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FROM THE PRESIDENT'S DESK

The International Ombudsman Institute is currently undergoing significant self examination. Our organization is at a crossroads of challenge and opportunity. Over the past two decades the global ombudsman community has been changing dramatically. More and different kinds of ombudsman offices are being created. Not only do we have the ombudsman office which the I.O.I. was initially created to serve, the independent constitutionally or statutorily based impartial, objective, investigative official who investigates maladministration, but within our own realm we now have many ombudsman offices which focus upon human rights or political corruption. Independent specialty ombudsman offices are increasing in number. Within government, we are seeing an increase in the number of ombudsman offices that do not enjoy our same degree of structural or functional independence, the executive or organizational ombudsman. Additionally ombudsmen have been created outside of government in corporations, universities and different economic sectors of society.

New organizations and associations have arisen to meet the needs of these varied ombudsmen. Some have promulgated well defined standards and codes of practice. Some are actively and regularly providing their memberships staff training programs. Some have well developed websites and active member interaction on list serves. Some offer regular and well regarded publications. The I.O.I. offers or has offered these products and service as well. One of our challenges is to critically evaluate the services and resources our membership and community needs in the context of what our Institute can deliver.

This is where each of us, you and me as dues paying members of the I.O.I., must speak up, contribute to and participate in our Institute. The I.O.I. cannot exist in a vacuum. Your board, officers and staff need to hear whether the products we are producing meet your needs and expectations. Do you read the publications the I.O.I. publishes? What about the Occasional Papers, Yearbook, Directory, Newsletter and website? Are they of value to you? What might we change? Please communicate your opinions and observations to your elected officers and members of the Board of Directors. Do this now. Don't wait. Do not remain silent. Write, email, telephone, fax.

Is the Training Manual developed by the I.O.I. of value to you in preparing your staff? Are the Occasional Papers and Yearbook published by the I.O.I. of interest and use to you? Have you accessed then new and improved I.O.I. website? What training does your staff need? Should the I.O.I. regularly be providing or assisting in the delivery of on-site training programs for ombudsman staff in different regions of the world? Write, email, telephone or fax.

When the Task Force of your Institute's officers and Regional Vice-Presidents meets in Edmonton, Alberta, Canada at the end of March we will be considering a range of issues. When the entire Board of Directors meets later in the year in Sydney, New South Wales, Australia we will deliberate and act upon those matters. Please make our deliberations your deliberations. We need to hear your voice.

Are you willing to help? Will you contribute and participate toward that end? Will you work on a committee or project? Do you have an experience, practice or insight which could be published in a Yearbook annual? Or perhaps you have a contribution to be considered as an Occasional Paper. Do you know someone who has researched the ombudsman or has written about the institution and will you encourage them to make a submission to the I.O.I.'s publications editor? Will you offer your time or time of your staff to advise or mentor a newly appointed ombudsman or a recently established office?

If the I.O.I. does not provide regular or annual on-site training programs around the world, should we use our financial resources to promote modest scholarships or assistance to members for their staff to attend the established trainings offered by other organizations? How should a scholarship assistance program be fairly shared across our membership? How much of a modest assistance program can the I.O.I. realistically afford? Should the I.O.I. help new offices in terms of underwriting consultation or exchange of staff? Or should the I.O.I. offer direct assistance to established offices in terms of improving or implementing better policies or practices? Should the I.O.I. undertake to publish a manual or textbook on developing an ombudsman office?

Obviously the I.O.I. cannot afford to undertake all of these ideas. Are there any of them which are of more value to you than others? If you do not like or value my suggestions, offer ones of your own.

What does the I.O.I. provide that you value? Why did you join the Institute? What do we do well for you? What can you contribute back to the I.O.I.? What are you willing to give to our global ombudsman community? The I.O.I. cannot deliver in a vacuum. Your board, your officers, your staff cannot read your minds nor meet your needs if you do not speak. A process is in motion. Communications are being shared among Board Directors, the Institute's members and the Institute's staff.

Be sure your voice is heard. Communicate now. Contribute now. Participate now. Together we can chart the future of the I.O.I., we can meet our challenges and achieve our opportunities.

Bill Angrick
President

2009 AND 2012 I.O.I. INTERNATIONAL CONFERENCES—EXPRESSIONS OF INTEREST IN HOSTING 2012 INTERNATIONAL CONFERENCE WELCOMED FROM INSTITUTIONAL MEMBERS

The I.O.I. is hosting its 9th International Conference in Stockholm, Sweden in 2009 to honour the 200th anniversary of the founding of the ombudsman institution in 1809 in Sweden.

After 2009, the I.O.I. will revert to its usual spacing of its International Conferences, scheduling the 10th I.O.I. International Conference in 2012. I.O.I. institutional members are welcome to express their interest in hosting the 10th International Conference to the I.O.I. Secretary, Ms. Alice Yuen Ying Tai, at the following address:

Ms. Alice Yuen Ying Tai
Ombudsman, Hong Kong, China
30/F China Merchants Tower
Shun Tak Centre
168-200 Connaught Road Central
Hong Kong, China
tel: 852-2629-0501
fax: 852-2956-0625
e-mail: ayytai@omb.gov.hk

NEW LATVIA OMBUDSMAN INSTITUTION REPLACES NATIONAL HUMAN RIGHTS OFFICE AND APPOINTMENT OF FIRST OMBUDSMAN

On January 1, 2007, the new Latvia Ombudsman Law entered into force. According to the new Law, the Latvian National Human Rights Office finishes work and will be replaced by the new Ombudsman institution. Along with ensuring the observance of human rights, the new Ombudsman institution will have a new objective — to promote the observance of the principles of good administration.

In early March, Roman Apsitis was approved as the first Ombudsman of Latvia by the Parliament. Prior to his appointment, Mr. Apsitis was a judge of the Constitutional Court since 1996 and a professor of law at the University of Latvia since 2003. He had also been elected to the Latvian Parliament twice and served as Justice Minister from 1994 to 1995. Until the appointment of the new Ombudsman the Acting Director of the Latvian National Human Rights Office, Diāna Šmite, was in charge.

All applications which have been received in the Latvian National Human Rights Office until December 31, 2006 and where the investigation has been started will be finished in accordance with the Law on the Latvian National Human Rights Office. Except for the reorganization process and that the new institution will start to work in full only after the appointment of the Ombudsman, persons can already complain about violations of human rights and/or the principles of good administration.

Temporarily, the Ombudsman Office will be located in the same premises as that of the Latvian National Human Rights Office and the telephone and fax numbers and the e-mail address remain the same. The new Ombudsman internet site is under construction and for a certain period the overall information about the new institution will not be accessible. In this period, the Latvian National Human Rights Office home page will be maintained.

The new mailing address is as follows:

Ombudsman of the Republic of Latvia
65-12 Elizabetes Street
Riga, LV-1050
Latvia

Please see the I.O.I. *Directory* for the telephone and fax numbers.

TONGA TO STRENGTHEN COMMISSION FOR PUBLIC RELATIONS AND TURN IT INTO AN OMBUDSMAN OFFICE

The legislation for the Commission for Public Relations of Tonga is currently under review as the government has committed to strengthen the office and change it to an ombudsman institution. It is anticipated that an Ombudsman of Tonga could be appointed by July 2007.

FIRST MEETING OF CENTRAL AMERICAN AND CARIBBEAN OMBUDSMEN HELD IN COSTA RICA IN JANUARY 2007

The First Meeting of the Central American and Caribbean Ombudsmen was held in San José, Costa Rica on January 29 to 31, 2007. The objective of the meeting was to enhance partnerships and the work of the Central American Council of Ombudsmen (*Consejo Centroamericano de Procuradores de Derechos Humanos — CCPDH*) and the Caribbean Ombudsman Association (CAROA); foster debate on the working goals and mechanisms from a regional perspective; and identify instruments which will facilitate a closer relationship with the Caribbean through the exchange of experiences and concerns. The Meeting was attended by forty participants including officials from the ombudsman institutions in Belize, Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panama, Bermuda, Barbados, Curaçao, Grand Cayman, Haiti, Jamiaca, Puerto Rico, Saint Lucia and Trinidad and Tobago.

At the meeting the CCPDH and CAROA signed a resolution establishing a Joint Forum between members of the CCPDH and CAROA to enhance cooperation, knowledge transfer and joint initiatives in areas of mutual interest. The Forum will be coordinated by the Presidents of CAROA and the CCPDH. The International Institute for Human Rights based in Costa Rica will serve as a channel of communication. The ombudsmen have identified the issues of good governance, the environment, education, health, the implementation of best practices through meetings, and research and training on the mechanisms of international human rights systems for discussion at a meeting to be held in Curaçao in November 2007.

The Joint Forum has also been established based on the work of Ramón Custodio López, former CCPDH President, and Dr. Hayden Thomas, former CAROA President, when they discussed improving cooperation between the seven Central American and ten Caribbean ombudsman institutions in 2005 and 2006.

FAILED ATTEMPTS TO MOVE U.S. STATE OF MICHIGAN CHILDREN'S OMBUDSMAN TO MORE INDEPENDENT STATUS

On December 13, 2006, the Senate of the State of Michigan, U.S.A. passed a bill to move the oversight over Michigan's Office of the Children's Ombudsman from the executive branch to the state legislature. The new legislation would move the Children's Ombudsman under the umbrella of the Legislative Council which is composed of legislators of both parties. Currently, the Children's Ombudsman is appointed by the state's Governor, is an autonomous office inside the Department of Management and Budget and investigates conduct of the Department of Human Services.

The Governor, Jennifer Granholm, does not support the legislation, and in late December she vetoed the bill.

For further information see on-line: J. Kresnak, "Kids are focus in shift of power", *Detroit Free Press* (December 14, 2006); (J. Kresnak, "Granholm vetoes ombudsman bill", *Detroit Free Press* (December 30, 2006).

PAKISTAN'S NORTH WEST FRONTIER PROVINCE PASSES AMENDED BILL TO CREATE VICES AND VIRTUE OMBUDSMAN

The North West Province of Pakistan passed an amended bill to establish Vices and Virtue *Mohtasibs* (Ombudsman) in November 2006, called the *Hasbah Act 2006*. The bill establishes a Vices and Virtue Department with Vices and Virtue Ombudsmen at provincial, district and *tehsil* levels for the enforcement of the legislation. The duties of the new Department are to promote Islamic values and effective supervision of all segments of society, including women, youth and minorities. The provincial *Mohtasib* is to be appointed by the Governor and the qualifications of the person appointed are to be equal to a religious scholar at the level of the federal Shariat Court. The Hasbah force will be selected from police personnel.

An earlier bill had been passed by the Assembly in July 2005 but the Governor of the Province at the time refused to give assent to the Bill. The President of Pakistan sent the bill for review by the country's Supreme Court. The Supreme Court decided that some of the provisions in the Bill were unconstitutional. The new Bill was drafted in response to the judgment of the Supreme Court.

The opposition parties strongly opposed the passage of the new Bill.

For further information see on-line: Abdul Qadoos, "NWFP Assembly again passes Hasba Bill", *Business Recorder* (November 14, 2006).

APPOINTMENTS/RETIREMENTS/ANNIVERSARIES/AWARDS ETC.

ANTIGUA AND BARBUDA

Mrs. J.M. Euisalyn Lewis, MBE, has been appointed as the Ombudsman of Antigua and Barbuda. She replaces Dr. Hayden Thomas who served as the first Ombudsman of Antigua and Barbuda from 1995 to 2006. Dr. Thomas also served as founding President of the Caribbean Ombudsman Association (CAROA) and as a Board member and the Vice-President of the International Ombudsman Institute.

CANADA—NOVA SCOTIA/BRITISH COLUMBIA

Ms. Dulcie McCallum, former Ombudsman of the province of British Columbia from 1993 until 1997 was appointed Freedom of Information and Protection of Privacy Review Officer of Nova Scotia in January 2007. She assumes her position on February 5, 2007. Subsequent to her position as British Columbia Ombudsman, Ms. McCallum has worked for government. She also served on the Canadian delegation to the United Nations to draft the new UN Convention on the Rights of Persons with Disabilities.

CANADA—YUKON

Mr. Hank Moorlag, who has served as the Ombudsman and the Information and Privacy Commissioner of the Yukon, Canada for ten years, is retiring on April 5, 2007.

CZECH REPUBLIC

Mr. Otakar Motejl was reelected as Ombudsman of the Czech Republic for a second six-year term by the Chamber of Deputies on December 12, 2006. Mr. Motejl took his oath of office on December 19, 2006.

On February 9, 2007, Jitka Seitlova was appointed Deputy Ombudsman for a six-year term by the Czech Chamber of Deputies. Prior to her appointment, Ms. Seitlova was a Senator.

FIJI

The interim military government of Fiji has appointed Rodney Acraman as acting Ombudsman of Fiji. As Acting Ombudsman, Mr. Acraman also becomes Chairperson of Fiji's Human Rights Commission. Critics, including Fiji's Law Society and the Pacific Centre for Public Integrity have stated that the appointment is illegal because the Constitution of Fiji requires the appointment of the Ombudsman to be made by the Constitutional Offices Commission.

For further information see on-line: "Groups differ over Acraman", *Fiji Times* (December 16, 2006); "Activist attacks rights body", (December 17, 2006).

LATVIA

Please see the information above under “New Latvia Ombudsman Institution Replaces National Human Rights Office and Appointment of First Ombudsman” on the appointment of former Constitutional Court Judge Roman Apsitis as the first Ombudsman of Latvia. The Latvian Ombudsman is a hybrid human rights ombudsman.

NEW ZEALAND

Mr. Mel Smith was appointed as a New Zealand Ombudsman, Nga Kaitiaki Mana Tangata for Aotearoa in December 2006.

RWANDA

The Ombudsman of Rwanda, Mr. Tito Rutaremara, has been reappointed as has Deputy Ombudsman Immaculee Mukarurungwa.

UKRAINE

Ms. Nina Karpachova, currently Acting Plenipotentiary of the Ukrainian Supreme Council for Human Rights (Ombudsman), has been reappointed for a second term by the Ukraine parliament.

U.S.A.—ALASKA

Ms. Kristi Cada has been appointed municipal Ombudsman of Anchorage, Alaska by the Anchorage Assembly. Prior to her appointment she served as Deputy Ombudsman since 2003 and became Acting Ombudsman when the former Ombudsman, Greg Moyer, retired.

PAST/UPCOMING CONFERENCES/MEETINGS

FEBRUARY 11-13, 2007—FORUM OF CANADIAN OMBUDSMAN COURSE ON “SOCIAL SAFETY NETS AND THE OMBUDSMAN: COMPLAINTS AND ISSUES”—EDMONTON, ALBERTA

The Forum of Canadian Ombudsman offered a course on “Social Safety Nets and the Ombudsman: Complaints and Issues” in Edmonton, Alberta, Canada on February 11 to 13, 2007. The course focussed on the issues, complaints and challenges recipients of social benefits present when they feel that the social safety net has let them down. Experts in the fields of both ombudsman work and social benefits administration participated in the program.

MARCH 5-8, 2007—INTERNATIONAL OMBUDSMAN ASSOCIATION (IOA) TRAINING COURSES—ORLANDO, FLORIDA, U.S.A.

The International Ombudsman Association (IOA) presented a full schedule of training courses on March 5 to 8, 2007 in Orlando, Florida, USA.

APRIL 11-14, 2007—INTERNATIONAL OMBUDSMAN ASSOCIATION (IOA) ANNUAL CONFERENCE—ADAM’S MARK HOTEL, ST. LOUIS, MISSOURI, USA

The International Ombudsman Association (IOA) second annual conference will be held on April 12 to 14, 2007 at the Adam’s Mark Hotel, St. Louis, Missouri, USA. The conference will be preceded by courses held on April 11. The theme of the conference is “Strengthening Our Foundations”. For additional information see: <www.ombudsassociation.org> and e-mail: <info@ombudsassociation.org>.

APRIL 25-28, 2007—ASIAN OMBUDSMAN ASSOCIATION (AOA) TENTH ANNUAL CONFERENCE —HANOI, VIETNAM

The Tenth Asian Ombudsman Association (AOA) Annual Conference will be held in Hanoi, Vietnam on April 25 to 28, 2007 and will be hosted by the Government Inspectorate of Vietnam (GIV). For further information please see the AOA web site at <www.aoa.org.pk>.

JUNE 11-14, 2007—INTERNATIONAL OMBUDSMAN ASSOCIATION (IOA) TRAINING COURSES—AFRICAN DEVELOPMENT BANK, TUNIS, TUNISIA

The International Ombudsman Association (IOA) will present “Ombudsman 101” and specialized courses at the African Development Bank, Tunis, Tunisia on June 11 to 14, 2007. For additional information see: <www.ombudsassociation.org> and e-mail: <info@ombudsassociation.org>.

JULY 16-20, 2007—INTERNATIONAL OMBUDSMAN ASSOCIATION (IOA) TRAINING COURSES—SEATTLE, WASHINGTON, USA

The International Ombudsman Association (IOA) will present “Ombudsman 101” and specialized courses at The Red Lion Hotel on Fifth Avenue in Seattle, Washington, USA on July 16 to 20, 2007. For additional information see: <www.ombudsassociation.org> and e-mail: <info@ombudsassociation.org>.

I.O.I. PUBLICATIONS

(2004) 8 THE INTERNATIONAL OMBUDSMAN YEARBOOK

Volume 8 (2004) of *The International Ombudsman Yearbook* has been completed and sent to the publisher for production. It is expected that Volume 8 will be distributed to members in March or April 2007. The following articles will appear in Volume 8: “The Ombudsman and the Rule of Law” by John McMillan, “The Role of Administrative Courts and Ombudsmen in France and Malta: A Review of Two Contrasting Systems” by Cécile Plaidy and Ivan Mifsud, “Administrative Mediation and Ombudsmen: An Encounter With Internormativity” by Marie-José Chidiac, “Good Governance and Development Challenges in the South Pacific: The Promise of Ombudsmanship” by ‘Dejo Olowu, “A Specialist Ombudsman for Prisoners” by Stephen Shaw, “The Engaged Ombudsman—Morality and Activism in Attaining Administrative Justice” by Gregory J. Levine and “What Should be the Primary Focus of the Ombudsman Institution? Redressing Public Grievances

and Protecting Human Rights Versus Fighting Corruption: Emphasis on South Asia and the Commonwealth Caribbean” by Najmul Abedin.

(2005) 9 THE INTERNATIONAL OMBUDSMAN YEARBOOK

Work has already begun on the compilation of Volume 9 of the *Yearbook*. The extensive Bibliography containing citations of books, book chapters and articles on the ombudsman found on the I.O.I. web site will be published in this volume. Other articles accepted for publication in this volume to date are: “The Ombudsman and Client Satisfaction: Observations on the Relationship Between Jurisdiction, Outcome, and Satisfaction” by Frank Fowlie, “L’ombudsman: Proposition de conceptualisation” (in French, and English) by Rhita Boustia and “Human Rights and Migration in Mexico: Some Experiences of the National Commission of Human Rights” (in English and Spanish) by Dr. José Luis Soberanes. It is anticipated that Volume 9 will be issued in late 2007.

OTHER PUBLICATIONS ON THE OMBUDSMAN

UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP) AND GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES (DCAF) PUBLICATION ON RECOMMENDATIONS FOR OMBUDSMAN INSTITUTIONS MONITORING AND INVESTIGATING THE SECURITY SECTOR

The United Nations Development Programme (UNDP) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) have issued the following publication:

Monitoring and Investigating the Security Sector: Recommendations for Ombudsman Institutions to Promote and Protect Human Rights for Public Security, Editors: Katrin Kinzelbach and Eden Cole, Bibliographic Details: UNDP/DCAF, 2007.
ISBN: 978-92-9504-264-3

The full document can be downloaded (1.0 Mbytes) at:
<http://www.dcaf.ch/publications/kms/details.cfm?lng=en&id=27755&nav1=4>

The abstract of the publication follows:

This book focuses on the role of ombudsman institutions in monitoring and investigating the security sector. It argues that independent ombudsman institutions can play an important role in strengthening democratic oversight and furthering human and public security. Despite the fact that most ombudsman institutions have relatively broad mandates and corresponding powers, which also endow them with competency over human rights abuses in the security sector, they encounter many problems when they start investigations. Baseline research on the relationship between ombudsman institutions and the security sector presented in this publication shows that the security sector remains a closed domain, and that there is a significant need and potential to strengthen the work of ombudsman institutions on security sector oversight. Ombudsman institutions can provide a viable forum for the investigation and resolution of human rights violations committed by security sector agencies; they can help to bring national legislation into conformity with international standards; they can monitor the security sector; and they can educate security sector officials about

their obligations and the general public about their rights. So far, there is only little guidance available for ombudsman institutions on how they can best structure their work on human and public security. This publication intends to close this gap and presents action-oriented recommendations, which have benefited greatly from practical input presented by ombudsman institutions from Eastern Europe and the Commonwealth of Independent States.

The contents of the publication are:

Foreword

Kathleen Cravero and Ambassador Dr. Theodor H. Winkler

Roundtable Consultation on the Relationship between Ombudsman Institutions and Security Sector Agencies in the Baltic States and the CIS

Iлона Mikoczy

Ombudsman Institutions and Security Sector Oversight: Results of a Questionnaire Survey from the Former Soviet Union

Amrei Müller

Backgrounder: Military Ombudsman

DCAF Security Sector Reform Working Group

Improving Democratic Oversight of the Security Sector: Recommendations to Ombudsman Institutions UNDP/ DCAF

Principles relating to the Status of National Institutions—The Paris Principles United Nations General Assembly Resolution 48/134 of 20 December 1993

Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment, United Nations General Assembly Resolution 57/199 of 18 December 2002

Assessment Tool

UNDP / DCAF

NEW OMBUDSMAN STREET, TELEPHONE AND E-MAIL/WEB SITE ADDRESSES/CHANGES TO THE I.O.I. DIRECTORY

LATVIA

The mailing address for the new Latvia Ombudsman office is:

Ombudsman of the Republic of Latvia

65-12 Elizabetes Street

Riga, LV-1050

Latvia

The telephone and fax numbers remain the same.

NEWS ITEMS, ARTICLES ETC. FOR I.O.I. PUBLICATION

We encourage the submission of news items for publication in the Newsletter and the submission of articles, manuscripts and lectures for consideration of their publication either in the *Occasional Paper* series or *The International Ombudsman Yearbook*. In particular, the Editor wishes to receive papers for consideration of their publication in (2005) Volume 9 of *The International Ombudsman Yearbook* and news items for the June 2007 *Newsletter*. We appreciate the regular receipt of information from member offices on changes in appointment, retirements, etc. for inclusion in the *Newsletter*.

Please note that the Editorial Advisory Board is in operation for anonymous review of papers submitted in consideration of their publication in the *Yearbook*.

Please submit all material to:

Professor Linda C. Reif
Editor of Publications
International Ombudsman Institute
Faculty of Law, University of Alberta
Edmonton, Alberta, T6G 2H5, Canada
tel: (780) 492-2800, fax: (780) 492-4924
e-mail: lreif@law.ualberta.ca