



AOA NEWS BULLETIN

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9th Annual Meeting of the Board of Directors of the AOA held in Hanoi

The Board of Directors of the Asian Ombudsman Association (AOA) met in Hanoi on 25th April 2007. This, the 9th Annual Meeting of the Board, was chaired by the President of the AOA and the Wafaqi Mohtasib (Ombudsman) of Pakistan, Mr. Javed Sadiq Malik.

The Board reviewed progress achieved on a number of proposals and took several important decisions. Highlights of the proceedings are as follows:

- The Board of Directors appreciated the progress made by China, Japan, Philippines, Hong Kong, Macao and Iran on research studies and requested all members to complete these, as well as short studies, before the next Board of Directors meeting.
- The application of the Federal Insurance

Ombudsman of Pakistan for full membership of the Association was approved.

- The proposal to establish a Knowledge Management Resource Centre in the AOA Secretariat was approved and the President of AOA was authorized to approach donors for financing the establishment of the Resource Centre. This Centre will serve as a platform for knowledge sharing, capacity building and promotion of good practice in the member institutions.

- The offers from Iran to host the 10th Annual Meeting of the Board of Directors, in 2008 and from Thailand and Japan, to host 11th General Assembly meeting and AOA Conference in 2009 and 12th General Assembly meeting and AOA Conference in 2011, respectively, were accepted with thanks.

Stakeholders discuss the "Role and Functions of Ombudsman Offices"

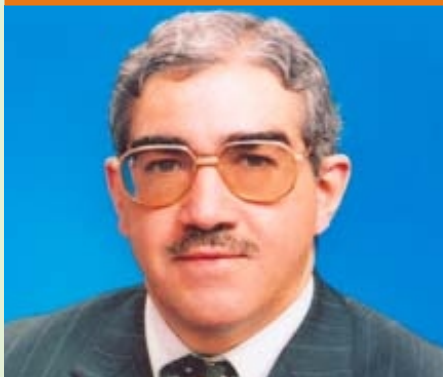
The 10th Conference of the Asian Ombudsman Association, was held at Hanoi, on 26th & 27th April 2007. The conference, whose main theme was the "Role and Functions of the Ombudsman's Office", was hosted by the Government Inspectorate of Vietnam, with H.E. Mr. Truong Vinh Trong, Deputy Prime Minister Vietnam as the Chief Guest in the opening ceremony. In his address, H.E the Deputy Prime Minister highlighted the steps taken by the Government of the Socialist Republic of Vietnam, in improving governance at different tiers and the stress it laid on improving accountability processes and systems. He expressed his confidence that the conference would prove useful in identifying good practices and promote learning amongst members. H.E. Mr. Tran Van Truyen, Vietnam Government Inspector General, and Mr. Javed Sadiq Malik, President AOA, delivered welcome addresses.

The conference was widely attended and generated an enthusiastic and purposeful dialogue on issues related to the practice of Ombudsmanship in Asia. With the conference

proceedings organised in five Plenary Sessions, the main themes "Role and Functions of Ombudsman Offices" was explored through papers on various aspects of the Ombudsman's work, including the Ombudsman's role in combating corruption; his role as a protector of citizen's rights and the part he can play in systemic reforms. In addition, the conference identified issues related to the processes and procedures followed while conducting investigations and the way in which these can be improved to enhance operational efficiency. The full conference report will soon be made available on the AOA website.



Chief Ombudsman of Korea Song gave a keynote presentation on remedial procedures at the AOA Conference in Hanoi



Ethsham Khan Executive Secretary

Welcome to the new look AOA News Bulletin. The design and layout of this, the third edition of the News Bulletin, was shared with AOA members in early April this year and was subsequently approved by the AOA Board of Directors at its recent meeting in Hanoi. I would like to thank all members for their very useful feedback on the design, as well as for their contributions and input for this edition.

The change in design is the first step towards making the News Bulletin a knowledge product worthy of the AOA. Next, we will focus our attention on improving the content so that the News Bulletin offers more information, news and reports on achievements of members, as well as carry items that foster better practice of Ombudsmanship. We have made minor changes in the way the material is organized in the current edition, and in consultation with members, will introduce more changes in future ones. We are also expanding our mailing list to include Ombudsmen and civil society outside Asia as well as non-members within Asia, so as to reach a wider audience.

I would also like to invite your attention to the AOA Blog (<http://aoablog.wordpress.com>) that has been launched by the AOA Secretariat. Blogs are a very popular and useful means of virtual communication and discussions and we have taken the initiative to provide members and other stakeholders with an online platform for dialogue on important issues. Like this News Bulletin, the AOA Blog is your space and your contributions will enrich it.

As always, comments and feedback on the News Bulletin are welcome.

Highlights of the AOA General Assembly Meeting held on 28th April, 2007, in Hanoi, Socialist Republic of Vietnam

The 10th General Assembly Meeting of the AOA was presided by Mr. Javed Sadiq Malik, President of the AOA. In his opening remarks, the President welcomed the participants and thanked the Inspector General of Government Inspectorate of Vietnam for hosting the meeting. The President highlighted the importance of this meeting in view of the fact that the members were to elect a new Board of Directors and also discuss issues for promotion of the cause of the Association.

The General Assembly ratified the recommendations of the 9th Board of Directors meeting and adopted the following Resolutions:

- Approval of membership of the Federal Insurance Ombudsman of Pakistan as a full member.
- Acceptance of the offers of Iran to host 10th annual meeting of the Board of Directors, in 2008 and Thailand and Japan, to host 11th General Assembly meeting and AOA Conference in 2009 and 12th General Assembly meeting and AOA Conference in 2011, respectively.
- Approval of the audit report of the AOA accounts.
- Expression of gratitude to Mr. Tran Van Truyen, Inspector General, Government Inspectorate of Vietnam, for hosting the 10th AOA Conference.
- Elections to the Board of Directors of the Association were also held during the session of the General Assembly and following officers and members of the Board of Directors, were elected for a term of four years: -

New Board of Directors

President:	Mr. Javed Sadiq Malik Wafaqi Mohtasib (Ombudsman), Pakistan.
Vice President:	Madam Merceditas N. Gutierrez National Ombudsman, Philippines.
Secretary:	Ms. Alice Yuen-Ying Tai Ombudsman, Hong Kong.
Treasurer:	Mr. Song Chul-ho Chief Ombudsman, Republic of Korea
Members:	Mr. Li Zhilun (the late) Minister, Ministry of Supervision, People's Republic of China.
	Mr. Justice Mohammad Niazi Head, General Inspection Organization, Islamic Republic of Iran.
	Mr. Satoshi Kumagai Director General, Administrative Evaluation Bureau, Japan.
	Dr. Chua Hong Teck Director General, Public Complaints Bureau, Malaysia.
	Mr. Poonsup Piya-Anant Ombudsman, Thailand.
Auditor:	Dr. Cheong U, Commissioner, Commission Against Corruption, Macao SAR, China.

AOA Blog Launched

As part of its efforts to introduce new channels of communication and discussion amongst Ombudsman in Asia, the Asian Ombudsman Association (AOA) Secretariat has launched the first ever AOA Blog (aoablog.wordpress.com) This online space is primarily intended for use by the members of the Asian Ombudsman Association, but will also serve as a platform for interaction with non-members and other stakeholders in civil society. The AOA blog will encourage and promote discussions, sharing of information and experiences and generally

act as a platform for free, open and frequent interaction amongst AOA members and other stakeholders on issues relevant to the promotion and practice of the concept of Ombudsmanship in Asia.

The AOA Blog is very easy to use: simply visit aoablog.wordpress.com to access the Blog, post a comment in the designated box or read and comment on the posts made by others. Any body can post a comment, but these will be moderated by the AOA Secretariat for editorial reasons.

Read the first blog by the President of the AOA at <http://aoablog.wordpress.com>

Condolence

Minister of Supervision passes away



Minister Li Zhilun

The General Assembly and Board of Directors of the AOA express their grief and condolences on the sad demise of Mr. Li Zhilun, the Minister of Supervision, People's Republic of China. Mr. Li was an invaluable member of the AOA and his contribution to the cause of the AOA and the promotion of Ombudsmanship in Asia have been widely acknowledged. Mr. Li was laid to rest in Beijing, after his death due to an illness on April 28th. Mr. Li was 65.

Mr. Li, was also the Deputy Secretary of the Central Commission for Discipline Inspection of the Communist Party of China (CPC). He had worked with the CPS committee of Baoting county in Hainan Province and the central committee of the communist Youth League of China. He had also been the President of the China Youth Daily.

He graduated from the Beijing Institute of Political Science and Law. Mr Li also held leading posts at the CYLC Central School and the CPC Central Committee for Discipline Inspection, where he was deputy secretary until 2002. He was elected Minister of the Ministry of Supervision in 2003.

Mr. Li Zhilun was a member of the 16th CPC Central Committee. Mr. Li Zhilun was well regarded, respected and his loss is not only a loss for China but for the Asian Ombudsman Association as well.

AZERBAIJAN



E. Suleymanova is among the winners of the award "Golden Buta"

Organization committee of the "Democratic Azerbaijanis" Public Centre conducted its following public inquiry for the independent award "Golden Buta" in the country and the names of the winners were made public on the basis of the inquiry.



Office of the Ombudsman of the Republic of Azerbaijan

28 percent of the respondents were people with different professions, 21 percent were students, 17 percent were businessmen, 16 percent officials, 10 percent pensioners, 5 percent workers, 3 percent unemployed. 52 percent of the respondents were men, and 48 were women.

The country president Ilham Aliyev received the award for his contributions to the social and economical development of Azerbaijan. Heydar Aliyev Foundation was the winner of the public inquiry for its services in patronizing charity events and orphanages.

The respondents who answered the inquiry distinguished the Commissioner for Human Rights of the Azerbaijan Republic E.Suleymanova, along with a group of well-known intellectuals, public figures, scholars and cultural figures of the country. Ombudsman has been selected the winner on the nomination "Protection and implementation of human rights and freedoms", and awarded the reward "Golden Buta".

Z.Mirza, the head of the "Democratic Azerbaijanis" Public Centre, presented the award to the Commissioner for Human Rights E.Suleymanova during the ceremony held at the Hotel "Europe".

"Golden Buta" was awarded to the Ombudsman for her successful activity in the protection of human rights, for her contribution to implementation of the rights of children without parental care, disabled, elderly, refugees and IDPs, detainees, as well as other vulnerable groups of population, and for her active participation in building civil society.



On the occasion of the Victory Day, Ombudsman holds educational events at the military units

Protection of rights and freedoms of the military servants is always in the centre of attention of the Commissioner for Human Rights.

On the occasion of 9 May the Victory Day educational events were held at Military Lyceum named after C.Nakhchivansky, Azerbaijan High Military School, Azerbaijan High Naval School, Central Military Clinical Hospital and military units of the Ministry of Defense in Salyan district. The military personnel of these military institutions were urged to be ready to protect their homeland at any time, were recommended to master military skills, as well as were explained their rights.

As a follow-up to these successive events Ombudsman held an educational event at the



military unit of the Ministry of Defense in Baku. Taking the floor before soldiers, she congratulated the military personnel on winning a victory over the fascism in the Great Patriotic War of 1941-1945, stressed that up to 700 000

soldiers from Azerbaijan went to the battlefield, and 130 Azerbaijanis were granted honorary name of the Hero of Soviet Union.

It was noted that today armed forces of Azerbaijan developed into an army meeting modern standards, the lump financial aid granted to the participants of the Great Patriotic War, widows of the fighters, and individuals displaying sacrifice in the rear is an example of the care shown to war veterans.

Ombudsman urged the military personnel to learn their rights, master military skills and fighting techniques, to raise the discipline, patriotism, ideological preparation and military spirit in the army. She noted that the youth in the military

service were surrounded with care, and social welfare of military men improved year by year.

The Commissioner noted that there was a



special sector on the protection of rights of military men at the Ombudsman Office. It was highlighted that the Commissioner interceded with the competent bodies for the provision of military personnel with apartments, granting them privilege hypothecs, and payment of monetary compensation for the property at that time.

The Commissioner proposed teaching human rights at those institutions, explained soldiers and military men their rights, answered their questions. Then E.Suleymanova got acquainted with the accommodation conditions of the military personnel, visited dormitories and resting places.

Ombudsman visits Southern region

The Commissioner for Human Rights of the Republic of Azerbaijan Elmira Suleymanova has recently visited the Southern districts of the country. Ombudsman has been to Lankaran, Jalilabad and Salyan districts, held meetings. On her visit the Commissioner was accompanied by the staff members of the Ombudsman Office.

Lankaran town House of Intellectuals hosted the research-practical conference on "The role of the youth in democratic reforms and implementation of human rights in Azerbaijan" held by the Ombudsman Office, jointly with the ministries of Education, Youth and Sports.

Ombudsman made a presentation at the conference, and noted that efficient measures were underway for the all-round development, education, raising intellectual level and employment of the youth. She underlined that important duties fell upon the youth, along with other groups of the society for the protection and promotion of human rights in the country.

The Commissioner noted that the country pursued successful youth policy, and that 2007 was declared "The year of Youth" in the country.

It was highlighted that a round table on "State Programme of Azerbaijan Youth from human rights perspective" was held at the Office of the Commissioner for Human Rights of the Republic of Azerbaijan, one of the objectives of the programme (2005-2009) was to take measures for preventing breaches of law, AIDS, drug addiction and other harmful habits among the youth.

The Commissioner visited the Olympic Complex and Diagnostics Centre equipped with the modern technology in Lankaran. She got acquainted with the conditions created there, witnessed that the patients were satisfied with the free medical care they received, as well as talked with the woman staff of the newly build sewing



factory. She visited the regional rehabilitation centre of the disabled, spoke to the disabled people treated there, found out that there was a need for wheelchairs and promised to solve this problem.

E.Suleymanova, along with the head the head of the district education department, has been in the orphanage named after O.Mirzayev, as well as the Lankaran boarding school for the mentally-ill children, met with the children, got acquainted with their living conditions, gave recommendations on solving the existing

problems.

Then the staff members of the Ombudsman Office visited secondary schools in Lankaran city, Shilavar, Sutamurov and Khanbulan village, got acquainted with the state of education, attendance of pupils, and existing problems at the schools. It was found out that Shilavar village secondary school was in need of repair, and an appeal was prepared for the Ministry of Education with regard to this.

E.Suleymanova also visited the Ombudsman's regional centre in Jalilabad district and gave some recommendations for improving the complaint-handling procedures, expanding educational activities, holding seminars for the residents and explaining their rights.

At the meeting Ombudsman investigated the citizens' complaints on the right to education with the participation of the head of the district education department.

On her visit E.Suleymanova visited TDPs of Lankaran City Police Departments, as well as Jalilabad and Salyan District Police Departments.

Ombudsman met and talked with the detainees in person, as well as gave recommendations on the improvement of the detention conditions.

During the talk the detainees noted that they were not subjected to violence or brutal treatment and they had no complaints on the detention conditions as well as thanked the Ombudsman for the concern about their situation.



OMBUDSMAN PROBES HANDLING OF WATER SEEPAGE COMPLAINTS

The Ombudsman is initiating a direct investigation into Government's arrangements for handling water seepage complaints pursuant to section 7(1)(a)(ii) of The Ombudsman Ordinance.

"Seepage has been a long-standing problem and a perennial cause for complaint. It is basically a building maintenance matter for owners of private property. However, if it causes environmental nuisance, building safety risks or wastage or contamination of potable water supply, Government has a statutory responsibility to intervene," Ms Alice Tai, The Ombudsman, said today (5 July 2007). The departments concerned are: Buildings ("BD"), Food and Environmental Hygiene ("FEHD") and Water Supplies

("WSD"). More recently, such cases have also been dealt with by the "Joint Office" with staff from BD and FEHD.

"Many seepage-related complaints have been lodged with my Office. Since 2003, I have expressed concern over Government's handling of the problem in my Annual Reports," Ms Tai observed.

To improve inter-departmental coordination in responding to seepage complaints, Government has set up a Joint Office for "one-stop service". Since its initial pilot scheme in December 2004, we have been monitoring its operation. From July 2006, coverage of the Joint Office has been extended territory-wide. Meanwhile,

complaints about Government's seepage handling continue to come into our Office. Increasingly, these are directed at the Joint Office as well.

The ambit of this direct investigation will cover:

- the responsibilities of BD, FEHD, WSD and the Joint Office in handling water seepage complaints;
- the current procedures and practices of these Departments and the Office for handling such complaints; and
- their effectiveness in handling such complaints.

Source: www.ombudsman.gov.hk

The Ombudsman investigates the effectiveness of the Integrated Call Centre in handling complaints

The Ombudsman, Ms Alice Tai, has notified the Head of the Efficiency Unit ("EU") of her decision to initiate a direct investigation into the effectiveness of the Integrated Call Centre (ICC) in handling complaints. The ICC, managed by the Efficiency Unit of the Government Secretariat, was set up in July 2001 to provide one-stop service to handle telephone enquiries and complaints that used to be handled by the different departments themselves. Over the years, the ICC has progressively taken over the manning of hotlines formerly operated by 18 departments: see Appendix. There are plans to extend the service to other hotlines and departments.

The Ombudsman conducted a direct investigation in 2003 into the operation of the ICC and has been monitoring its implementation of the recommendations made on conclusion of that investigation. "We appreciate the earnest efforts of the EU towards improving public hotline services," Ms Tai commented.

"However, we continue to receive

complaints about the ICC services. Analysis of these complaints suggests limitations in the ICC's complaint-handling function. To take a few examples: deficiency in coordinating actions in cross-department complaints and in providing timely response to enquiries following complaints. These limitations culminated in allegations of delay, improper handling of calls, and provision of wrong or inadequate information," said Ms Tai. "We see a need to identify the systemic problems and any improvement due. I have, therefore, decided to initiate a direct investigation under Section 7(1)(a)(ii) of The Ombudsman Ordinance," she added.

In response, the Head of the Efficiency Unit has pledged to offer full cooperation and assistance to the investigation. "In carrying out this investigation, the Ombudsman's Office will be meeting with the Efficiency Unit and the ICC for discussion and exchange of views," Ms Tai said.

Source: www.ombudsman.gov.hk

The Ombudsman Announces the Annual Report for 2006/07 - Complaint Figures Reach Record High

The Ombudsman Annual Report for 2006/07 is tabled in the Legislative Council today (4 July 2007). The year has seen both complaints and enquiries reaching a high record. A total of 5,606 complaints and 15,626 enquiries were received as compared to 3,828 and 14,633 the year before.

"Volume of cases will vary with the times and topics of community concern. Meanwhile, our new strategy of sustaining media publicity over a few months, instead of concentrating in one month, has evidently helped to raise public awareness of our services. Typhoon Prapiroon and the Broadcasting Authority's criticism of a RTHK programme triggered over 200 and 1,300 "serial" complaints," said Ms Alice Tai, The Ombudsman.

"The massive influx of complaints, increasingly through email, put unprecedented work pressure on my office. We have had to recruit temporary staff to supplement our regular workforce. In spite of the heavy workload, we concluded over 97% of the cases within the pledged processing time," continued Ms Tai.

Apart from the 5,606 complaints received, there were 508 addressed to other organisations and copied to The Ombudsman's office without requesting action. These cases are not regarded as complaints directed to The Ombudsman and so they were excluded from the

Office's complaints statistics. However, they do provide some community feedback and give The Ombudsman a feel of what people are concerned about. The Office may pick up matters of public interest for study by direct investigation. In 2006/07, The Ombudsman completed four full-scale direct investigations and five "mini" direct investigations. Two direct investigations were in progress at the end of the year. Ms Tai was gratified that acceptance of the recommendations she made at the end of her investigations continued to be high. Such recommendations aim helping public organisations improve their administration and enhance the quality of their services. The 71 case-based full investigations and the four

self-initiated direct investigations completed during the year resulted in 76 and 58 recommendations respectively, making a total of 134. So far, 125 (93%) of them have been accepted by the organisations for implementation. As for the rest, 1 was not accepted and 8 are under consideration.

From time to time, The Office would receive requests for review from complainants dissatisfied with The Ombudsman's findings or complainants providing fresh or further evidence for their case. The Ombudsman varied her decision in 11 cases after review.

A major task for The Ombudsman was the jurisdictional review mentioned in her last report. She has since completed Part One,

focusing on the Schedule of public bodies in her purview and the restrictions on her investigative powers. A report has been presented to the Administration for consideration. Part Two, now in progress, is devoted to surveying developments in ombudsmanship worldwide and the implications those could have on the Office if such developments were to be pursued in Hong Kong.

The Annual Report is available on The Ombudsman's official website: www.ombudsman.gov.hk. Members of the public may get a copy from the Resource Centre at 25/F, West Tower, Shun Tak Centre, 168 200 Connaught Road, Sheung Wan, Hong Kong, while stock lasts.

ISLAMIC REPUBLIC OF IRAN



Interview with the President of General Inspection Organization



Mr. M. Niazi
President General Inspection Org.

In an interview with IRIB news about the implementation of paragraph C of principle 44 of Iran's constitution which supports the private sector's activities, president of

General Inspection Organization stated that many efforts have been made to create the environments favorable to implement principle 44 effectively. However current structure is not sufficient. As these policies are the savior of economy and make the country more developed and vibrant, effective and efficient mechanism should be established to implement the policies.

All the branches of government are required to help implement principle 44. The process of implementing could be escalated by formation of an ultra branch headquarter and underlining the importance of supervision in a way to observe the laws and regulations free from discrimination in privatization.

It is necessary to remove the barriers of investment and support the private sector within the framework of laws and regulations. Unnecessary and ambiguous regulations in investment are the barriers of privatization and investment. Amendment of laws and

making them more transparent may raise the trust of investors and provide the sufficient platforms for investment and facilitating the related affairs.

The President of General Inspection Organisation also stated that statements of the Great Leader should be considered as economic charter. Negative views and different considerations about wealth generating are the barriers of principle 44 implementation. The Great Leader considers generating national wealth as a value. So the views in this respect should be integrated to make privatization an economic revolution. The Great Leader expressed his dissatisfaction with the slow implementation of principle 44 and explicitly considered the heads of three branches responsible.

Government and president are determined to implement this policy. However there may be some individuals within the machinery of government who see their profits in economic activities of government and public corporations. These individuals do not express their dissatisfactions explicitly, but in practice they may hinder the process. Identifying unprofitable enterprises, these individuals try to dispose them with no support. As president emphasized such individuals should be prosecuted and government continues its support to the private sector.

General Inspection Organization is planning to consider the basic and grand issues of country and remove public concerns. Accordingly supervision over the correct implementation of principle 44 will be one of the strategic issues of constant inspection. We are determined to protect investor and

private owner and deal with the barriers and express our will to help the government supervise over the disposals and also guarantee the investors to be their protectors and remove the barriers of investment.

Source: www.gio.ir

JAPAN



Warm welcome for the new Ombudsman of Japan

Mr. Satoshi Kumagai has been appointed as the new head of the Administrative Evaluation Bureau of the Ministry of



Mr. Satoshi Kumagai

Internal Affairs and Communications (MIC) Japan. Mr. Satoshi Kumagai is also a member of the Board of Directors of the Asian Ombudsman Association. The Asian Ombudsman Association welcomes and looks forward to working with Mr. Satoshi Kumagai.

REPUBLIC OF SOUTH KOREA

Collective Petitions Drop for the First Time in Six Years

The number of collective petitions filed by 20 or more people with administrative agencies last year was tallied at 13,822 in total, down 21% from 2005. The number went down for the first time in six years since 2000.

A recent comprehensive analysis by the Ombudsman of Korea of the collective petitions filed and processed at central administrative agencies and local governments in 2006 indicates that collective petitions during the year totaled 13,822. Collective petitions decreased by 21% (3,685 petitions) from 2005.

As for the results of the handling of petitions, 5,967 petitions (43.2%) were resolved by accepting petitioners' demand or presenting reasonable alternatives to them. In addition, 7,391 petitions (53.5%) were brought to a close by persuading and obtaining the understanding of petitioners. (The number of petitions whose conclusion is currently being pursued stands at 3.3%.)

Possible reasons for last year's dramatic fall in the number of group petitions, which had been edging up since 2000, are as follows: (i) administrative agencies endeavored to restore set principles and regain trust by redressing unreasonable institutional schemes; and (ii) they reduced, ahead of time, factors that might spark public petitions by taking such measures as holding prior public hearings and

incorporating local residents' opinions in pursuing a certain project, and public relations activities in relation to their policies.

At the same time, they constructed various channels for the receipt of petitions in order to allow people to file petitions easily.

Based on analysis of its findings for last year, the Ombudsman of Korea formulated guidelines to manage and address collective petitions for 2007 and provided them to administrative agencies at each level. For the purpose of preventing and settling group petitions, it called on the heads of the agencies concerned to be proactive in dealing with and resolving such petitions

Source: www.ombudsman.go.kr



Standards for Uncollected Health Insurance Premiums to be Revised

Recently, the National Health Insurance Corporation accepted the Ombudsman of Korea's recommendation that more reasonable standards for writing off uncollected insurance premiums be established. As a result, revision of related regulations is to be pursued.

Under the existing National Health Insurance Act, there exist limited reasons for treating uncollected insurance premiums as losses. The Act explicitly stipulates eleven reasons for acknowledging that 'there is no possibility of collection'.

In accordance with those provisions, the National Health Insurance Corporation may post losses if the subscriber comes under any of the eleven headings including qualified recipients under the National Basic Living Security Act, persons with severe disabilities, and impoverished low-income senior citizens aged 60 or over.

However, these provisions had been applicable only to the person directly

responsible for payment of the premium, not a person with joint and several liability or a guarantor, causing a number of problems.

As a matter of fact, people who remain in arrears in paying health insurance premiums because of financial strains tend to have a person with joint and several liability or a guarantor who is in a similar financial situation.

Under the existing regulations, a person with joint and several liability or a guarantor has been unconditionally forced to perform their obligations even in cases where he or she has a severe disability, belongs to a low-income bracket or is aged, and thus there exists no possibility of collecting the amount in arrears. This has resulted in frequent complaints.

Accordingly, the Ombudsman of Korea determined that it was imperative to adjust the targets of the provision, 'there is no possibility of collection' so as to preempt similar complaints and find a fundamental solution to the issues pertaining to treatment as losses.

Accordingly, the Ombudsman of Korea recommended an institutional improvement to the National Health Insurance Corporation so that it may register the relevant amount of health insurance premiums as losses even in cases where a person with joint and several liability or a guarantor falls under the existing reasons for acknowledging losses.

With the recommendation by the Ombudsman of Korea being accepted recently, a sharp reduction is expected in the

number of complaints related with overdue insurance premiums payable by a person with joint and several liability or a guarantor who has no ability to perform such obligations. (May 8, 2007)

Visit by the Korean Delegation



In late April, Director of Inspection Planning Office of the Korea Independent Commission Against Corruption (KICAC), Mr. Kim Eu-whan, led a delegation to visit the CCAC and had a meeting with the then Acting Commissioner, Mr. Afonso Chan. The delegation comprised of members from the KICAC, National Police Agency, Ministry of National Defense, Supreme Prosecutors' Office, and the Board of Audit and Inspection of Korea. Jurisdictions and functions of the two commissions against corruption were introduced. The delegates also expressed interest in the anti-corruption strategies of the CCAC. Both parties agreed to strengthen cooperation in the fight against corruption.



The Korean delegation visiting the CCAC



In on-site counseling for foreigners, the Ombudsman of Korea finds period of sojourn and reentry worry migrant workers



Possible to File Petitions with Government by Simply Dialing 110

On May 10, the Ombudsman of Korea launched the nationwide services of the Government Call Center (dial number 110). Thus, any Korean national can now file inquiries and complaints related to the government and receive necessary counseling services anywhere in the country by dialling 110, a single telephone number.

The opening ceremony of the Government Call Center was held at the Grand Conference Room on the 10th floor of the Ombudsman of Korea Building. Taking part in the ceremony were over 100 distinguished guests, both insiders and outsiders of the organization. They included Chief Ombudsman Chul-Ho Song and Senior Presidential Aide for Innovation Eui-Hwan Cha, while journalists were also on hand, celebrating the call center's expansion of services on a full-scale.

In his greeting remarks, Chief Ombudsman Song said, "A new chapter has opened in the government's telephone services which will greatly contribute to development of participatory democracy where the public have ownership." He went on to say, "The

Ombudsman of Korea will do the best to closely monitor and improve the operational status of the call center so that no inconveniences arise for its users." During the opening ceremony, Hye-Seung Lee, a new anchor and TV celebrity at SBS TV who possesses a clean and friendly image as well as a voice that is easy on the ear, was appointed a publicity ambassador. She participated in events such as model counseling services in person.

Users of the Government Call Center may access guidance and counseling through direct dialogue with representatives, not an automatic response system. Simple matters are the subject of immediate consultations with those representatives. In the case of issues regarding which direct counseling is impossible, the representatives connect callers with the call center or institution in charge of such issues.

In addition, the Government Call Center offers callback services whereby requests of users which are not urgent or are hard to handle immediately are registered in the system of the agency concerned so that the

officers responsible can respond to such requests by telephone. It also provides interpretation services for foreigners including migrant workers and those who have become immigrants to Korea following an international marriage.

The operating hours of the Government Call Center, which is located on the 2nd floor of the Ombudsman of Korea Building in Seodaemun are from 9 a.m. to 7 p.m. on weekdays and from 9 a.m. to 1 p.m. on Saturdays. The relevant system of the call center was set up in September 2006. Drawing on the lessons on its first and second pilot operations in March and April 2007, the call center corrected mistakes and possible inconvenience related to its counseling programs and knowledge databases. Then, it trained officers in charge of processing calls at 320 affiliated agencies for the proper use of the system. The call center has a contingency team in place to deal rapidly with various glitches and breakdowns that might occur during system operation.

Source: www.ombudsman.go.kr

Online Plaza Enables Online Public Suggestions

The Ministry of Education and Human Resources Development ranked first in terms of the number of public proposals submitted in 2006 through the 'Public Proposals' section at Online Citizen Participation Plaza (www.epeople.go.kr), the Ombudsman of Korea's portal for online complaints and suggestions to the government. The National Tax Service turned out to be the agency that adopted the largest number of proposals submitted.

The Ombudsman of Korea analyzed the operational status of the Public Proposals section at Online Citizen Participation Plaza during 2006 and notified the results to each relevant agency. According to its analysis findings, a total of 38,462 suggestions were filed through the Public Proposals section. Of them, 12,355 suggestions (32%) were received. Among such received

suggestions, 590 (4.8%) were adopted by the ministries concerned.

The largest number of suggestions (6,728 in total) was made to the Ministry of Education and Human Resources Development, followed by the Ministry of Construction and Transportation (5,118) and the Ministry of Health and Welfare (4,074). In addition, the agency that adopted the most public suggestions was the National Tax Service which adopted 132 proposals. The Ministry of Education and Human Resources Development and the Ministry of Construction and Transportation ranked second and third, adopting 112 and 49 suggestions respectively.

Among major examples of the public suggestions actually adopted by government agencies (590 in total) are (i) reduction of health insurance premiums for a family with three or more children (Ministry of Health and Welfare); (ii) prevention of floating debris from drifting downstream during a flood and the formulation of measures to collect and treat them (Ministry of

Environment); (iii) more polite formulation of such administrative term as *gwiha* (meaning 'you') in various forms used at government and public offices (Ministry of Government Administration and Home Affairs); (iv) installation and operation of a school meal management committee to improve school meals (Ministry of Education and Human Resources Development); and (v) issuance of abridged and certified copies of the automobile register with the last seven-digit number of a resident registration number unrevealed (Ministry of Construction and Transportation).

In December 2006, the Ombudsman of Korea awarded 152 persons who filed outstanding proposals through the Public Proposals section to ensure that more people will submit high-quality suggestions. With a view to promoting public suggestions, it plans to continue giving prizes to those deserving due recognition.

Source: www.ombudsman.go.kr

MACAO SAR



“The Commission Against Corruption Macao engages in debates on anti corruption measures”

From May 28 to June 1, the Macao Inter-University Institute (IIUM) organized the “Course on Strategic Corruption Control and Organizational Integrity” in cooperation with the international organizations TIRI (Making

Integrity Work) and PIEN (Public Integrity in Education Network). Twenty-eight representatives from IIUM, TIRI and guests from local and international institutions (the Macao Government, the CCAC, the Crown-Macao, University of Rio de Janeiro, Cape Verde Government, Sonangol Angola, Pien East Europe, Medecins du Monde, Fernando Pessoa University Portugal, Eduardo Mondlane University Mozambique, East

Timor, ISCTE Portugal and Transparencia Brasil) engaged in intense and fruitful debates on anti-corruption measures and related subjects. Chief Investigation Officer, Mr. Ivo Donat Firmo Mineiro, introduced the jurisdiction and functions of the CCAC and how the CCAC strives to create a clean society and promote good governance.

Macao Ranked 4th Least Corrupt Country in the Report of “Trend of Corruption in Asia”

The Political and Economic Risk Consultancy released the annual report of “Trend of Corruption in Asia” in March 2007. Macao, with a grade of 5.11, was ranked 4th among the 13 Asian countries/ regions, following Singapore, Hong Kong and Japan. Conclusions in the report were made after carrying out a large-scale survey in January and February through questionnaires and interviews. Responses were obtained from over 1400 foreign businessmen and expatriates in the countries/ regions surveyed.

The report notes 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.” It also mentions that both Macao and Hong Kong “have fairly strong anti-corruption bodies that keep their governments relatively clean.”

The Trend of Corruption in Asia (2006 & 2007)

Countries / Regions	Score in 2007	Ranking	Score in 2006	Ranking
Singapore	1.20	1	1.30	1
Hong Kong	1.87	2	3.13	3
Japan	2.10	3	3.01	2
Macao	5.11	4	4.78	4
Taiwan	6.23	5	5.91	6
Malaysia	6.25	6	6.13	7
China	6.29	7	7.58	9
South Korea	6.3	8	5.44	5
India	6.67	9	6.76	8
Vietnam	7.54	10	7.91	12
Indonesia	8.03	11	8.16	13
Thailand	8.03	12	7.64	10
Philippines	9.40	13	7.80	11

Grades range from zero to 10, with zero being the best grade possible and 10 the worst.

Source of Information: Political & Economic Risk Consultancy Ltd

Promotion of Integrity



In March 2007, the Commission published a comic book entitled “Integrity Story Salon” (Chinese version), which was drawn collectively by a number of well-known local artists. The book is divided into three parts: 1. stories of upright officials and corrupt officials in ancient China, 2. stories adapted from real anti-corruption cases and 3. stories adapted from real ombudsman cases. The Commission has been distributing the book to

secondary schools and youth associations, in the hope that the teenagers can learn the importance of preserving personal and social integrity in a simple and lively way.

Visits to Beijing and Henan Province, China

Visit by the U.S Delegation

In early June, Chief of Organized Crime and Racketeering Section of Criminal Division of Department of Justice of the U.S.A, Mr. Bruce Ohr, led a delegation, comprised of members of JLG Anti-Corruption Working Group (from Department of State, Department of Homeland Security, Department of Justice, Department of the Treasury, Office of Government Ethics and Federal Bureau of Investigation) and representatives of the U.S. Consulate General in Hong Kong, to Macao. The delegation had a meeting with the Commissioner, Mr. Cheong U, and discussed issues on anti-corruption, anti-money laundering and related measures. Participants agreed to strengthen co-operation in aspects of staff training and intelligence exchanges.

From late May to early June, the Commissioner, Mr. Cheong U, led a delegation of 8 members to visit Beijing and Henan Province, China. The delegation was well received by the Vice-Minister of the Ministry of Supervision, Mr. Huang Shuxian, Deputy Prosecutor-General of Supreme People's Procuratorate, Mr. Zhang Geng, Chief Prosecutor of Beijing Municipal People's Procuratorate, Mr. Mu Ping, and Chief Prosecutor of People's Procuratorate of Henan Province, Mr. Wang Shangyu, etc. The visits provided valuable opportunities for experience sharing and strengthened the foundation for future collaboration.



The Commissioner, Mr. Cheong U, presenting a souvenir to Deputy Prosecutor-General of Supreme People's Procuratorate, Mr. Zhang Geng

MACAO SAR



Visit by the Equal Opportunities Commission of Hong Kong

In early June, the Chairperson of the Equal Opportunities Commission of Hong Kong, Mr. Raymond Tang, led a delegation to visit both the headquarter and the branch office of the CCAC. The Deputy Commissioner, Ms. Endy Tou, introduced the operations of Commission

as well as the challenges coming along with socio-economic development. The delegation also expressed interest in the community relations and educational programs. Both parties deemed the meeting beneficial to mutual understanding and future cooperation.



Chairperson of the Equal Opportunities Commission of Hong Kong, Mr. Raymond Tang (fourth left) led a delegation to visit the CCAC

Attendance in the 10th Asian Ombudsman Association Conference

In late April, the Commissioner, Mr. Cheong U, led a delegation of 6 members to Hanoi, Vietnam to attend the 10th Asian Ombudsman Association Conference and Board of Directors' Meeting. Mr. Vu Ka Vai, Legal Advisor, delivered a speech on "Role of Ombudsman in Combating Corruption" at the conference. During the General Assembly Meeting, the Commissioner, Mr. Cheong U, was selected to be the Auditor of the Association for 4 years.



The Commissioner, Mr. Cheong U, presenting a souvenir to Deputy Chief Inspector of the Government Inspectorate of Vietnam, Dr. Le Tien Hao

MALAYSIA



Press Conference with Minister in Prime Minister's Department

Public Complaints Bureau (PCB) organized a "majlis mesra" and press conference with Minister in Prime Minister's Department, Y.B. Tan Sri Bernard Dompok on 2nd April 2007 at the PCB's office in Putrajaya. The Minister presented PCB's performance report for year 2006, followed by a question and answer session. Many issues were raised including the proposal to strengthen PCB.

During the function, Director General of PCB, Dr. Chua Hong Teck stressed that customer satisfaction has always been a priority of PCB especially in resolving complaints speedily with the co-operation of relevant agencies. The function was also attended by three complainants whose cases have been resolved successfully by PCB. All three complainants expressed their gratitude on the assistance rendered to them.

Source: www.bpa.jpm.my

Launching of the Public Complaints Bureau's Office in Sabah

PCB expanded its services to Sabah with the official opening of its new office on the 5th April 2007 by Minister in Prime Minister's Department, Y.B. Tan Sri Bernard Dompok. The new office is expected to manage complaints against Federal agencies in Sabah more effectively.

The function held in Dewan Masyarakat Kota Kinabalu was attended by 250 guests

from the public and private sectors, as well as Non-Governmental Organization (NGO) members. Among them were Federal Secretary to Sabah, Datuk Ismail Wadin, Vice Chairman of SUHAKAM, Tan Sri Simon Sipaun and members of PCB's Advisory Board, Datuk Patrick Sindhu and Datuk Clarence Bongkos Malakun. In conjunction with the occasion, PCB held an exhibition on the system used in handling public complaints and opened an enquiry counter

Seminar on Counseling for PCB Officers

The Public Complaints Bureau (PCB) for the first time held a seminar on counseling on 17 April 2007, at the Conference Room 2, Level 3, Block B1, Prime Minister's Department. A total of 45 officers from the PCB headquarters and state offices participated in the one day seminar. The seminar, organized with the cooperation of Psychology Service Division, Public Service Department (PSD), aimed at imparting

knowledge and skills from the psychological approach in managing complaints particularly in handling problematic complainants in order to improve quality of service delivery to the public. Three speakers from the Psychology Service Division, PSD including its Director, Dr. Hj. Mohd. Azhar bin Hj. Yahya, En. Abdul Jalil bin Hassan and Ahmad Badruddin bin Abdullah gave their presentations on Human Relations, Anger Management and Stress Management respectively.

Source: www.bpa.jpm.my



Wafaqi Mohtasib's Annual Report 2006 presented to the President of Pakistan

President General Pervez Musharraf emphasized the need to provide prompt and cheaper justice to the people. He appreciated the role of Wafaqi Mohtasib (Federal Ombudsman) and said the government believed in providing justice to individuals without any discrimination. The President was talking to Wafaqi Mohtasib Javed Sadiq Malik who called on him here at Aiwan-e-Sadr and presented the annual report.

The President appreciated Wafaqi Mohtasib for redressing people's complaints in a timely manner. President Musharraf said due to its easily accessible, free-of-cost and prompt service at citizen's door-step, the institution of Wafaqi Mohtasib was contributing greatly in dispensing complaints of the public and providing them justice. The Wafaqi Mohtasib Javed Sadiq Malik, while highlighting the salient features of the annual report, informed the President that the Mohtasib had outlined a three-pronged strategic plan to improve its performance, encompassing a Management Information System and focus on better advocacy and outreach. Explaining the plan, he

said it aimed at strengthening the ability of the Wafaqi Mohtasib to provide better quality administrative justice services to the general public. With technical and financial support from Asian Development Bank, the Wafaqi Mohtasib has taken the initiative to launch a Management Information System for better complaint management, setting of service standards and their articulation in the form of service charters, he added. The Wafaqi Mohtasib said the plan also includes introduction of Universal Access Numbers (UAN) and toll free numbers, besides establishing a Research and Analysis Wing to enable preparation of evidence-led and closely monitored plans for improving service delivery.

He also informed President Musharraf that the institution would focus on ways to improve performance management system by establishing performance bench-marks and service standards, as well as by monitoring implementation of decisions. The Performance Report of Wafaqi Mohtasib 2006, presented to the revealed declining trends of complaints filed with the Federal Ombudsman, with 11,887 received and 8,431 disposed of during the year.

Source: www.presidentofpakistan.gov.pk



President Musharraf receives Annual Report, 2006

Wafaqi Mohtasib Directs EPA to Take Immediate Steps for Preventing Pollution in Khan Pur Lake

The Wafaqi Mohtasib, Mr. Javed Sadiq Malik, has directed the Environmental Protection Agency (EPA) to initiate action under law to stop further pollution in the Khanpur Lake.

It may be recalled that the Wafaqi Mohtasib, exercising his powers under law, had taken suo moto cognizance of the media reports about pollution in Khanpur Lake as a public interest issue, as the lake is the source of drinking water supply to Islamabad and Rawalpindi. Pollution caused by private real estate development on the lakeside, operation of diesel boats and dumping of sewage poses health hazards for the inhabitants of the twin cities.

The Wafaqi Mohtasib directed that legal action be taken against the offenders, including any Federal government agency, such as WAPDA, which has built a residential colony near the Lake. He also directed EPA to ensure that fresh construction around Khanpur Lake be subject to

an Environmental Impact Assessment cleared by EPA. Existing farmhouses on private farms around the lake should be given notices under law to develop proper sewerage disposal facilities to the satisfaction of the EPA. As the EPA is charged with the operation of the Pakistan Environmental Protection Ordinance 1983, any neglect on its part to discharge its statutory duties amounts to 'maladministration'.

In order to ensure that adequate monitoring of these directions can be undertaken by the Wafaqi Mohtasib, EPA was asked to submit an implementation plan with defined timelines for specific actions.



Online Complaint Management System launched

With the intent of increasing its capacity to redress more public grievances in a speedier manner and as per strategic plans outlined in the Annual Report 2006, the office of the Wafaqi Mohtasib of Pakistan has developed and launched a Management Information System (MIS). This MIS has several components to enable better internal management--including Human Resource, Accounts, Inventory Control and Library software applications but the central feature of this MIS is the electronic Complaint Management System, which provides a streamlined, integrated process for handling public complaints; the Complaint Management System application has been installed in the head office as well as all regional offices, training of all investigation officers and officials have been conducted and the system launched in mid June 2007. With all offices networked under a Local Area Networks (LAN), the introduction of the MIS and in particular the Complaints Management System, will translate into reduced complaint processing times, easier tracking of status of complaints and easier access to our services for the public, while allowing for better oversight of performance. The MIS implementation is being closely monitored to ensure that the desired benefits accrue to the public as well as in our internal operations.

Other IT-enabled services such as a Call Centre, Toll Free call-ins and SMS-based complaint status tracking are in the offing.

Source: Wafaqi Mohtasib Secretariat

PAKISTAN

Regulations relating to investigation procedures amended

In a bid to remove procedural redundancies, shorten complaint processing times and speed up processing of complaints, the Wafaqi Mohtasib has amended the Wafaqi Mohtasib

(Investigation and Disposal of Complaints) Regulations 2003. It is expected that the shortening of procedures, specification of processing times, setting of targets for disposal and pendencies and other administrative simplification steps taken will enable the Wafaqi Mohtasib to redress public grievances in a more efficient manner and also impact its output in a significant manner.

Source: Wafaqi Mohtasib Secretariat

Pakistan--Punjab Ombudsman

Man gets compensation after father's death

On the orders of Punjab Ombudsman Abdur Rashid Khan, the Labour and Human Resource Department has paid Rs 100,000 to the son of a PECO Factory worker, who had died while on duty.

Amanat Ali submitted that the district officer (labour) Lahore refused to pay death grant because the application was submitted late. He said that the delay in the submission of application was caused due to the time consumed in obtaining a succession certificate from civil court.

In its departmental response, the district officer and the Punjab Workers Welfare Board secretary informed the ombudsman that the complainant could submit the application for 'death grant' in time because of which the district scrutiny committee had rejected it. In his decision, Abdur Rashid Khan observed that the complainant had filed a civil suit for the succession certificate and taking into account the time taken in the issuance of requisite certificate, the complainant could not be held responsible for delay in submission of the application.

The ombudsman directed that the case should be reexamined. The Labour and Human Resource Department informed the ombudsman that the grant had been issued to the complainant. staff report

Source: Daily Times, June 27, 2007

Pakistan-Sindh Ombudsman



Ombudsman office resolves 350 complaints

Registrar of the Sindh Ombudsman (Mohtasib), Masood Ishrat, on Tuesday said 239 complainants were provided relief during the last three months. He said hundreds of cases were submitted to the office every month and cases were decided within the shortest possible time to provide speedy justice to people.

During the three months, he said, 239 persons were provided relief, 350 cases were decided and 111 were rejected, while 119 cases were reconciled. He said nine regional offices were successfully functioning at Karachi Central and East, Hyderabad, Mirpurkhas, Nawabshah, Naushero Feroze, Larkana, Sukkur and Badin.

He said there was no need for hiring legal counsels and the parties themselves could defend their cases. He said maximum of the cases were against the police access, irrigation, Karachi Building Control Authority and AG office. He asked complainants to submit their cases with proofs so that they could be decided as soon as possible.

Source: Dawn, April 16, 2007

Sindh Ombudsman presents annual report to Governor

The Sindh Governor, Dr Ishratul Ibad Khan, on Tuesday received the annual report of the Sindh ombudsman for 2006 at the Governor's House.

Sindh Ombudsman Yousuf Jamal informed the governor that he had received 6,889 complaints during the year under review; 2,216 of these were admitted while the remainder could not be entertained as they pertained to the federal government agencies and to disputes of a civil nature and service matters. Some of the complaints were anonymous, while others were filed under pseudonyms.

The majority of the admitted cases pertained to the police department, local government department and the Karachi city district government (including the defunct KDA) and the KBCA.

The ombudsman also said that hundreds of complaints were received from retired government employees seeking the release of their held-up service dues and pensioners' benefits. The grievances were expeditiously redressed. In 2006, he said, more than 200 cases were decided under section 33 of the Ombudsman's Act, which permits the resolution of disputes.

The Governor was informed that to provide speedy justice to the aggrieved, special attention was being paid to two points in the context of the Grievance Redress Mechanism (GRM) of the ombudsman's institution.

These are firstly, the reduction in the turn-around time, and secondly, expansion in the ombudsman's outreach to make access to justice easier for the common man.

The governor expressed his appreciation over the performance of the ombudsman's institution. Four new offices, as approved by the governor, are to be opened under the schedule of new expenditure for 2007-08. These are proposed to be located in Thatta, Mithi, Naushehro Feroze and Jacobabad.

Besides the ombudsman's head office in Karachi, as many as nine regional offices are currently functional in Karachi Central, Karachi East, Hyderabad, Badin, Mirpurkhas, Nawabshah, Dadu, Larkana and Sukkur and a sub-office in Naushehro Feroze.

Mr Jamal also informed the governor that besides capacity-building conferences for officials of the institution, five public awareness seminars were held and many more were to be organised by the ombudsman in collaboration with the ADB-funded Access to Justice Programme.PPI



Report on Kalhoro shrine affairs sought

Taking notice of public complaints regarding misappropriation of land and income of the shrine of Mian Yar Mohammad Kalhoro in Dadu, Sindh Ombudsman Yousuf Jamal has constituted a committee to investigate the affairs and submit him a report on May 5.

A source in the ombudsman offices told Dawn on Wednesday that complainants Noor Mohammad Kalhoro and Abdullah Kalhoro had raised the issue and proposed that Sindh Auqaf Department should take over the shrine.

Referring to the complaints, the source said the monthly income of the shrine was around Rs0.2 million. Besides, it is yet to be cleared which department owns the 65-acre agriculture land in its surroundings, as the influential area people have got the official record changed, the source said.

The media consultant of the ombudsman office, Hassan Rizvi, said the affairs were discussed at a meeting held in ombudsman's chamber on Tuesday. Among others, Secretary Auqaf, Chief Administrator Auqaf and Deputy Director (Southern Circle) of Archaeology Department attended the meeting.

It was told that the issue of fraudulent entry in the official record was being investigated by the EDO Revenue, Dadu. The meeting decided to constitute a committee, to be headed by Chief Administrator Auqaf, which will collect details of the land revenue and funds missing since 1950s. The Director General of Special Projects, Culture and Tourism Department, EDO (Revenue) Dadu, Director (Southern Circle) of Archaeology Department will be its members. The committee will submit its report to the ombudsman office on May 5.

Source: Dawn, April 19, 2007

Federal Tax Ombudsman

Urea import: Ombudsman to hear complaint against TCP

The Federal Ombudsman (FO) has issued a notice to the Chairman Trading Corporation of Pakistan (TCP) on a complaint of NN Traders regarding 'maladministration' in a urea import contract.

The FO Secretariat has fixed May 8 for hearing the complaint and directed the TCP chairman to depute an officer not below Basic Pay Scale (BPS)-18 to attend the proceedings along with all relevant record of an import contract for 50,000 tonnes of Prilled urea during Rabi season 2005.

The complainant asserted that the allegation leveled by the TCP against NN Traders' principal Abdulla Mazroei Metal Trading (AMMT) Dubai, for breaching the contract was false. The TCP, it said, wanted to throw out AMMT which had contracted to supply 50,000 tonnes of urea at a realistic price of \$225 per tonne and the corporation purchased 300,000 tonnes of urea at an exaggerated price of \$270.50. As a result, the country suffered Rs140 million loss in just one deal of 50,000 tonnes.

It may be noted the TCP had forfeited Performance Guarantee of AMMT in October 2005 on the charge of breach of contract in the supply of 50,000 tonnes of urea even after extended period.

Source: The News, May 1, 2007

FTO decisions: President rejects 266 CBR representations

President General Pervez Musharraf has rejected 266 representations filed by the Central Board of Revenue (CBR) against the decisions of Federal Tax Ombudsman (FTO) up to March 28, 2007. According to latest data compiled by CBR Legal Wing on Thursday, the Board has filed a total of 993 representations with the President against the findings of FTO during 2001 to March 28, 2007.

Break-up revealed that 570 representations related to the direct taxes, whereas 423 cases were related to indirect taxes. Total decisions received from the President showed that 612 CBR's representations have been accepted by the President, while 266 were rejected on legal grounds.

Out of rejected cases, 138 representations related to direct taxes and 128 related to indirect taxes. In cases where representations were accepted by the President, direct taxes cases were 412 and indirect taxes cases were 200 covering sales tax, customs duty and excise duty.

Taxpayers have filed a total of 8,774 complaints against the CBR with the FTO office during the period under review. Out of these, direct and indirect taxes complaints totalled at 6,190 and 2,584 respectively. So far, the CBR has received a total 7,005 FTO decisions including 4,842 direct taxes cases and 2,163 indirect taxes cases.

Thus, out of total taxpayer's complaints of 8,774 filed with the FTO, the board has received decisions of 7005 cases, reflecting pendency of 1,769 cases during this period. As per CBR, the department has also started an exercise to reconcile data with the FTO office for confirmation.

FTO promises action on delay in ST refunds

KARACHI, April 13: Federal Tax Ombudsman (FTO) Justice (retd) Munir A Sheikh has assured exporters that he will take suo moto action against the freight forwarders for issuing wrong house bill of lading (B/L) thereby changing the title and ownerships of export consignments.

He will also inspect the records of Sales Tax department to verify the issues raised by exporters with regard to delays and non-payment of refund claims.

In response to complaints and issues raised by many exporters Justice Munir said that as a matter of fact business community did not fully utilize the FTO Office to sort out their problems. Despite the fact that the FTO Office has been set up for resolving irritants confronted by business community but for some reasons this forum was not fully utilised to their benefit. He said that issues raised by exporters were not brought up before the FTO

and now suo moto action will be taken to resolve them.

To a point raised by a PHMA member, the FTO said that his office could not deal with and challenge administrative orders and if it was a law case it should be referred to the court of law.

He said that since August 2000, when the office of FTO was established with the promulgation of the Ordinance, 9,293 complaints were instituted by the aggrieved taxpayers up to March 2007. Out of these 8,948 complaints have been disposed of and only 345 are in process.

Justice Munir said that 714 review applications were also filed by taxpayers and the revenue division. While 698 review applications have been decided leaving only 16 applications in the process of finalisation.

Source: Dawn, April 14, 2007





Governor Balochistan lauds the role of Ombudsman Balochistan

Provincial Ombudsman Justice (R) Fazal-ul-Rahman called on Balochistan Governor Owais Ahmed Ghani and presented Annual Report 2007.

The Governor lauded the role of the Ombudsman Secretariat and said that institution is playing its role to provide quick and timely justice to the masses. He said Ombudsman Secretariat not only providing relief to the affectees but also working to have good governance in government departments.

Balochistan Governor also praised the report submitted to the Supreme Court of Pakistan on the reference on allotment of



Governor of Balochistan metes of Ombudsman of Balochistan

plots in truck, bus stands and sale of wheat flour on high rates. Governor said that quick submission of report to the suprmce court of Pakistan is a great achievement of the Provincial Ombudsman which provided great relief to the masses in such burning issues.

Provincial Ombudsman briefing governor said that during the year of 2006 Secretariat got 540 complaints whereas 372 cases were lying pending. He told that Secretariat took action on 912 cases out of which 710 were disposed off.

He said that since the induction of the Secretariat 3823 complaints was received out of which 3647 were disposed off. He told that Secretariat took nine suo-moto in the interest of the masses out of which seven were disposed off. He told the Governor that offices of the Ombudsman would be established in Nasirabad, Loralai and Turbat which will help in provision of quick and timely justice to the masses.

The Balochistan Ombudsman also briefed the Governor that a seminar was held on "Justice for All" while Provincial Ombudsman Balochistan has got membership of International Ombudsman Institute. He said that his Secretariat would work day and night with zeal and commitment to serve the masses in the provision of justice at their doorsteps without loss of time.

Source: Office of the Balochistan Ombudsman

Provincial Ombudsman Balochistan Establishes Regional Offices



Provincial Ombudsman Balochistan Mr. Justice ® Fazal-ur-Rahman has said that in order to facilitate the inhabitants of the far flung areas of the province, Regional Offices at Loralai, Nasirabad and Gwadar Districts are being established shortly. While addressing on an

occasion organized by Balochistan Lawyers Club as a chief guest, he said that the Institution of Ombudsman is trying to provide the inexpensive and speedy justice to the maximum aggrieved person within a shortest possible time and by the grace of Almighty Allah, we have been successful in our mission. He further stated that in the first phase, three regional offices at Loralai, Nasirabad and Gwadar Districts are being established. Later on it will be expanded in other districts also. The main objectives behind the establishment of the regional offices are to provide quick and inexpensive justice, which is the distinguishing feature of the Ombudsman Institution. To achieve this, it is imperative that justice be provided at the doorstep of the complainants who, by and large, belong to the marginalized group of the society and have no means to afford the prohibitive cost of litigation. He said that public access to the Ombudsman is also equally important for achieving this objective. He further stated that the presence of the regional office of the Ombudsman as a next-door neighbor to watch the activities of government functionaries located at the district level brings a salutary impact. The dealing officers in the district become cautious and remain attentive and responsive.

Balochistan Ombudsman Presides over Seminars

As provided under Section 9 (3) of the Establishment of the office of Ombudsman for Province of Balochistan Ordinance 2001 had convened the first ever seminar on 12-12-2005 at Quetta on the subject "Public Human Rights & Good Governance" which was presided over by Honorable Governor Balochistan and the other dignitaries/high ranking officials both from bureaucracy and judiciary also participated. Also another seminar with the collaboration of Ministry of Local Government and Rural Development/UNDP on the topic "Justice for All" was also organized on 04-11-2006 chaired by the Honorable Chief Justice of Pakistan. The Provincial Ombudsman Balochistan Justice (R) Fazal-ur-Rehman called on Governor Balochistan on 4th April 2007 and presented the Annual Report 2006. The Governor Balochistan lauded the role of the Ombudsman office and said that the institution was playing its role to provide quick and timely justice to the downtrodden masses. The Governor also expressed his satisfaction in providing relief to the affectees and its working to have good governance in government functionaries. The Provincial Ombudsman on the occasion briefed the Governor that during the year 2006 the office received 540 complaints with 372 cases brought forward, of which 710 cases were disposed of during the year. It was also told that since the inceptions of the office 3823 complaints were received out of which 3647 were disposed of.



PHILIPPINES



Ombudsman to probe questionable school fees

Persistent complaints against questionable fee collections by some public schools has prompted the Ombudsman to conduct an investigation. Ombudsman Merceditas Gutierrez issued the order Tuesday following reports reaching her office on fees being collected, which violate Department of Education Order 20.

In a statement on the Ombudsman's

website, Gutierrez lamented that despite the issuance of the said order, and the repeated reminders of DepEd officials, her Office has been receiving complaints on alleged illegal collection of public school fees. DepEd Order 20 states that "students in public elementary and secondary schools have the right to enroll without being compelled to pay any amount as a requirement for enrolment." It allows the collection of voluntary contributions for the Boy Scouts of the Phils. (BSP), Girl Scouts of the Phils. (GSP), Philippine National Red Cross (PNRC), and

Anti-Tuberculosis Education and Fund Drive; school publication fee; student organization fee; and Parent-Teachers' Association (PTA) fee. But it stresses these contributions are voluntary but "should not be made a requirement for admission or for the release of report cards, and test results, or for clearance purposes in case of transfer of students to other schools."

Source: GMA Network Inc.

The Office of the Ombudsman orders the dismissal of four local treasurers for shortages in their accounts.

In separate Decisions, Ombudsman Ma. Merceditas N. Gutierrez ordered the dismissal from the service of Janitly F. Cadiante, Municipal Treasurer of Kasibu, Nueva Viscaya; Dolores S. Sofia, Assistant Municipal Treasurer of Pavia, Iloilo; Elmer L. Macapili, Revenue Collection Clerk I of the Municipal Treasurer's Office of Naga, Zamboanga Sibugay; and Mary Ann Israel, Barangay Treasurer of Hilawan, San Andres, Catanduanes.

In a five-page Decision, Cadiante was meted the said penalty for incurring a shortage in her and accounts from December 17, 2002 to June 23, 2003, amounting to P730,084.78. In its decision, the Ombudsman said that "when an accountable officer failed to

produce the missing funds, it is presumed that she applied the same for her personal use and benefit." This is considered an act of dishonesty, making the respondent "no longer worthy to remain in her position as she had violated the trust reposed on her."

Meanwhile, in a nine-page Decision, Ombudsman Gutierrez ordered the dismissal of Sofia for Dishonesty and Grave Misconduct. The case stemmed from a report by auditors from the Commission on Audit (COA), who discovered a shortage of P40,022.64 in the accounts of one Rex C. Bedonia, Revenue Collection Clerk III, for the period January 5 to August 20, 2004. The alleged shortage arose from an Official Receipt (O.R.) No. 0396069 issued by Sofia, the original copy of which shows the amount of P67,933.57 while the duplicate copy shows only P27,910.93.

In the said Decision, the Office of the Ombudsman concluded that "respondent Sofia who was in possession of the collection and by reason of her duties is accountable thereto, is that she misappropriated the difference of P40,022.64."

In another case, the Ombudsman also ordered the dismissal from the service of Macapili for Grave Misconduct, Serious Dishonesty and Conduct Prejudicial to the Best Interest of the Service. Macapili was found to have incurred a shortage of P82,497.49 in his cash and other accounts, part of which he simply justified to have been spent during official travels whenever assigned on field, and the rest as being

refunded. In its Decision, however, the Ombudsman ruled that Macapili's failure to account for the shortage "will unduly taint the image of accountable officials and employees, thus, painting a bad image to public service. As accountable official, respondent cannot just use his collections for personal purposes even if he has all the intentions of refunding it."

The Ombudsman also dismissed Israel from the service for Malversation and Dishonesty after failing to account for a shortage of P4,615.10 in transactions from June, 1997 to August, 2002. In a four-page Decision, the Ombudsman said that Israel's failure to account the missing amount and controvert the charges against her is enough "evidence to warrant administrative sanctions against her for dishonesty. Having been entrusted with public funds, respondent has violated the trust reposed in her and is no longer fit to remain in her position as barangay treasurer."

Source: www.ombudsman.gov.ph





Quotes from the Ombudsman

The Office of the Ombudsman is mandated to fight graft and corruption. It is important to stress that evidence and not politics dictates our actions, nothing more, nothing less. The Office of the Ombudsman is an independent institution, which means it does not give in to the dictates of politics.”

“People should not treat the work of the Ombudsman as that of politicians who are concerned with political timing, political cost and benefits. The only timing the Ombudsman is concerned with is ‘will the respondents’ continued presence in office jeopardize the investigation?’ If the answer is yes, then that is when the suspension must be ordered and implemented. When we ordered the suspension of two mayors in Southern Visayas several weeks ago, we did not hear of anyone saying the orders were ill-timed.”



Ombudsman Ma. Mercedes N. Gutierrez reports on the achievements of the Office of the Ombudsman after her almost one and half years in office. The Office of the Ombudsman celebrated its 19th Anniversary Celebration last May 4 with the theme “Korupsyon ay Labanan, Maging Tapat sa Bayan.”

The Office of the Ombudsman is finalizing its recommendation to prevent the incidence of graft on the second batch of government agencies identified as vulnerable to corruption.

With funding support from the European Commission (EC), the OMB and a team of internal and external assessors conducted an Integrity Development Review (IDR) for six months in the following agencies: Dept. of Environment and Natural Resources (DENR), Dept. of National Defense (DND), Dept. of Health (DOH), Dept. of Budget and Management (DBM), Dept. of Agrarian Reform (DAR), Light Rail Transit Authority (LRTA), Land Registration Authority (LRA), Bureau of Corrections (BuCor), Bureau of Fire Protection (BFP), Armed Forces of the Phils. (AFP) and the National Irrigation

Administration (NIA).

The OMB chaired the Advisory Group Meetings held on July 26 and 27, 2007 for the presentation of the IDR assessment results and action plans of the said participating agencies in response to the recommendations of the IDR Assessment Team to manage their corruption risks and plug their vulnerabilities.

Through the IDR, an agency is able to identify the corruption vulnerability in their systems so that appropriate corruption prevention safeguards can be deployed.

The IDR uses two major tools: Corruption Resistance Review (CRR) aims to enhance systems integrity and development integrity in the workplace to prevent any opportunity for corruption, and Corruption Vulnerability Assessment (CVA) helps decision-makers to detect susceptibility of systems, policies and procedures to corruption.

The first cycle of the IDR involved agencies identified either as high-procuring agencies, revenue-generating, or involved in infrastructures

thereby considered as vulnerable to corruption. The first batch is composed of the Dept. of Public Works and Highways (DPWH), Phil. National Police (PNP), Bureau of Internal Revenue (BIR), Bureau of Customs (BOC), and Land Transportation Office (LTO), which underwent IDR in August, 2006.

The first batch of agencies which underwent IDR are about to implement the integrity and transparency reforms to prevent the occurrence of corruption:

- The BOC will automate its assessment process and install tracking system for handling seizures/ forfeitures, regulate accreditation of importers, hasten auction process, computerize inventory of goods for auction, install surveillance cameras in



The office of the Ombudsman Inaugurates “dulugang Bayan” In Luzon.

warehouses, and revisit recruitment/promotion.

- The BIR will regularly revalidate case dockets, , rotate staff deployed to the One-Time Transaction Program, preclude political recommendation letters from recruitment/promotion line up, and address the problem of “borrowed items”.
- DPWH will standardize unit costs of materials/services, conduct random validation audit to check overstated quantities/ bloated prices or defective works, and promote third-party involvement in checking billings or vouchers.
- The PNP will promote grievance channels and confidentiality of voluntary reports, and strengthen independence of internal affairs.

- The LTO will set queuing system and standard processing time for adjudication of LTO cases, minimize face-to-face interaction with their transacting public, and secure shortage of registration plates.

Currently, the IDR is being implemented with technical assistance from the Development Academy of the Phils. (DAP).

To ensure the implementation of the actions plans of the participating agencies, the heads or top management shall establish an Integrity Development Committee (IDC) with tripartite membership: a Career Undersecretary/ Asst. Secretary or Deputy Administrator/ Asst. Director level; Resident Ombudsman and staff and a representative from a major external stockholder/Civil Society Organizations (CSOs)/Non-

Governmental Organizations (NGOs)/professional association partner of the agency.

The IDC shall monitor the implementation of IDR recommendations and corruption prevention plans and provide policy recommendations to ensure high levels of organizational and operational integrity.

The IDR is the Ombudsman's response to its legal mandate on corruption prevention under Sec. 13 (7) Art XI of the 1987 Constitution in relation to Sec. 15 (7) of RA 6770 (Ombudsman Act of 1989) : “Determine the cause of inefficiency, red tape, mismanagement, fraud, and corruption in the Government and make recommendation for their elimination and the observance of high standards of ethics

MACAO SAR



Visit by the International Association of Anti-Corruption Authorities (IAACA)

The First IAACA Seminar on Anti-Corruption was organized by the Supreme People's Procuratorate of the People's Republic of China from June 17 to 26 (five days in Mainland China, and the rest in Hong Kong and Macao). There were about 70 delegates from 36 countries/regions, including Canada, France, India, Korea, Mongolia, Russia, Singapore, Switzerland, Uganda,

etc. Some of them were senior officials like ministers and prosecutors general and two were representatives from the United Nations. Legal Advisor, Mr. Vu Ka Vai, and a senior investigation officer of the CCAC also participated in the seminar. Mr. Vu Ka Vai, on behalf of the CCAC, delivered a speech on the anti-corruption efforts in Macao. During their 2-day stay in Macao, the delegates

visited the headquarter of the CCAC and had a meeting with the then Acting Commissioner, Ms. Endy Tou, who introduced the functions of the CCAC and the system of declaration of incomes and properties in Macao. Participants had constructive and interactive discussions at the meeting.



The IAACA delegates visiting the CCAC