MINUTES

9th Annual Meeting of the Board of Directors of the Asian Ombudsman Association (AOA)

Date: 25th April, 2007
Venue: Hanoi, Socialist Republic of Vietnam
List of participants is attached.

Opening the discussion, Mr. Javed Sadiq Malik, President, Asian Ombudsman Association (AOA), welcomed the participants to 9th Board of Directors meeting. He also thanked Inspector General of Government Inspectorate of Vietnam for hosting the meeting.

Agenda Item No.1

Approval of the minutes of the last (8th) meeting of the Board of Directors held in Islamabad, Pakistan, on 15-16 December, 2006.

Decision:

The minutes were approved.

Agenda Item No. 2

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

Decision:

Agenda proposed by the AOA Secretariat was approved for discussion.

Agenda Item No. 3

Implementation Report on decisions of the last (8th) meeting of the Board of Directors.

The Executive Secretary presented the implementation status/ progress on the decisions taken and directions issued by the Board during the 8th Annual Meeting.

The Board of Directors reviewed the progress in detail. The following points emerged for discussion:

(i) No action was required on agenda items No.1, 2, 4 & 7 .

(ii) On agenda items no. 11 and 12 (iii), the Board noted the position and no further action was directed.

(iii) Agenda items No. 3, 5, 6 (ii), (iii), (IV), (v), 8, 9, 10, 12 (i), (ii), thereof were listed as separate agenda items of the current meeting.

iv) The Vice President AOA/ National Ombudsman of the Philippines sought a clarification about the title and decision under agenda item 6 of the last meeting. It was pointed out that while the title mentioned investment of the AOA funds, decision at serial no. (i) of the same item mention the word "funds". The mistake was accepted and it was decided that the decision may read as follows:-

"(i) AOA funds may not be invested outside Pakistan and may be retained in the accounts as at present".

Agenda Item No. 4

Consideration of the status/ progress on (I) research proposals and (II) short studies to be carried out by the member institutions.

I. **Research Studies :** The members were requested to inform the Board about the progress on the research projects initiated by them.

The following position emerged:-

i) The study on the subject "**The Ombudsman an Aid to Good Governance"** being sponsored by **Japan** is in progress and an interim report is likely to be prepared in August/September, 2007.

ii) The Ombudsman of **Hong Kong**, informed that "**Financial Arrangements in Ombudsman Offices"** has been selected by that office. The parameters of the study cover comparative systems amongst the members' countries and non members of both the financial and administrative structures and systems

with special reference to Pakistan as a model. It is planned to release the report electronically.

iii) **Macao's** study on **"Research Awards on Comparative Studies of Ombudsman Systems in Asia"** was launched in October 2006, the programme is being implemented through local expertise and aims at comparing Ombudsmen systems from the point of view of helping political systems for better functioning. Three projects have been initiated in the program which is a comparative study of Macao, mainland China, Hong Kong, Japan, Korea, India, and Taiwan. The researchers may undertake field visits, which the member countries will be requested to facilitate. The project will be completed by early 2008**.**

iv) "**Conflict Management through Alternative Dispute Resolution"** being studied by **Korea** was presented by the Chief Ombudsman of Korea. The reported progress is:-

(a) The research team has been organized.

b) The selected methodology will be:

- Classification of the types of social conflicts in different counties.
- Documentary research and interviews in Republic of Korea
- Field visits to Australia and New Zeeland in 2nd half of 2007.
- Completion of report by December, 2007.

v) The National Ombudsman of the **Philippines** informed the Board that as a study they are conducting evaluation of the National Anti Corruption Strategy. Currently they are in the process of consultation with stake holders including universities and research institutions. On finalization of the recommendations, the report will be shared with the members.

vi) The Vice Minister, Ministry of Supervision, Peoples Republic of China, informed the Board that progress on their research topic, "How the Administrative Supervisory Institution (Ombudsman) can Protect the Public Interest" will be completed in two months.

vii) The Head of General Inspection Organization, **Islamic Republic of Iran**, informed the Board that the project of research on the topic **"The Ombudsman and Citizen's Rights"** will be completed before the next Board meeting in 2008.

viii). The Secretary, Wafaqi Mohtasib (Ombudsman)'s Secretariat, informed the Board that **Pakistan** had selected the topic **"The Role of Civil Society in the Promotion of Ombudsmanship".** In order to determine the modus-operandi of the involvement of civil society organizations like NGOs in the promotion of the role of Ombudsman, the proposed study will cover areas like formal relationship of the institution of Ombudsman with civil society, facilitation of complaint management and implementation through civil society organizations and its role in identifying systemic problems in public sector agencies, mass awareness and informal resolution of complaints.

The methodology of study will include seminars and workshops, surveys and questionnaires, interviews and comparative studies.

The findings of the study will be analyzed and published in a report form and shared with member countries. The report will be published in the mid of November, 2007

Decisions:

The Board appreciated the presentation by the member countries and requested that:-

i) The projects may be completed before the next Board meeting.

ii) The electronic version of the report will be released by the AOA Secretariat after receipt from the member countries.

II. **Short Studies:** As decided in the last Board meeting, the AOA Secretariat identified 12 topics for conducting short studies. They were presented before the Board of Directors.

The President AOA informed the members that these studies were different from the research projects in the sense that they examined the practical aspects of the operational functions of the Ombudsmen and sought

practical solutions. Findings of such studies could be of practical use to each member country. Members were informed that in the recently held National Consultative Conference at Islamabad, Pakistan, wherein all stake holders were invited, the Wafaqi Mohtasib (Ombudsman), Pakistan, selected the following five studies for Pakistan from amongst the list developed by the Secretariat:-

i) Review of Federal Ombudsman's Legal Instruments.

ii) Review of the Public Grievance Redressal System.

iii) Freedom of Information and Transparency standards.

iv) Functional Integration of the Ombudsman's Office and Principal Officers of Agencies.

v) Administrative Justice Service Communication Strategies.

The Chief Ombudsman of Korea emphasized that the study should be conducted in a systematic and organized manner to obtain practical utility from the findings.

The Director General, Public Complaints Bureau, Malaysia suggested that instead of carrying out detailed analysis, the exercise should be brief.

Decision:

a) The members will choose any of the topics of their interest and conduct the studies in light of the prevailing practices and experiences in their own institutions. The country studies in any order of priority, on any area they think have strength may be chosen from the list prepared by the AOA Secretariat. Members may also select any other topic which they feel is relevant to the subject.

b) The studies may spread over four to five pages and contain best practices on the subject.

c) For uniformity, the Secretariat will develop a format for use by the members for summaries of the findings on different subjects.

d) The AOA Secretariat will place these undertakings on the AOA website.

Agenda Item No. 5

Approval of the Draft Resolution for General Assembly regarding Membership of the Federal Insurance Ombudsman, Pakistan, as a Full Member

The 8th Board Meeting approved the submission of the case of Federal Insurance Ombudsman of Pakistan to the General Assembly. The draft Resolution was placed before the current Board for approval.

Decision:

The Board decided that the words, "subject to the provisions of the Bye-Laws of the Association" should be included at the end of para-3 of the draft and approved its placement before the General Assembly.

Agenda Item No. 6

Performance Assessment of the Manager Coordination.

The President AOA briefed the Board about the assignments completed during the last two and half months and the future work plan of the Manager Coordination.

The Chief Ombudsman of Republic of Korea, appreciated the performance of the Manager Coordination and suggested that the task of coordination/ interaction between the AOA and IOI in respect of exchange of information, may be included in the job description of the Manager Coordination.

The Ombudsman of Hong Kong stated that it was too early to criticize/ evaluate the performance of the Manager Coordination. She also suggested that a reasonable time frame may be fixed for the contractual appointment of the Manager Coordination and his performance be closely monitored.

Decisions:

The Board decided as follows:

a. The Manager Coordination may be given the understanding for a three years engagement.

b. His performance may be constantly monitored and placed before the annual Board meetings.

c. The President was authorized to review the salary package of the Manager Coordination within the maximum limit of US$1000 per month as authorized by the Board in its 8th annual meeting.

d. The Board also accorded approval of expenditure of US$ 2589, incurred on public notice/ advertisement of the appointment of the Manager Coordination.

e. The Board requested the members to provide maximum, assistance to the Manager Coordination for interaction with their institution through nominated focal persons.

Agenda Item No. 7

Consideration and Approval of Layout and New Title/ Design of the Bi-annual News Bulletin of the AOA

In light of the decision of the 8th Board of Directors meeting on the subject, the President briefed the Board about the features/ contents of the revised layout and title/ design of the news bulletin of the AOA, and also invited their comments/ suggestions. Members were requested to suggest any improvements within the next two weeks.

Decision:

a) The revised layout and title/ design of the news bulletin of the AOA, was approved.

b) Only electronic version of the News Bulletin will be released.

Agenda Item No. 8

Consideration and Approval of the Establishment of a Print Library at the AOA Secretariat.

The issue of maintaining a print library at the Secretariat was discussed in detail. Some members were of the view that only an electronic version may be established, while most others expressed the opinion that since IOI also had a print version therefore, this may not be totally discarded. Some members were of the opinion that emphasis should place on a dynamic electronic library along with a small print version with provision for future expansion.

Decision:

A print library at the AOA Secretariat, Islamabad, at an estimated cost of US$ 2500 may be established. However, the Secretariat may rationalize the estimated costs.

a) The library must have computer and allied facilities

b) Members were requested to send updated related information/ material concerning their institutions to the AOA Secretariat both in electronic and print form.

c) Each member country will be assigned a separate section in the library.

Agenda Item No. 9

Audit report of the AOA accounts.

In consequence of the decision of the 8th Board meeting, the members were informed that a chartered accountant firm M/S WA Associates (Pvt.) Lmited was assigned to audit the accounts of the Association. The accountants prepared the accounts from year 2000 till December, 2006 and audit report for the year 2006. The papers were circulated to the members in advance. The Treasurer AOA formally presented the accounts and audit report before the Board. While reviewing the audit and accounts of the Association a typographical error was pointed out by the Treasurer, which was rectified.

Decision:

a) The Board approved the accounts for the period from 2000 to December, 2006 and the audit report for the period from January to December, 2006.

b) The Board also approved the expenditure of US$ 1400, incurred on preparation of AOA accounts for the period from 2000 to December, 2006 and the audit for 2006, to be paid to the M/s WA Associates (Pvt.) Limited, as their fee.

Agenda Item No. 10

Approval of Financial Proposals for the AOA Annual Budget 2007.

The Executive Secretary AOA briefed the Board about the financial proposal for the AOA annual budget 2007.

The Chief Ombudsman of Korea, pointed out that expenditure should be based on the annual income. He proposed that in order to meet the future expenditure on the increasing activities of the Association and financial liability accrued as a result of appointment of the Manager Coordination, the annual membership fee may be increased. He also observed that the expenditure of US$ 2589, incurred on public notice/ advertisement of the appointment of Manager Coordination has not been reflected in the proposal.

The Wafaqi Mohtasib (Ombudsman) of Pakistan proposed that besides increasing the annual membership fee, the income of the Association can also be increased by increasing the membership of the Association.

The Ombudsman of Hong Kong, observed that the expenditure on telephone, fax, internet & web hosting & maintenance charges, postal & courier service charges, stationery and office equipment, as estimated in the budget, were on the higher side and did not match the actual expenditure in 2006. A cut was therefore proposed on these items.

The Head of General Inspection Organization, Iran, emphasized the need to increase the membership especially from the Middle East countries.

Decisions:

a) The amount of US$ 2589 may be included in the expenses of 2007.

b) The expenditure on telephone, fax, internet & web hosting & maintenance charges, postal & courier service charges, stationery and office equipment may be reduced to US $ 1500 per year. This expense may be reviewed during the course of year through quarterly expenditure flows.

c). Any new expenditure may be fully justified.

d). The Board approved the following financial proposal for the AOA budget for the year 2007:

S.No.	Items	Estimated Expenditure in 2007 (in US$)
1	Remuneration of Manager Coordination	12,000
2	Telephone, fax, internet & Web hosting & maintenance charges, postal & courier service charges, Stationery and Office equipments	1,500
3	Fee for the Auditor	1,800
4	Web designing charges	1,000
5	Establishment of Print Library	2,500
6.	Expenditure of incurred on public notice/ advertisement of the appointment of Manager Coordination.	2589
	TOTAL	**21,389**

Agenda Item No. 11

Establishment of Resource Centre in the AOA Secretariat through Donor Funding.

The Board was informed that previous Board decisions on capacity building in member countries institutions, exchange programmes, and media coverage have been

clubbed into this item of agenda to ensure an integrated approach to address these issues. It was further stated that since the financial resources of the AOA do not permit the establishment of such a Resource Centre, it was proposed to approach multinational donors to finance it through regional technical assistance programmes. It would however, require the support from member countries to get the programme approved. The members were requested to comment on the proposal prepared by the Secretariat in the detailed working paper already circulated to them.

The member from Hong Kong suggested that a permanent steering committee must be ensured to oversee the project activities and duplication of initiatives be avoided in this project. The member from the Philippines emphasized upon the sustainability of the project.

Decision:

The Board approved the proposal in principle for seeking funding from donors.

a) The members were requested to use their good offices in seeking donor funding.

b) The members were also requested to provide their input and guidance in improvement of the project.

c) The AOA Secretariat should regularly apprise the members about the progress.

Agenda Item No. 12

Election of the new Board of Directors of the Asian Ombudsman Association.

The Executive Secretary while introducing the agenda item informed that in terms of Clause II Sub-Clause 2-1 and 2-2 of the Code of Conduct of the Association, the nominations for all offices on the Board were invited by 20th April, 2007, and on expiry of the due date, the following nominations were received:

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:

1. Mr. Li Zhilun
Minister,
Ministry of Supervision,
Peoples Republic of China.

2. Mr. Justice Mohammad Niazi
Head, General Inspection Organization,
Islamic Republic of Iran.

3. Mr. Satoshi Kumagai
Director General,
Administrative Evaluation Bureau,
Japan.

4. Dr. Cheong U
Commissioner
Commission Against Corruption
Macao

5. Dr. Chua Hong Teck
Director General,
Public Complaints Bureau,
Malaysia.

6. Mr. Poonsup Piya-Anant
Ombudsman,
Thailand.

The Executive Secretary also informed the Board that some nominations from other Ombudsman institutions were received in the AOA Secretariat after the due date. These nominations are however, defective in the sense that either the candidate himself was a non voting member or the nomination was proposed by a non voting member, which was in violation of bye-law 5 (10) of the AOA Bye-Laws and para 2-3 of the Code of Conduct of Business of the Association.

The Secretary AOA further informed the Board that the list of the candidates had been circulated to all voting members and the nomination papers were also available for examination/ verification by the members.

Decisions:

a) The Board approved the forwarding of the nomination papers to the Executive Committee for scrutiny as envisaged in Article 2-6 of the Code of Conduct of Business of the AOA.

b) The Board also agreed that the nomination papers of the Federal Tax Ombudsman, Pakistan; Provincial Ombudsman Sindh, Pakistan; Provincial Ombudsman, Balochistan, Pakistan; and Provincial Ombudsman of Punjab, Pakistan, were defective on the grounds of non eligibility of the candidate/ proposer in terms of Article 2-6 of the Code of Conduct of Business of the AOA.

Agenda Item No. 13

Invitation for Hosting next Annual Meeting of the Board of Directors to be held in 2008 and 11th AOA Conference in 2009.

The President ascertained the members' position on the agenda item. The members were also informed about members who had previously hosted the BOD and Annual General meetings.

Mr. Justice Mohammad Niazi, Head of General Inspection, Islamic Republic of Iran, offered to host the 10th annual meeting of the Board of Directors in 2008, in Tehran, Iran.

The Secretary AOA informed that the Ombudsman of Thailand had shown interest to host 11th General Assembly meeting and AOA Conference in 2009 in Bangkok, Thailand, subject to subsequent confirmation.

The representative of the Administrative Evaluation Bureau, Ministry of Internal Affairs and Communications, Japan informed the Board that in order to commemorate the 50th anniversary of the establishment of their institution they offer to host the 12th General Assembly meeting and AOA Conference in Tokyo, Japan during 2011.

The Board made the following decision for ratification of the General Assembly:

Decision:

a) The offer of Iran to host 10th annual meeting of the Board of Directors, in 2008 was accepted with thanks.

b) The offer of Thailand, to host 11th General Assembly meeting and AOA Conference in 2009 was accepted with thanks. The Board however requested that a final confirmation may be given to the BOD before its meeting in 2008. It was also decided that in case of withdrawal of offer by the Office of Ombudsman, Thailand, the General Assembly may be requested to authorize the Board to change the venue of the conference.

c) The offer of Japan to host the 12th General Assembly meeting and AOA Conference in 2011 was accepted with thanks.

Agenda Item No. 14

Approval of the Arrangements made for the General Assembly Session.

The representative of the Government Inspectorate of Vietnam briefed the Board about the programme and arrangements for the conference.

The President requested the Board to approve the Agenda for the General Assembly.

Decision:

The Board unanimously approved the programme and arrangements of the conference and the agenda of the General Assembly.

Agenda Item No. 15

Vote of Thanks to Mr. Tran Van Truyen, Inspector General, Government Inspectorate of Vietnam, for hosting the 10th AOA Conference.

While concluding the last session of the meeting of the Board of Directors, the President, thanked the participants for their interaction and valuable inputs during the meeting. He also expressed his sincere appreciation and gratitude to his Excellency

Mr. Tran Van Truyen, Inspector General, the deputies, staff of the office and all ranks of the other departments of the Government of Vietnam, for the warm hospitability extended to the delegates and participants whose needs and comforts had been fully attended to.