

INTERNATIONAL OMBUDSMAN INSTITUTE

Board of Directors Meeting

12 - 13 May 2024 (The Hague, The Netherlands)

Summary of Decisions

Present were:

Executive Committee

<i>President:</i>	Ms. Diane Welborn (USA)
<i>First Vice-President:</i>	Mr. Peter Boshier (New Zealand)
<i>Treasurer:</i>	Ms. Caroline Sokoni (Zambia)
<i>Secretary General (SG):</i>	Ms. Gaby Schwarz (Austria)
<i>RP¹ Asia:</i>	Mr. Somsak Suwansujarit (Thailand)
<i>RP Caribbean & Latin America:</i>	Ms. Nashieli Ramírez Hernández (Mexico)
<i>RP Europe:</i>	Mr. Andreas Pottakis (Greece)

RPs & Directors

<i>RP Africa:</i>	Ms. Florence Kajuju (Kenya)
<i>RP North America:</i>	Mr. Paul Dubé (Canada)
<i>Africa:</i>	Ms. Antonia Florbela de Jesus Rocha Araújo (Angola)
<i>Asia:</i>	Mr. Muhammad Sohail Rajput (Pakistan)
<i>Caribbean & Latin America:</i>	Mr. Keursly Concincion (Curaçao)
	Ms. Gwendolien Mossel (Sint Maarten)
<i>Europe:</i>	Mr. Marc Bertrand (Belgium)
	Mr. Peter Svetina (Slovenia)
	Mr. Reinier Van Zutphen (The Netherlands)
<i>North America:</i>	Ms. Nadine Mailloux (Canada)

¹ RP = Regional President

Non-attendance / Apologies:

<i>Asia:</i>	Mr. Seung yun Chung (South Korea)
	Mr. Shahnawaz Tariq (Pakistan)
<i>Australasia & Pacific:</i>	Mr. Chris Field (Australia)
<i>Caribbean & Latin America:</i>	Mr. Gabriel Savino (Argentina)
<i>Europe:</i>	Ms. Maria Lucía Amaral (Portugal)

IOI General Secretariat

Mr. Michael Mauerer, Chief of Cabinet of the Secretary General
Ms. Hannah Suntinger, IOI Executive Director
Ms. Ulrike Grieshofer, Consultant to the Secretary General
Ms. Karin Wagenbauer, Project Management, IOI General Secretariat

Accompanying Staff

Mr. Ioannis Boutselis (Office of the Greek Ombudsman, Greece)
Mr. Liberato Manuel Culaia (Office of the Ombudsman, Angola)
Mr. David Dannevoye (Office of the Ombudsman of Wallonia and the Wallonie-Brussels Federation, Belgium)
Ms. Jordana Dawson Hayes (Office of the Ombudsman of New Zealand)
Ms. Euridice dos Santos (Office of the Ombudsman, Angola)
Mr. Randolph Duggins (Office of the Ombudsman of Sint Maarten)
Mr. Chishala Kawesha (Office of the Public Protector, Zambia)
Ms. Helga Laza (Office of the Ombudsman, Angola)
Ms. Flora Leite Gonçalves (Office of the Ombudsman, Angola)
Mr. Raymond Mathilda (Office of the Ombudsman, Curaçao)
Ms. Nina Omerza (Office of the Human Rights Ombudsman, Slovenia)
Ms. Kitiyabhorn Onchulee (Office of the Ombudsman, Thailand)
Ms. Nancy Pérez Garcia (Human Rights Commission of Mexico City)
Ms. Barbara Finlay (Office of the Ontario Ombudsman, Canada)
Mr. Alex Schröder (Office of the Ombudsman, New Zealand)
Ms. Cláudia Silva da Costa (Office of the Ombudsman, Angola)
Mr. Stephan Sjouke (Office of the National Ombudsman, The Netherlands)
Ms. Nalinpun Waisuebkao (Office of the Ombudsman, Thailand)
Ms. Kanokkwan Wongdontri (Office of the Ombudsman, Thailand)

During the annual meeting of the IOI Board of Directors, held in The Hague (The Netherlands) from 12 – 13 May 2024, the Board took decisions as outlined in this document.

OPENING OF THE MEETING

DECISION: President Diane Welborn formally opened the meeting and welcomed all Board members present. The Board of Directors unanimously approved the agenda for the meeting, the recording of the meeting, and the list of participants. The Board further approved the Summary of Decisions of the meeting of the Board held in Vienna (Austria) in May 2023, as well as the Summary of Decisions of the special meeting of the Board, held by electronic means in April 2024. Finally, the Board approved English as the working language for the meeting, acknowledging that interpretation was made available.

REPORTS

DECISION: The Board of Directors took note of the President's report, in which she highlighted the challenges for Ombudsman, which have increased due to the conflicts around the world in these past few years. She also called upon the members of the Board to respond to requests for actions in a timely manner, as this is essential to keep the IOI's business moving. She further underlined the importance of a more active Board and urged Board members in each of the regions to take the duties of representing the IOI seriously, so an extraordinary burden does not solely fall on the IOI President and Officers.

DECISION: The Board of Directors acknowledged a report from the Secretary General on the most important achievements, projects and activities of the IOI for the period from 1 July 2022 to the date of the Board meeting. The Secretary General's overview was based on the more detailed written report, which was circulated prior to the meeting and which will – as usual – form the basis of the IOI's Annual Report for the membership year 2023/2024.

MEMBERSHIP APPLICATIONS

DECISION: The Board of Directors followed a recommendation from the Executive Committee and approved **Voting membership** for the *Defensoría de los Derechos de Niñas, Niños y Adolescentes de la Provincia de Córdoba, Argentina* (Caribbean & Latin American Region), as the institution fulfils all the requirements laid down in the IOI By-laws.

DECISION: The Board of Directors followed a recommendation from the Executive Committee and approved **Voting membership** for the **State Ombudsperson of Tyrol, Austria** (European Region), as the institution fulfils all the requirements laid down in the IOI By-laws.

DECISION: The Board of Directors followed a recommendation from the Executive Committee and approved **Voting membership** for the **Alaska State Ombudsman, USA** (North American Region), as the institution fulfils all the requirements laid down in the IOI By-laws.

DECISION: The Board of Directors followed a recommendation from the Executive Committee and approved **Voting membership** for the **Public Independent Conciliator of the North-West Region of Cameroon** (African Region), despite some shortcomings with regard to the appointment and the dismissal of the incumbent.

DECISION: The Board of Directors followed a recommendation from the Executive Committee and approved **(non-voting) membership** for the **Seocho-gu Ombudsman, South Korea** (Asian Region). In light of the fact that the incumbent is under the direction of the Mayor and the Ombudsman's staff is dispatched from the Mayor's office, the Board agreed that the institution does not fulfil all the necessary requirements for Voting membership, but can be granted (non-voting) membership instead.

DECISION: The Board of Directors decided to **postpone** an application for Voting membership from the **Mediator of the Republic of Gabon**, as the institution did not fulfil the requirements of the IOI By-laws. The independence of the institution is considerably compromised by the fact that it is legally under the supervision of the Vice President of the Republic. However, due to recent developments in Central Africa and a growing disinterest in Ombudsman institutions in that region, the Board agreed that declining this application would send a wrong signal. The Board therefore postponed its decision and will seek more information to consider it at another time.

DECISION: In relation to membership applications from individuals, the Board of Directors endorsed a recommendation from the Executive Committee to accept adjunct **ICANN Ombuds Linda Mainville** (Canada) as a (non-voting) member of the IOI. Along the same line, the Board agreed not to accept **Mr. Víctor Jesús Ardila Duarte** (Colombia) as a (non-voting) member of the IOI.

IOI FINANCES

DECISION: The Board of Directors accepted a report from the Treasurer, who presented the organisation's cash flow report on the financial developments during the past years as well as

the IOI's budget overview 2023/2024 and 2024/2025. The Board further accepted the report from the external auditor on the IOI's financial position and the conclusion that the IOI's finances remain sound and healthy.

DECISION: The Board of Directors endorsed an offer from incoming President Ramírez Hernández, to seek more information on an OECD project, for which the IOI Board had approved to contribute a maximum amount of 50,000.00 EUR at its meeting 2023.

BY-LAWS REFORM

DECISION: The Board of Directors agreed to table the amendments to Articles 7, 9, 10 and 17, as proposed by the By-laws Reform Committee and subject to additional changes in the draft of Article 10. These changes included a change of the wording in the second paragraph of draft Article 10.3 to read as follows: "*On receipt of such a complaint, the following process shall take place in a manner consistent with accepted standards of procedural fairness.*" Furthermore, the Board agreed to remove the entire paragraph 4 of draft Article 10. Subject to these two amendments, the Board agreed that the proposed draft articles are presented to the General Assembly for adoption.

THE HAGUE DECLARATION

DECISION: The Board of Directors approved the text of a The Hague Declaration as circulated prior to the meeting and agreed to move this text forward to the General Assembly for its adoption.

MOU WITH APT

DECISION: The Board of Directors approved the amended version of a Memorandum of Understanding (MoU) between the IOI and the Association for the Prevention of Torture (APT). The Board further endorsed that this MoU is formally signed at the General Assembly in The Hague on 14 May 2024, to continue this successful cooperation.

REQUEST FROM BASQUE OMBUDSMAN

DECISION: The Board of Directors noted a decision by the Executive Committee, not to table a request from the Ombudsman of the Basque Country (Spain) for an official IOI statement on the liquidity crisis currently faced by the United Nations. The Executive Committee has informed the Basque Ombudsman accordingly.

UNITED NATIONS

DECISION: The Board of Directors acknowledged an updated report from the Secretary General on activities discussed in the **UN Working Group**, such as the upcoming first High Level Panel (May 2024, New York); the upcoming High-Level Political Forum (July 2024, New York), for which the IOI will look into a possible collaboration with INTOSAI; the UN Resolution on Ombudsman and Mediator Institutions, which will once again be tabled this year; as well as efforts to seek involvement of Ombudsman in the Universal Periodic Review (UPR) process.

DECISION: The Board of Directors agreed – in principle – that the IOI should proceed with the training proposal made by **UNITAR** on the Sustainable Development Goals (SDGs). However, the Board took no decision on the training proposal from UNITAR; as a consequence, the IOI will not offer the training in 2024, as planned.

IOI PUBLICATIONS

DECISION: The Board of Directors approved the final version of the Best Practice Paper (BPP) on “Whistleblower Protection”, developed by the Office of the Ombudsman and State Comptroller of Israel and circulated prior to the meeting. The paper will be published on the IOI Website.

DECISION: The Board of Directors agreed that BPPs should not be numbered, but only listed on the IOI website chronologically with the title and the respective date (month and year) of the publication. The Board further approved the amended version of the guiding framework on “*How to write an IOI Best Practice Paper*” as circulated prior to the meeting.

DECISION: The Board of Directors agreed that the first BPP on “*Developing and reforming Ombudsman institutions*” should be updated and entrusted the General Secretariat to coordinate the task of updating this BPP with a view to bring it in line with the international standards established in the UN Resolution and the Venice Principles.

DECISION: In relation to the African Comparative Study, the Board of Directors approved that the IOI terminates its contract with Professor Victor Ayeni, since he has delivered neither any substantial proof of his work, nor a final manuscript of the comparative study within the given timeframe and as requested by the General Secretariat. The Board further endorsed a recommendation from the Secretary General and agreed that the IOI reclaims the amount already paid to Mr. Ayeni in a first instalment, i.e. 10,850.00 USD (9,563.68 EUR at that time).