



منظمة الموفقين والوسطاء والرفايين الإفريقية
African Ombudsman and Mediators Association
Association des Ombudsman et Mediateurs Africains
Associação dos Ombudsman e Mediadores



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Accountable Governance for Sustainable Development, Integrity and Fighting Against Corruption in Africa

– 6th AOMA GA in Kigali Rwanda, November 2018

With thanks, I recognise the full worth of the decision by the 5th General Assembly of AOMA, held in South Africa in November 2016, that privileged my country, Rwanda, with hosting the 6th AOMA General Assembly in 2018. This Assembly took place from 27-30 November 2018 in Kigali, Rwanda, focusing on the theme of the Role of the Ombudsman/Mediators in Promoting Transparency and Accountable Governance in Africa.

It is a privilege for me to thank all distinguished delegations from around the continent who attended. I would also like to convey my gratitude to the heads of member institutions for their ceaseless contribution towards the mandate of the African Ombudsman and Mediators Association.

The 6th AOMA General Assembly provided an opportunity for discussions and fruitful recommendations on AOMA finances, the status of membership contributions, and the AOMA Constitution and Strategic Plan, as well as a forum for the election of new office bearers for the Association.

Participants discussed the topic of 'Accountable Governance for Sustainable Development, Integrity and Fighting against Corruption in Africa'. In public administration, *integrity* refers to 'honesty' or 'trustworthiness' in the discharge of official duties, serving as an antithesis to or opposite of 'corruption' or 'the abuse of office'. Trainers shared the best practices in promoting good governance and fighting against corruption with the participants, especially the Ombudsman/Mediators' partnership with public institutions as well as private and civil society institutions. Training was then carried out on Practical Tools and Strategies that Ombudsman/ Mediators may use in the fight against corruption. During the training sessions, it was demonstrated that the overall objective of a National Anti-Corruption Strategy is to contribute to an environment opposed to corruption through the implementation of an Action Plan for the



Hon. Anastase Murekezi
Ombudsman of Rwanda

achievement of the different strategic objectives. These include: increasing the level of political support; preventing corruption in ministries, offices, agencies and state-owned enterprises; strengthening efforts to detect corruption, investigation and prosecution; conducting extensive anti-corruption education; preventing corruption in the private sector; engaging civil society, private sector and the media in combatting corruption.

What was emphasised throughout discussions was that the most important prerequisite for curbing corruption is political will. In the absence of political will and politicians with integrity, the most rigorous laws may be enacted, but stay ineffective. For that

reason, the most effective remedy to corruption is to educate the people in general and most importantly to educate the young generation so that they grow up abhorring corrupt practices and are given the knowledge necessary to build a clean and trustworthy society, free of corruption, to the benefit of all.

I thank the Government of Rwanda, especially H.E. Paul Kagame, The President of the Republic, for his commitment to zero tolerance of corruption and injustice and for the support for the 6th AOMA General Assembly. My recognition goes also to the AOMA and AORC staff. Their contribution was of paramount support for the good organisation and success of the Conference.

I take this opportunity to congratulate again all new members of the Executive Committee of AOMA, including all representatives and regional coordinators of different regions of Africa, who were elected for the next four-year mandate.

Together we will fight to save Africa from any form of corruption, injustice, insecurity and abuse of human rights.

Anastase Murekezi
Ombudsman of Rwanda

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Message from the New President of AOMA (PPSA)

Let me at the outset thank my predecessors Hon. Mr Edouard Nduwimana and Hon. Mrs Fozia Amin, from whom I inherit a well-oiled African Ombudsman and Mediators Association (AOMA). As the incoming President, I'm aware of the hurdles that lie in wait. Together with the rest of the office-bearers, the Executive Committee and indeed the membership at large, I vow to tackle these stumbling blocks head on.

The most urgent of these is the sustainability question that hangs above the African Ombudsman Research Centre (AORC). As you are all aware, the centre could face a bleak future if we do not find a sustainable funding model. We have yet to secure funding for the next five years.

Through its Research, Information-sharing, Capacity-building and Advocacy mandate, the AORC has to continue playing a central role as the engine room of good governance, respect for the rule of law and the upholding of human rights across the continent. Accordingly, we must work hand-in-glove to find a sustainable way of keeping its doors open.

One of the avenues through which I will pursue this goal is to have AOMA as an agency of the African Union (AU). I am convinced that this may be the most effective way of securing the future of the centre.

Away from this, I will be setting my eyes on increasing the influence that AOMA already commands in global

governance matters. The plan is to secure the status of an observer for the association at the United Nations. With South Africa currently occupying the position of non-permanent member of the UN Security Council, this may be an opportune moment for lobbying.

Lastly, I will dedicate the rest of my time as President to encouraging members to implement their respective mandates with a view to turning into reality our continent's Agenda 2063. In particular, the third and fourth aspirations, which deal with good governance, democracy, respect for human rights, justice and the rule of law, and peace and security, respectively. Let us also strive for the full implementation of the OR Tambo Declaration for Effective Ombudsman Institution and Cooperation.

Blessings for the year ahead,

Adv. Busisiwe Mkhwebane
President: African
Ombudsman and
Mediators Association



Through its Research, Information-sharing, Capacity-building and Advocacy mandate, the AORC has to continue playing a central role as the engine room of good governance, respect for the rule of law and the upholding of human rights across the continent.

Profiles

From Staff to Chief Commissioner: Joseph Whittal – CHRAJ, Ghana



Hon. Joseph Whittal
CHRAJ, Ombudsman of Ghana

The Commission on Human Rights and Administrative Justice exists to protect fundamental human rights and to ensure good governance for every person in Ghana. The Commission was given a broad mandate to achieve this mission by the 1992 Constitution of Ghana, and by its enabling Act, Act 456, in 1993. The Commission's mandate is threefold: protection of human rights, ensuring administrative justice and fighting corruption in the public sector.

Mr Joseph Akanjolenur Whittal, Commissioner of the Commission on Human Rights and Administrative Justice (CHRAJ), and Chair of the Governing Council with supervisory oversight over all functions of CHRAJ, was appointed Commissioner in December 2016.

Prior to his appointment, Mr Whittal had, since 2012, served as Deputy Commissioner of Legal and Investigations for the Commission. He first joined the Commission in 1994 as Upper East Regional Director, and was later appointed Director, Legal and Investigations, at the Head Office between 2008 and 2012.

As Commissioner, he has direct oversight over the Legal Department, Human Rights Department, Administrative Justice Department and is also in charge of giving final approval and issuing of all Decisions of the Commission after investigations by the Core Departments (Human Rights, Anti-Corruption and Administrative Justice), as well as the draft decisions of the ten regional directors.

On the international scene, Commissioner Whittal is responsible for coordinating international co-operation with international human rights organisations such as United Nations Special Procedures and Mechanisms; special rapporteurs on thematic issues; treaty-based committees, preparation of the Commission's Independent Report on the Universal Periodic Review (UPR) to the Human Rights Council (HRC); and the Global Alliance of National Human Rights Institutions (GANHRI); the Office of the High Commissioner for Human Rights (OHCHR); and individual national human rights institutions in Africa and across the globe.

His schedule also demands the Coordination of Regional Cooperation with the African Commission on Human and People's Rights (ACHPR); African Court on Human Rights; ECOWAS Community Court; the Network of African National Human Rights Institutions (NANHRI), bilateral relations with other National Human Rights Institutions (NHRIs), International Cooperation with the International Ombudsman Institute (IOI); the African Ombudsman and Mediators Association (AOMA), and bilateral relations with other Ombudsman institutions.

Mr Whittal is currently heading the team working to develop a National Human Rights Action Plan (NAHRAP) as the overarching blueprint for the promotion and protection of human rights on a systematic basis in his country. He was equally instrumental as a member of the Working Group, which developed Ghana's 10-year Anti-corruption Action Plan 2014-2024 (NACAP).

Featuring the Commission of Administrative Justice Kenya (Ombudsman)

Historical Context

The idea of establishing an Ombudsman office in Kenya was first mooted in 1971 when a Commission of Inquiry into Public Service Structure and Remuneration proposed that an office be established to deal with maladministration in the public service. This was primarily borne out of the need to address poor service delivery. Although the proposal was not adopted at the time, complaints of service failures and misbehaviour of officers continued to be witnessed, eroding public confidence and trust in public institutions and public servants. This, coupled with an exposé by the national anti-corruption body, which revealed that about 80% of the complaints they received from the public were of an administrative nature that could be effectively addressed by an Ombudsman, renewed calls for the establishment of a national Ombudsman.

Consequently, the President established the Public Complaints Standing Committee in 2007 as a semi-autonomous government agency of the Ministry of Justice, National Cohesion and Constitutional Affairs. The Committee was tasked with inquiring into allegations of misuse of office, corruption, unethical conduct, breach of integrity, maladministration, delay, injustice, discourtesy, inattention, incompetence, misbehaviour, inefficiency and ineptitude in public service. However, the Committee was limited in scope and legal framework to effectively play the role of the Ombudsman. In 2010, the winds of change were blowing, occasioning a new constitutional



Hon. Florence Kajuku
Chair of CAJ, Kenya (Ombudsman)

dispensation that also sought to reformulate and establish an independent Ombudsman office, the Commission on Administrative Justice, as we know it today.

Establishment

Article 59 of the Constitution of Kenya (2010) established the National Human Rights and Equality Commission to deal with human rights, maladministration, gender and equality matters. The article also allowed Parliament to restructure the Commission, and through this provision, the composite mandate of the National Human Rights and Equality Commission was split and three sister commissions created to handle specialised mandates. The Commission on Administrative Justice, Kenya's national Ombudsman office, was born out of this split in 2011 and was given Ombudsman functions. The other sisters, the National

THE COMMISSION ON ADMINISTRATIVE JUSTICE
"Office of The Ombudsman"



Hata Mnyonge ana Haki

Commission on Human Rights and the National Gender and Equality Commission, as their names suggest, handle the human rights and gender and equality functions respectively.

Eight Years an Ombudsman

The Commission on Administrative Justice, as a successor to the Public Complaints Standing Committee, has been in operation since November 2011. With the clarion call *'Hata Mnyonge ana Haki'* – a Kiswahili exhortation to do justice to the downtrodden – the Commission continues to hold to account public institutions and officers for administrative and service shortcomings.

In 2016, the Commission's mandate was expanded to include oversight and enforcement of the right of access to information, pursuant to the Access to Information Act. Some strategies that the Commission has utilised for fulfilling its mandate include review of administrative decisions or actions, own motion investigations, alternative dispute resolution mechanisms, election monitoring, issuance of advisory opinions, public education and awareness creation, capacity building for public institutions on complaints management and access to information, and public interest litigation.

Through these strategies, the Commission is living up to its vision of an effective overseer of responsiveness

and servanthood in public offices at national and county levels. The office has handled over 350 000 complaints in the eight years of its existence and resolved 80% of them. The complaints straddle across unreasonable delay, administrative injustice, discourtesy, misconduct, incompetence, misbehaviour, improper or prejudicial conduct, manifest injustice, abuse of power, unfair treatment, and unlawful, oppressive or unresponsive official conduct.

The Commission has also conducted over 36 investigations into various matters that impede good public administration and issued 46 advisory opinions. It has further reviewed 92 applications under the Access to Information Law while participating in 31 matters of public interest litigation. In addition, the Commission is currently the seat of the Secretariat of the African Ombudsman and Mediators Association (AOMA). The Commission continues to grow from strength to strength, and has registered tremendous growth in the field of alternative dispute resolution to the point of handling court-mandated disputes. It runs awareness campaigns, produces and disseminates IEC materials in a bid to enhance the visibility of the Commission. Similarly, it continues to build partnerships at local and international levels to strategically position itself to benefit from good practices elsewhere in the world in the practice of ombudsmanship.

Introducing the New Ombudsman of Ethiopia



Hon. Dr Endale Haile
Ombudsman of Ethiopia

Dr Endale Haile was appointed Chief Ombudsman of Ethiopia in June 2018, replacing the Hon. Mrs Fozia Amin. Dr Endale Haile was born in Dejen, East Gojam Zone, Ethiopia on 12 February 1972 and is married with three children. He has a Master's degree in Public administration (2010) and a Doctorate in Public Policy and Management (2017) from the University of Addis Ababa. He has also received a higher diploma in Pedagogy from Debre Markos University.

Dr Haile began his career in education serving as a teacher in primary and secondary schools, and an administrator at a district in Amhara NR from 1995 to 2004. He spent five years as a member in the Ethiopian Parliament (HoPR) from 2006 to 2011, then returned to education serving as a university lecturer from 2012 to 2015. In 2015, he was appointed Vice-President for Administrative and Student Affairs at Debre Berhan University where he spent the following three years before taking up his current position.

AOMA General Assembly in Rwanda

27-30 November 2018



The 6th General Assembly of AOMA was held in Rwanda from 27-30 November 2018 at the Kigali Marriott Hotel, with the theme **'Promoting Transparency and Accountable Governance/Enhancing the Fight against Corruption in Africa'**. The main objectives of this gathering were to build capacity and strengthen the networking capacity of members, to reflect on the evolving mandate of the institution in relation to the changing African environment, and to evaluate partnerships with various bodies and stakeholders.

The Assembly was composed of five main activities: The Pre-General Assembly AOMA Executive Committee Meeting, the AORC Board Meeting, the Conference, the AORC Training for Ombudsman/Mediators and staff, and the General Assembly Meeting.

The General Assembly Conference

The Conference component of the General Assembly brought together AOMA members and government

officials from across the continent, as well as representatives of development partners and international organisations, distinguished scholars and practitioners, think tanks, civil society organisations, media specialists and practitioners. Speakers and panelists were drawn from the six sub-regions of AOMA, and included Ombudsman/mediators, scholars and practitioners specialised in different aspects of governance, accountability and the fight against corruption in Africa and beyond.

The Conference was organised under the theme of the General Assembly: 'Promoting Transparency and Accountable Governance/Enhancing the Fight against Corruption in Africa'. This took into consideration the AOMA vision and the fact that the African Union dedicated 2018 to 'Winning the Fight against Corruption: A Sustainable Path to Africa's Transformation' as adopted in the AU 30th Assembly of Heads of State and Government held from 22-29 January 2018 in Addis Ababa, Ethiopia.

The discussions were grounded upon accountable

governance for sustainable development in Africa; the ways in which AOMA can contribute to the promotion of the rule of law in respect of principles of good governance, including citizen-centered governance, transparency and accountability, as well as combatting corruption, which impedes access to justice and equal opportunity in Africa.

Other focus areas included the impact of regional economic integration on governance in Africa, and the role of the African Union in fighting against corruption in Africa: current status, challenges and the way forward.

Messages of support and goodwill were given by the Mediator du Faso on behalf of Association des Ombudsman et Mediators of the Francophonie (AOMF); and the Ambassador Tamba Tiendo Millimono, on behalf of the Government of the Republic of Guinea.

GA Training: Practical Tools and Strategies for Ombudsman/ Mediators in the Fight Against Corruption

This full day of training was led by anti-corruption expert Dr Roger Koranteng from the Commonwealth Secretariat, and took participants through a number of practical tools and strategies available to Ombudsman and mediators



New AOMA Exco.

in the fight against corruption. The day started with a one-hour interactive presentation on the Effectiveness of Anti-Corruption Agencies in East Africa in the morning by Transparency International/Rwanda & Open Society Initiative for Southern Africa (OSISA).

AOMA General Assembly

AOMA conducted a successful 6th General Assembly on 30 November following the GA conference and training. The Assembly was co-chaired by all members of the Executive Committee and elected the following new office bearers:

NO.	POSITION	NAME OF OMBUDSMAN	COUNTRY
1.	President	Hon. Busisiwe Mkhwebane	South Africa
2.	1st Vice-President	Hon. Saran Sereme Sere	Burkina Faso
3.	2nd Vice-President	Hon. Ahmed Abuzeid	Sudan
4.	Secretary-General	Hon. Florence Kajuju	Kenya
5.	Deputy Secretary-General	Hon. Nichole Tirant	Seychelles
6.	Treasurer	Hon. Martha Chizuma	Malawi
7.	Deputy Treasurer	Hon. Jacques Mbosso	Central African Republic
8.	Regional Coordinator (North Africa)	Hon. Sulayman Alshanti	Libya
9.	Regional Coordinator (Southern Africa)	Hon. Augustine Makgonatsotlhe	Botswana
10.	Regional Coordinator (West Africa)	Hon. Chille Igbawua	Nigeria
11.	Regional Coordinator (East Africa)	Hon. Anastase Murekezi	Rwanda
12.	Regional Coordinator (Indian Ocean)	Hon. Monique Andreas	Madagascar
13.	Regional Coordinator (Central Africa)	Hon. Jacques Mbosso	Central African Republic

AORC Activities



Dr Ayeni with the AORC Team.



Dr Ayeni with participants who attended the talk.

a. Africa Ombudsman Expert Dr Ayeni presents a talk at the University of KwaZulu-Natal

The Centre for Civil Society (CCS) in the School of Built Environment and Development Studies and the African Ombudsman Research Centre (AORC) recently hosted a seminar on Improving Service Delivery in Africa. The seminar was facilitated by AORC Director Advocate Arlene Brock.

Speaking at this seminar was Professor Victor Ayeni, an accomplished scholar and practitioner with over 30 years' experience in senior positions in African universities, international development agencies and African governments.

Ayeni shared his thoughts on four key service themes, namely: securing quality service; corruption and service provision; promoting client-centered and participatory approaches; and enhancing state capacity. "The provision of services is at the heart of contemporary governance and public administration. However, and quite understandably, many states continue to face difficult challenges, not just in providing good and quality services, but in containing various negating factors in the delivery process," he said.

Dr Ayeni identified factors that led to poor service delivery such as the non-receipt of service; poor quality of service; perceptions of other's experiences; perceptions of

leaders' behaviour; lack of control; lack of information; and a feeling of hopelessness. "The truth is, these are enduring governance and public administration concerns that are found everywhere and have constituted the focus of scholars and practitioners for as long as we can remember," he argued.

He believed that these issues can be countered if government develops strategic plans that specify their output and service delivery targets against which performance can be monitored and measured. He also advised that civil servants should be motivated towards results-oriented practices and performance through appropriate pay and incentive schemes.

The seminar provoked a discussion around ways that African public administrations can further improve their service delivery processes, drawing on the lessons of recent international experiences and the civil society movement in South Africa.

Words: Melissa Mungroo

Photographs: Melissa Mungroo and Shauna Mottiar

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Source: <http://ndabaonline.ukzn.ac.za/UkzndabaStory/Vol6-Issue60/CCS%20Seminar%20Tackles%20Service%20Delivery%20in%20SA/>

b. Report on AORC Projects (RICA)

1. Research

IOI/Africa Research Collaboration: Study of the Ombudsman in Africa

All data for the IOI Africa Study has now been completed. In total, 45 interviews were conducted by the AORC team: 38 with AOMA member National Ombudsman; three with AOMA member Sector Ombudsman; three with non-AOMA member National Ombudsman (Egypt, Morocco, Somalia); and one was a non-AOMA Sector Ombudsman (Children's Ombudsman of Mauritius).

Research materials and data have been handed over to Dr Ayeni, who has been commissioned by the IOI to write the research up as the IOI's Africa Regional Study on the Ombudsman, entitled 'African Ombudsman Institutions – Designs, Operations and Performance'. Dr Ayeni is working on a first draft, which is due for completion by 30 September 2019. AORC will continue to assist Dr Ayeni in this process, as required.

The Role of the Ombudsman in Ensuring Administrative Justice and the Protection of Human Rights

Drawing from learnings gleaned from the training organised by AORC on The Role of The Ombudsman in Promoting Human Rights and Peace, held in Djibouti in March 2018, AORC has embarked on a new piece of research on the role of the Ombudsman in ensuring administrative justice and the protection of human rights for asylum seekers, refugees and other displaced persons. Desktop research and four interviews have been conducted to date.

This research will be used as the basis for a news article on the Ombudsman, refugees and human rights, timed to coincide with Human Rights Day on the 21 March, as well as a Best Practice Brief on the role of the Ombudsman in ensuring administrative justice and the protection of human rights for displaced persons.

We request all Ombudsman offices to share any relevant information they have regarding this topic with us.

Ongoing Research

AORC has two research projects that are ongoing:

- A jurisprudence database of court decisions from the Continent and around the world that will be an ongoing website resource.
- A digest of selected investigations from the continent.

2. Information-Sharing

Newsletters

In March 2019, AORC published its 11th newsletter.

Website (www.aoma.ukzn.ac.za)

The AOMA/AORC website is in the process of being updated, as required by the UKZN's Website Migrating Project, to the WordPress system, a leading free and open-source content management and blogging system. This is ongoing.

Social Media

AORC's Facebook and Twitter accounts aim to deliver up-to-date information about AOMA members, good governance and human rights as well as driving visitors to the website. Links on the website about items of interest are frequently emailed to AOMA members, FB friends and other contacts in order to drive them to the website.

As the table below demonstrates, AORC's online presence and outreach continues to grow steadily:

	21 NOV	21 JAN	% INCREASE	25 FEB	% INCREASE
Website visits	43 425	118	1,15%	123	4,24%
Facebook friends	698	706	8,43%	712	0,85%
Facebook likes	178	193	7,62%	204	5,70%
Facebook followers	223	240	4,26%	247	2,92%
Tweets	798	832	12,18%	838	0,72%
Twitter followers	238	267	12,18%	269	0,75%
Grand Total	2 135	2 238	4,82%	2 393	6,93%

3. Capacity-Building

Training

As of February 2019, AORC has trained 519 Ombudsman and staff as part of its mandate to capacitate and empower the institution on the continent.

General Assembly Training: Practical Tools and Strategies for Ombudsman/Mediators in the Fight against Corruption 29 November 2019

This day-long training was led by Dr Roger Koranteng, Anti-corruption Expert from the Commonwealth Secretariat.

The training commenced with a one-hour interactive presentation on the Effectiveness of Anti-Corruption Agencies in East Africa in the morning by Transparency International/Rwanda and Open Society Initiative for Southern Africa (OSISA). A total of 84 participants from 28 different African countries attended. Participants were invited to give input and to share their experiences. At the close of the training, country Ombudsman teams were required to commit to implementing a skill they had acquired in the training in their workplace back at home. AORC will follow up to monitor the implementation of these commitments.

March Mediation Training 13-15 March 2019

Information about AORC's upcoming March Mediation Training is covered under the IOI Africa corner section of this newsletter.

Upcoming Ombudsman Practice Skills Training, Botswana

AORC is in the preliminary stages of planning for its next training, scheduled for August 2019. Working from the needs assessment, this training will focus on Ombudsman Practice Skills: Complaints Handling. The Ombudsman of Botswana has agreed to host the training, which will be accompanied by an AOMA Southern Africa regional meeting.

4. Advocacy

Newspaper article: To promote the work of the Ombudsman on the continent, AORC is preparing a news article on 'The Role of the Ombudsman in Ensuring Administrative Justice and the Protection of Human Rights for Asylum Seekers, Refugees and other Displaced Persons' for publication to coincide with Human Rights Day in South Africa on 21 March.



AORC Board meeting in session.

c. Board Meeting

The 18th AORC Board meeting was held on 27 November 2018 at the Marriot Hotel in Kigali, Rwanda. Board members present included Adv. Busisiwe Mkhwebane (Chairperson of the AORC Board and Public Protector – South Africa); Mr Vussy Mahlangu (CEO: Public Protector South Africa); Hon. Florence Kajuju (Acting General Secretary – AOMA, CAJ, Kenya); Adv. John Walters (Ombudsman of Namibia); Hon. Dr Kassim Issak Ousman (Ombudsman of Djibouti). Among the observers was Hon. Anastase Murekezi (Ombudsman of Rwanda). Apologies were received from Mr Nduwimana Edouard (Ombudsman of Burundi); Prof. Managay Reddi (Dean: School of Law, UKZN); Prof. Nana Poku (Deputy Vice-Chancellor and Head of School of Law & Management Studies – UKZN) and Adv. Arlene Brock (Director: AORC). As there was no quorum, it was resolved that the meeting would continue as planned and that any decisions taken would be approved by Board members on a round-robin basis.

After the approval of the minutes of the 17th Board meeting held in Addis Ababa, Ethiopia on 25 January 2018, the following key matters were discussed: the funding challenges of AORC, the vacant position of Director, the co-option of Board members, the Audit Report, and AORC Director's Activities Report focusing on research, information, capacity building and advocacy. In conclusion, the Chairperson thanked Adv. Brock who worked tirelessly to make AORC an efficient institution going forward, as well as the entire AORC team.

The 10th International Conference of Ombuds Institutions for the Armed Forces



This was held in Johannesburg, South Africa from 28-30 October 2018 and was followed by an Africa Day Symposium on 31 October, attended by AORC Director Adv. Arlene Brock.

Both the Conference and Symposium were jointly hosted by the South African Military Ombudsman (SAMO), and the Geneva Centre for the Democratic Control of Armed Forces (DCAF). ICOAF functions as a platform for promoting democratic oversight of the armed forces and preventing maladministration and human rights abuses, and seeks to promote the exchange of experiences and deepened cooperation among ombuds institutions.

The 10th ICOAF focused on the evolving roles and responsibilities of the armed forces, and the implications for ombuds institutions. Representatives of ombuds institutions for the armed forces from nearly 40 countries were in attendance. The conference produced a statement to serve as a compilation of good practices, which can be read on the ICOAF website.

Africa Day Symposium – 31 October 2018

Hosted against the backdrop of ICOAF, the Africa Day Symposium was held at Emperors Palace Hotel in Johannesburg on 31 October 2018. The Symposium focused on advancing the narrative of oversight over the armed forces in Africa through the establishment of Ombudsman institutions. In attendance were the Minister of Defence, Ms Nosiviwe Mapisa-Nqakula, the Chief General of the South African National Defence Force (SANDF) Solly Shoke, members of the diplomatic corps as well as representatives from government institutions and academics.

The Symposium opened with a welcoming speech by Lt Gen. (Ret) T.T. Matanzima, the South African Military Ombudsman. The Ombudsman stressed that in order to attain the AU's Agenda 2063 flagship project of 'Silencing the Guns', intensive and robust oversight of the armed forces in Africa had to become the reality of the day. To



Lt Gen. (Ret) T.T. Matanzima – Military Ombudsman of South Africa.

achieve this, there was a need to professionalise armed forces in order to eradicate the incubation of civil unrest and conflict in Africa. The key question was: “What role should Ombuds institutions play in the pursuit of peace keeping and protection of human rights in the military in the African continent?”

There was also the question of maladministration of the military, he emphasised. At present, the number of complaints about alleged human rights abuses and unfair labour practices pointed to a need for an effective independent institutional and regulatory framework to address such grievances. The challenge lay in the lack of legal knowledge by both the perpetrator and the victim within the administrative machinations of the militaries.

The South African Military Ombudsman was leading the way, as an institution on the continent with a key legislative mandate to promote the observance of fundamental human rights within the military. The Minister stressed that it was encouraging to hear that other SADC countries such as Botswana were in the process of establishing similar bodies.

The South African Military Ombudsman stressed the importance of the Symposium as a forum for further dialogue on such matters. He emphasized, in particular, a focus on learning lessons and identifying context specific

best practices in line with what is universally best for oversight of the African armed forces. He also stressed the need to work collaboratively to mediate problems in the armed forces such as was being done through the joint UN-AU Framework for an Enhanced Partnership in Peace and Security, co-signed by the UN Secretary-General and the Chairperson of the AU Commission in April 2017. This was a shining example of global collaboration for peaceful means. “Ombudsman institutions should aspire to create greater coherence and Global partnership commitments with a focus on Africa’s armed forces at local, national and international levels to explore the possibilities of how the creation of regional and multilateral partnerships can aid in enhancing oversight,” he stressed.

In conclusion, Lt Gen. (Ret) T.T. Matanzima called on delegates to rededicate themselves to the realisation of the African vision of an integrated, prosperous and peaceful Africa driven by its own citizens.

Delegates attending the Symposium produced a statement to serve as a compilation of good practices discussed, in order to encourage the formation of more organisations that specialise in military complaints and oversight.

Read the full symposium statement online at: <http://aoma.ukzn.ac.za/Home.aspx>

IOI Africa Corner (Update on Activities)

IOI Africa to host Ombudsman Mediation Training

AORC's ongoing needs assessment has identified mediation as one of the top training priorities required by Ombudsman. Responding to this need, AORC has planned a two-and-a-half-day training on Mediation for African Ombudsman, and has secured a training grant from the IOI to the value of 17 000 Euro, to cover the simultaneous interpretation and translation of the training, plus training materials into all four AOMA languages, as well as the facilitation costs of the trainer.

This training will be an excellent opportunity to enhance the capacity of Ombudsman throughout the African continent in their task of reporting, mediating, complaint resolutions, and providing skilled resources for their countries and the African Union. It will also contribute to the development of skilled resources within the Ombudsman institutions to the benefit of each participating country and Africa as a whole.

AORC has managed to secure a leading Africa-centric mediation trainer who is based at UKZN's Centre for Socio-Legal Studies (CSLS). Prof. McQuoid-Mason is a prolific scholar who regularly conducts training in South Africa, Uganda, Zimbabwe, Ghana, Fiji, Italy and elsewhere in this specialised field. The course that he has designed for this training will be highly interactive, with a mix of presentations and discussion opportunities for participants to delve into and share their thinking on the issues and information presented. There will be simultaneous interpretation into Arabic, English, French and Portuguese. At the close of the training, participants will be able to conduct an interest-based negotiation and a mediation, appreciate the value of these methods as a means of resolving disputes, and apply the principles learned to scenarios provided by Ombudsman. Certificates of attendance will be issued at the end of the week.

The training will take place from 13-15 March 2019 at the Garden Court Hotel, Marine Parade, Durban, South Africa. AORC and AOMA will take advantage of this gathering to hold an AORC Board meeting and an IOI Africa Chapter meeting on either side of the training.

Election of New IOI Africa Region Board Member

In November 2016, during the IOI General Assembly in Thailand, the IOI Africa Region elected new directors to represent the continent on the IOI Board of Directors. These included the Public Protector for Zambia Mrs Caroline Sokoni as the Regional President, and Mrs Martha Chizuma Mwangonde (Ombudsman of Malawi) and Mr N'golo Coulibaly (Former Médiateur of Ivory Coast) as Board members.

In 2018, one Board member seat for the IOI Africa Region fell vacant after the end of Mr N'golo Coulibaly's tenure of Office as Médiateur of Ivory Coast. According to the IOI Africa Region by-laws, Part V, Section 2, any vacancy that arises between regional meetings as a result of death, resignation or retirement of a Regional Director shall be filled at the next regional meeting provided that such a meeting is held not more than ninety days after a vacancy has been identified. The term of office of a Regional Director who is elected under this part shall not exceed the term of office of the other Regional Directors.

In accordance with the by-laws, an election was held during a training hosted by the Malawi Ombudsman in February, 2018, where Mr Alioune Badara Cissé (Médiateur of Senegal) was elected as IOI Africa Region Board Member.

The current IOI Africa Region Board of Directors consists of:

Regional President:

- Mrs Caroline Sokoni (Zambia)

Board Members:

- Mrs Martha Chizuma Mwangonde (Malawi)
- Mr Alioune Badara Cissé (Senegal)

Ombudsman Vocabulary List

General terms	Termes généraux	ةماعتاحلطصم	Termos gerais
Government	Gouvernement	ةموكح	Governo
Legislation	Législation	تاعيرشت	Legislação
Public sector	Secteur public	ماععاطق	Sector público
Private sector	Secteur privé	صاخعاطق	Sector privado
Public private	Public Privé	ةمويوكح ريغ ةمظنم	Sector público privado
Non- Governmental Organisation (NGO)	Organisation non gouvernementale (ONG)	ةيفافش	Organizações não governamentais (ONG)
Transparency	Transparence		Transparência
Structures of government	Structures de gouvernement	ةموكح لايكشت	Estrutura de governo
Constitution	Constitution	روتسد	Constituição
Executive	Exécutif	يذيفنت	Executivo
Parliament (Legislature)	Parlement (législature)	ييعيرشت) ناملرب	Parlamento (Legislatura)
Judiciary	Pouvoir judiciaire	يئاضق	Judiciário
Judge	Juge	يضاق	Juiz
Public prosecution services	Service des poursuites pénales (Parquets)	ةماعلال ةباينلا	Serviços do Ministério Públicos
Treasury	Trésorerie	ةنازخ	Tesouraria
Central government	Gouvernement central	هيزكرم ةموكح	Governo central
Local government	Gouvernement local	ةيلحم ةموكح	Governo local
Administration	Administration	ةرادإ	Administração
Administrative bodies	Organes d'administration	ةيرادإ ةزهجأ	Órgãos administrativos
Public administration	Administration publique	ةماعلال ةرادإ	Administração pública
How to define the Ombudsman and the work they do	Comment définir l'Ombudsman et leur travail	ماهمل و نامسدوبمألا فيرعت هيفيك اهب موقيتلا	Como descrever o Provedor de Justiça e o trabalho que eles fazem
Ombudsman model	Modèle d'Ombudsman	(ملاظم لانيم) نامسدوبمألا جذومن	Modelo do Provedor de Justiça
Hybrid	Hybride	نيجه / اطلتخم	Híbrido
Multiple mandates	Mandats multiples	ةرركتم تايالو	Múltiplos mandatos
Maladministration	Maladministration	ةرادإ ءوس	Má administração
Corruption	Corruption	داسف	Corrupção
Human Rights violations	Violations des Droits de l'Homme	ناسنإلا قووق تاكاهتنا	Violação dos direitos humanos
Fundamental rights	Droits fondamentaux	هيساسا قووقح	Direitos fundamentais
Jurisdiction	Jurisdiction compétente	ةيئاضقلا ةطلسللا	Jurisdição
Powers	Pouvoirs	تاطلس	Poder

How to define the Ombudsman and the work they do	Comment définir l'Ombudsman et leur travail	ماهمل و نام سدوبمألا في رعت هيفيك اهب موقوي يتلا	Como descrever o Provedor de Justiça e o trabalho que eles fazem
Decisions	Décisions	تارارق	Decisões
Recommendations	Recommandations	تايصوت	Recomendações
Legally binding	Juridiquement contraignant	انوناق مزلم	Juridicamente vinculativo
Budget	Budget	ةي نازيم	Orçamento
Legislative amendments	Modifications législatives	هي عيرش تاليدعت	Alteração legislativa
Appeal	Recours	نعط	Recurso
Judicial decisions	Décisions judiciaires	ةيئاضق تارارق	Decisão judicial
Investigation	Enquêtes	قي قحت	Investigação
Investigation procedure	Procédure d'enquête	قي قحت تاءارج	Procedimento de investigação
Complaint	Plainte	يوكش	Queixas
Complainant	Plaignant	يكااش	Queixosos
Terms related to the functioning of the Ombudsman	Termes relatifs au fonctionnement de l'Ombudsman	نام سدوبمألا ماهمب هق لعت م تادرفم	Termos relacionados com o funcionamento do Provedor de Justiça
Appointment	Rendez-vous	ني يعت	Nomeação
Dismissal	Le congédiement	هلاق	Demissão
Public participation	Participation du public	ةماع كراشم	Participação pública
Tenure	Mode d'occupation	ةدم / هي الو	Mandato
Personal independence	Autonomie personnelle	ي صخش لالقت س	Autonomia pessoal
Administration of justice	Administration de la justice	يئاضق لال مظن للة راد	Administração de justiça
Private persons	Particuliers	ادرفأ / صاخشا	Pessoas privadas
Exemptions	Exemptions	ءافع	Isenções
Fundamental Rights	Droits fondamentaux	هي ساسا قوقح	Direitos fundamentais
Human rights	Droits de l'homme	ناسن لال قوقح	Direitos humanos
International Obligations	Obligations internationales	هي لود تام ازلت ل - تادهعت	Compromissos internacionais
Mandate	Mandat	هي الو	Mandato
Monitoring or to monitor	Surveillance ou à surveiller	هب قارم	Monitorização ou monitorar
Annual Report	Rapport annuel	يونس ريرقت	Relatório anual
Networking	Mise en réseau	تام ول عم ةكبش	Interligação

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