) To provide scholarships, fellowships, grants and other types of financial support to individuals for study relating to the institution of the Ombudsman; (f) To collect, store, disseminate information and research data about the institution of Ombudsman; (g) To facilitate exchange of information and experiences among the Ombudsmen of the region; (h) To plan, arrange and supervise periodic conferences of the Ombudsmen of the Asian countries regions; (i) To undertake such other matters necessary to further the above objectives of the Association.

The difference in the proposed amendment is that the proposals have proposed to make certain words change into capital letters. The amendments that have been proposed have been shown in the amendment as in the capitals. You will find it at page 6 of the proposals. "The" of... as "an" institution.

(free discussions)

•Chairman• So, so far as this second is concerned, that has been supported by Hong Kong China and Japan and Macao. But China has not supported it; Iran has offered no comments; Jordan has offered no comments. Of course, Pakistan has also offered no comments. So since only textual additions are involved, with no substantial difference, there will be no harm if we adopt this proposal in Item 2; that is to say, and it shall read: "To develop professionalism in the discharge of the functions of an Ombudsman."

•(Iran)• In the drafting of the statute, his excellency, of the and these have worked..... So, as I mentioned before, if it is possible, don't make very change in the substance of... One item has been added which could be taken into

consideration, namely the increasement and expansion of our duties and mandates. It has made more transparent, namely Subparagraph 9. To coordinate on matters involving transnational corruption, or corruption-related activities, and devise measures and ways consistent with international law to the same. But the actual item under consideration, the word is the problem of corruption. And the administrative often says... Therefore, I do believe that the statute is not going to be changed in drafting wording of that. And then, at the end of the objectives of the institute, we can add this new paragraph or subparagraph. Then it is.... Then it can be put to voting in the General Assembly.

Then it shows us that when such additional or amendment has been made. Then we have observed the principle. Then, concerning the other matter is the matters, which their approve approaches how we can draft such items. In case as in institutions of the other Ombudsmen, the institution of the Ombudsmen, there's no substantive changes. It is not very recommendable to change rapidly every subject of our statute. But it evolves such innovation or initiative in the Board of Directors, that we have such problem to change it so rapidly. And my proposal is to add new Subparagraph 9 at the end of objectives in our statute.

•Chairman• Yes. We tenderly agree with the observations of our Iranian friends. We agree that we should avoid making rapid amendments in the laws and the Bye-Laws. But if there is some textual amendment, without touching the substance of any Bye-Law, then if all of you agree, we make the recommendation; otherwise we drop it.

As you know, our Bye-Laws and the basic law is that all the amendments in the laws have to be made on this body, only recommended body. The Board of Directors can only recommend it to the General Assembly. So if you recommend it, you'll send it to the General Assembly, and then, if it is passed by the General Assembly, and it will become law. Otherwise, if you don't, we drop it here, and there's no need to go to General Assembly for that.

Would some of you offer their comments on the item, that is newly added Item No. 9 at page 7 of our agenda?

Excuse me. Do you have, any one of you, objection to the textual amendments proposed before Item No. 9? That is 1 to 8, as proposed?

•TAI• I think there aren't comments on the table, Mr. Chairman. Certainly, from the summary of comments, Hong Kong, Japan, Macao have made certain comments. On Article 4, Subsection 2, whilst I agree with Mr. Holbrey(?) on the need to minimize changes, I think that if there are textual changes that would bring about an improvement, we should be able to recommend that. And it seems to me that Article 4-2 is one of those amendments, because although it's a ..., a matter of English, it does put it in a better English than the existing Article 4-2. So speaking for myself, I would recommend accepting the recommendations to amend Article 4-2.

As I've noticed, that Japan and also Macao have also supported that, but as regards Article 4-3, I think there is opposition to changing that, because in the same way that this is a change that would substantially change the focus of Article 4-3. We are concerned with the research regarding not the Ombudsman as an institution, but the institution of Ombudsman. I think the English as proposed would change the meaning, so we would oppose to that particular amendment.

Article 4-6 is the next one that I could spot. On Article 6, I think Japan supported a change, but Hong Kong hasn't focused it. I think this again falls into one of those textual thing that we could do with or without. So if that's the case, there's no harm in.... The same applies to "in" in Article 7...

• • It is my recommendation not to change it so frequently. We should be very skeptic concerning any change if it is substantial. It could be different practices, but the statute is not a normal byelaw; it is more important than normal byelaw. It might that every time that when you're looking to the statute, everybody can have such recommendations in order to change it. It is not very practical to change the statute which is more than normal byelaw, although new Subparagraph 9 is a good one, but it was not very easy for me to accept it even that it has new improvement. The Subparagraph 3, 2, DR(?), to undertake the last subparagraph, to undertake such other matters necessary to further the above objectives of the Association, it includes everything. Only the matter of--my doubt is that the new proposal Subparagraph 9, which is, it includes some improvement. I request the president to approve and then inform and convey this principle to all members, the principle of not changing first, if or then it is required.

•Chairman• Personally, let me explain. I have no reservations on the textual amendments proposed from Item 1 to 8, because that is towards the draftsmanship of the byelaws and rules and regulations, and the language that has been used earlier on was indeed correct to some extent, but we are in the committee of nations and we would like that our Bye-Laws, when they go to the other countries who really know English mostly, we should not be far behind them. Therefore, if the textual corrections on amendments are made, there's no harm in it, and this will be not--I mean, for the first time, we have looked into these, and some of the members have proposed the amendments in the text, it would not be agreed ... they agree here that we've been proposing the textual changes in the Bye-Laws. But since now it is the sixth year and some of the members have come up with these textual proposals on the amendments only, therefore it's up to you if you accept it otherwise we drop it.

So let us, then, if you are serious, put it into vote one by one. Subparagraph 2. The proposal is to substitute Class b with Subparagraph 2, and that is to develop professionalism in discharge of the functions of an Ombudsman. Do you agree that we should adopt it?

Three, the third one, the c Class, the older one, and number three, the new one: To encourage and support study and research regarding the Ombudsman as an institution.

•TAI• I think we object.

•Chairman• So this is also dropped and rejected.

The fourth one is: "To sponsor training and educational program for the institution of Ombudsman in the region." There's no change in it.

4-6: To collect, store, and disseminate information and research data about the institution of Ombudsman.

• • There's one "and" there and one "and" there...

•Chairman• Two "ands." I think existing would be all right. So a question of one "and" adding into the older one.

• • Just a figure of style of...

<tape side change>

• • ...in order to facilitate the changing the proposals concerning changes,

we can have ,which is usual in the United Nations documents, namely to put the changes or proposals in the bracket, then we can see it in one text, not in the second text. In one text, when we put it in bracket, then we see that it is the proposal. And then, if it has been made by one country, then we can put it on the note.... that's made by, for example, Japan, or the others. Then, if we can put it into bracket within the text, it is obviously and more transparent to decide about that.

•Chairman• We will look into this next time when some proposal for amendment comes in. We will ... as welcome.

So should we drop Item 6?

•TAI• I suppose drop it. It doesn't add much.

• • Yes. I support dropping.

• • What's the view of Japan?

•(Japan)• It appears that this is grammatical; this is not correct. Well, I could support this. But I read this as collect, store and disseminate information and research data. This is the combination. If that is so, I think a new "and" is necessary, if it combine information research data. So there could be some confusion about the information research data, how they're different or a data is same group of things. I think the information research data by the people who drafted this Bye-Law was one combination.

•TAI• I think your suggestion is technically, strictly speaking, absolutely correct. But it's really the style, the draft, that you've got two "ands" in four words. That's the problem. So I think it doesn't add very much, so...

•Chairman• If we add one "and" more, it would confuse, whatever we have already gained and put it. That's the problem, actually, textually.

(h) and (f). (f) is the old and (h) is the new.

• • No. Seven, "in the region."

•Chairman• Yes. The word "in" has been added before "the region." I think this is an ... which we will have in here.

• • Without "in," I don't think it

•Chairman• Yes. "In the region." Because we represent region, and these are meant for the Asian region. So there's no harm if we allow the addition of the word "in" before the words "the region." Who proposes it? Korea proposes it.

Who seconds it? China seconds it. Adopted? Adopted.

Number 9: To coordinate on matters involving transnational corruption or corruption-related activities and devise measures and means consistent with international law, to the same.

Now before proceeding further, let me point out one thing which is very important and goes to the root of the proposition, that in every countries of the region, the ombudsmen, or anybody which represents the concept of ombudsmanship, operate within the four corners of a law of the respective country. Many countries of the region, the laws that we have consulted and read, do not provide for the indulgence of the ombudsmen in the arena of corruption, because there are other state institutions to curb, to discourage, to investigate, and to prosecute and punish the corrupt activities. So we would be actually interfering in the bodies of the state, provided it is not a part of the statute that creates the office of the ombudsman.

So far as Pakistan is concerned, we have no jurisdiction to investigate, prosecute corruption as such, because there are other anti-corruption bodies who are doing it and also prosecuting it and then putting the cases into the courts, both on criminal and civil sides. Therefore, it would be difficult for us to go to the government to seek amendment and to seek power to investigate corruption and corrupt practices. I don't know about others, but the Pakistan's stand is very clear on this, that at the moment there's no possibility of giving the powers of anti-corruption to the ombudsmen by the government in this... are the governments that we follow.

• • • Mr. Chairman, the situation is quite the same for us, too. And we have true difficulty going along with this proposal.

•Chairman• What's the stance of China and Korea?

• • • Because although we have the basic similarity for all the ombudsmen in the region, however, each government, I am sure, like mentioned by the president and Japan, has its own department investigating anti-corruption. Therefore, we must disagree with this proposal.

•Chairman• Well, I should point out one thing, that there are one or two jurisdictions in the region who have the ombudsman have the jurisdiction to

investigate the corruption and also initiate anti-corruption rights, but they have their own system, and we won't interfere in their sphere of anti-corruption that they already have. But so far as the other jurisdictions are concerned, who don't have this power, it will be difficult for them to seek the amendments in the laws and also necessary powers to combat the corruption, although we would very much like to have it. But since it is difficult for us to get those powers, therefore we are unable to support this amendment at the moment.

• • We are not talking about the countries or the members, that the distinguished guest of Korea It is the matter of the Asian ombudsman. It is different with internal matters. We are discussing and considering the different means and ways and recommend the countries to gain the experiences of the respective countries. It is not obligatory or obligations at all, or it is not a special power or authority to be granted or withdrawn. Therefore, to have such proposal, it is a mandate, an objectives of the ombudsman, not for the every countries or members; it is included as the objectives of the ombudsman. The other objectives mentioned in the statute could be considered by some countries as new one and, to some extent, interference in the internal matters, but it is not any obligation on countries; it is a and general objectives of the ombudsman. I hope that my distinguished colleague from Korea and , ...is that it is not going to change the jurisdiction of every country.

I have another proposal. If there is not any dissenting ideas, the wording "involving" and the wording "coordinate," if there is some doubt about the interference in the internal jurisdiction of every country, we can change the wording. Instead of "coordinate" to "cooperate," but the other matters making more stronger. Involving is fighting--because in the international fora, we are talking about fighting the corruption, not only very subtle matter... Thank you, Mr. President.

•(Japan)• Mr. Chairman, point of order from the host organizer. The next session will be... We'll have to come back to the hall, to begin the next session. So I would like to propose that this session will be adjourned at this moment, to be continued tomorrow. And we have set aside the evening of tomorrow, but if there is need for it, we could maybe shorten the lunch time to gather here for additional session.

•TAI• We perhaps vote on this one, because I think.... discussed. Maybe I just want to make a word on this quickly.

I think this issue has been discussed at length in Islamabad, at the last Board of Directors meeting as well as in Manila. The position has been very clearly stated. Hong Kong has clearly stated their position. A clean government is an underlying objective of all ombudsmen in all the work that we do. But because of our statutory setup and our bureaucratic setup, some jurisdictions, from what I hear, Pakistan, Hong Kong, and Japan, definitely, would have big difficulty, even with something stated like "to cooperate" or "to coordinate." Therefore, from my point of view, because we have got a separate independent commission against corruption to deal with that, once you've got the proposal accepted, it would then be a very confusing line of command as to who should be a member here, and I would have difficulty in supporting that.

I would suggest to get a decision on that, on this matter, that we put the matter to the vote, and this would then be a decision.

•Chairman• Those who would support it, say aye; those who don't, say nay.

(ayes and nays)

•Chairman• So the proposal is dropped.

•TAI• So that completes consideration up to... and including Article 4. Tomorrow, we could start from Article 5 onwards.

General Assembly

[Chairman] ...the members of the General Assembly, fellow ombudsmen, ladies and gentlemen, good morning. With your permission, I open the session of the General Assembly this morning.

I am grateful for the participants who have come to attend this session of this General Assembly of the 6th Ombudsman Conference at Tokyo. Now today's agenda is that I will present to the General Assembly the proceeding of the Board of Directors that we held last night and before that, the last two evenings, and concluded and adopted almost all the items of the agenda and concluded the session of the directors' meeting of the Board of Directors.

On the conclusion of the last evening's session of the Board of Directors meeting, the agenda was first approved and then the items and the agenda, one by one, were discussed at length, and some of them were adopted, while others were rejected.

The first item on the agenda of the Board of Directors was the word of thanks to Philippines for holding the 5th annual conference at Manila last year. The Board adopted the resolution to convey its word of thanks, appreciation, and congratulation to the ombudsmen of Philippines for holding a successful moot of Asian Ombudsman Association on July 17, 2000.

Item number two: Approval of the minutes of the last meeting of the Board of Directors. The minutes of the meeting of the Asian Ombudsman Association Board of Directors held in Manila in 2000 were read to the Board by myself, which were approved.

Item number three: Approval of agenda items. I presented the agenda consisting of eleven items for the Board's meeting, which were formally accepted.

Item number four: Recommendations on the proposed amendments in byelaws of AOA. A) Iran expressed the viewpoint that AOA is a young organization and its rules are rather new and fresh. They should, therefore, not be subjected to amendments at such an early stage. This viewpoint was supported by China, Hong Kong China, and Korea. It was, however, agreed that the brief review of the proposed amendments may be carried out rather than rejecting them all summarily.

Decisions on these amendments, I would like to bring to your notice, Article number one. In the amendment, the name of the Association was subtly(?) altered, but the Board decided that the change in the name of Association was not called for at this juncture, and it was rejected.

Two, headquarters. The proposal was to establish a branch office of AOA in any country. This proposal was also rejected.

Three, it was a proposal for amendment in the Association insignia. This proposal was also amended, and it was thought that the insignia, which is already approved, was very proper and suitable, and therefore should be retained.

Four, objectives. Proposed amendments for resolved agenda, in Article 4, Sub-article 2 as proposed was adopted. Sub-articles 3, 6, and 9 were rejected, while Sub-article 7 of Article 4 was adopted. On Article 9, there was detailed discussion. It was rejected by ways of vote. It was resolved that in the absence of relevant provisions of laws of various member countries, regions, proposed objective to curb corruption or corrupt practices could not be inserted in the list of objectives of the AOA for the time being.

Five, pertaining to membership. It's Sub-article 1.. The word "a" was proposed to be added before the words, "voting members," and it was carried. The word "or" before the words "universities, hospitals, and persons(?)" was allowed to be substituted by the word of "of." The word "from" before the word "persons" be substituted by the word "or" in Subclass three. In subclass four, the word "in" after the word "otherwise" was allowed to be substituted by the word "on." Sub-articles 5, 6, 7 were proposed to be amended, but the amendments were rejected. Article 6, membership. Again, the proposed amendments and Sub-article 2 to 6 were unanimously rejected. Article 7, Board of members. In Sub-articles 2 to 5 in Article 7, the proposed amendments were rejected. The proposed amendments in B-class and Sub-article 5 and 4 were accepted, so the word "of" before the words "their services" were allowed to be substituted by "for." In proposed amendments in Sub-articles 5 and 6 were also rejected. However, the amendments in ... para 5 to 9 in Article 7 were unanimously accepted. In Article 8, secretariat, the proposed amendment in Article 8, concerning the appointment of the auditor, for the time being was rejected. Miscellaneous Article 9 was adopted unanimously.

Item 5 of the agenda. Membership issue of specialty ombudsman. There was an application by the Tacks(?) Ombudsman of Pakistan for the membership of the Association; the application was not properly moved by the Tacks Ombudsman of Pakistan. He only sought permission to move the application for membership. It was resolved that a committee comprising of the president, vice president, and the secretary shall examine the application when moved for membership and make recommendations to the Board for further deliberations.

Item number 6, the withdrawal of membership by Civil Service Commission of the State of Kuwait. The Civil Service Commission of the State of Kuwait was one of the founding members of this Association, but for reasons not disclosed by the Commission, they wanted to withdraw from the membership of the Association in writing, and the application was produced and presented before the Board of Directors. And they, with regrets, noticed the withdrawal. And since there is a provision for withdrawal and there is no need to work upon that, therefore the application was allowed to be processed.

Item 7 was, with regard to enhancing the cooperation amongst the member countries for the cause of ombudsmanship in Asian region, country members of the Board were requested to send their proposals for consideration in the next meeting of the Board of Directors.

Item 8, assistance to member countries. Researchers and specialists in the field of ombudsmanship. It was decided by the Board that the proposal shall be submitted by the members before the next meeting of the Board.

Item number 9, proposal for the venue of the 8th Annual Conference of the Asian Ombudsman Association to be held in 2003. It was resolved and decided that the offers may be sent to the president for hosting 8th Annual Conference of the AOA in 2003.

Item number 10, appointment of the staff of Asian Ombudsman Association secretariat and for fixation of their remuneration. The Board authorized the president to take a decision on the appointment of staff and fix their remuneration.

Additional Item 11 had been already brought on the agenda. It was resolved that the procedures of election and other related matters shall be worked out by the secretariat--that is, the president, the vice president, and the secretary.

Additional Item number 12 was allowed to be brought on the agenda. It was brought on the agenda, and the president--that is myself--produced the balance sheets of the foreign currency account--that is dollar account--and the Pakistan rupee currency account were presented and approved by the members of the Board of Directors.

Now, may I take this opportunity to express my sincere gratitude to the members of the Board of Directors for sitting with me in the long session last night and the evening before that, to conclude the very heavy agenda that was set before the Board. We worked till late at night, and we were able to conclude and finish the agenda. I am also grateful for the members of the General Assembly who have heard and listened to the proceedings of the Board of Directors meeting last evening and the evening before that.

Ladies and gentlemen, this concludes the proceedings of the agenda that were last night processed. Thank you very much.

Ladies and gentlemen, if you have any observations on the proceedings of the Board of Directors meeting, the agenda whereof I have read before you, you're welcome. Any comments, one way or the other. Thank you.

[] Thank you, Mr. President: Thank you for your elaboration on the results, on the outcome of the meeting of the Board of Directors. We wonder, the delegation from Yemen, if we could get a copy of the minutes of meeting of the Board of Directors? Is it possible?

[] We were cognizant of the amendments moved by the ombudsmen of Yemen, but they were received in the secretariat two days before our departure for Tokyo. I am informed by my director general that the procedure for the amendments to be carried is that, first, we circulate the proposed amendment to all the member countries, and their opinions are elicited in writing, which form part of the agenda, and then it is brought on the agenda of the Board, with the approval of the members of the Board. Since it was very late, it could not have been circulated. Therefore, this item of the amendment which the Republic of Yemen has proposed,

was not included in the agenda. This is going to be processed in accordance with the byelaws for the next meeting of the Board of Directors. Thank you.

[] Ladies and gentlemen, I see that there are no comments on the approved agenda of the meeting of the Board of Directors. Therefore, I think in a short while the minutes of the meeting of the Board of Directors are going to be circulated amongst the members of the General Assembly. When it is done, I think we have no other business to discuss for today. Then I declare the meeting of the Board of Directors as concluded for today. Thank you very much. And I wish you a happy journey back home.

[] Ladies and gentlemen, we reassemble at 11:00 today for the closing ceremony of the 6th Asian Ombudsman Conference at Tokyo. Thank you very much.