

ISSN 0229-2181
VOLUME 31: NUMBER 1
MARCH 2009

FROM THE PRESIDENT'S DESK

Since your Board's decision made at the annual meeting in Hong Kong to accept the application of the Austrian Ombudsman Board and recommend relocation of the I.O.I. administrative offices from Edmonton, Alberta, Canada to Vienna, Austria, we have been progressing toward achieving that end. In preparation for the bylaw changes that must be adopted and ratified by the General Assembly at our June World Conference in Stockholm, I have asked several members of the Board to serve as a Transition Committee. I have also sought the advice and services of David Tang, a Canadian attorney who is one of Canada's leading experts in the field of nonprofit corporation law, to draft those bylaw changes and advise us in the decisions we make. I.O.I. Treasurer Dean David Percy has consulted with officials at the University of Alberta, and many of the important holdings of the I.O.I.'s ombudsman library will be integrated into the University's library system. When accomplished, that collection will become available to researchers and practitioners globally through interlibrary loan.

The field of ombudsman research is progressing on several fronts. I am informed by our Institute Administrator, Diane Callan, she and our Editor, Linda Reif, are in the final stages of editing the *International Ombudsman Yearbook* under our current contract. We look forward to the publication and distribution of this valuable resource in the near future. Diane, World Conference host Mats Melin, and Ontario Ombudsman André Marin are cooperating toward realizing publication of the papers presented at the Stockholm World Conference and the Bicentennial Celebration of the Swedish Ombudsman Office as a separate publication.

Of significant importance to our global ombudsman community is the reemergence of ombudsman writing independent of the publishing program of the I.O.I. In Europe we have seen the recent publication of scientific scholarship of an empirical and theoretical significance by Gabriele Kucsko-Stadlmayer. The edited book is entitled *European Ombudsman-Institutions*, and was published in 2008 by Springer Wien New York. On the practical side of our work, Gareth Jones, Director of the Ontario Ombudsman's Special Ombudsman Response Team, will have his book, *Conducting Administrative, Oversight and Ombudsman Investigations*, published by Canada Law Book in April. I have read Professor Kucsko-Stadlmayer's book and reviewed a pre-publication version of Gareth's. Both are destined to become essential contributions to the understanding and achievement of ombudsman work.

In December I traveled to Taiwan at the invitation of Chien-shien Wang and Louis Chao of Taiwan's *Control Yuan*. I spent several days in Taipei and Kaohsiung exchanging ideas and learning about the operation of the *Control Yuan*, one of the five constitutional organs of the government of Taiwan.

Secretary Alice Tai and Administrator Diane Callan have been working hard to process the membership applications and renewals that have been coming in anticipation of the Ombudsman World Conference. If you have not already done so, I urge members to complete the conference attendance form, and I look forward to be with you again in Stockholm.



Bill Angrick
I.O.I. President

NEW E-MAIL ADDRESS FOR I.O.I. SECRETARY

Ms. Alice Tai, I.O.I. Secretary, is retiring as Ombudsman of Hong Kong at the end of March 2009, but will continue on as I.O.I. Secretary during the transition period covering the move of the I.O.I. Secretariat from Edmonton to the Austrian Ombudsman Board in Vienna, Austria.

Accordingly, after March 31, 2009 Ms. Tai cannot be contacted at the Hong Kong Ombudsman Office. She has a new e-mail address, already in place, which must be used for I.O.I. business, at: IOIsecretary@gmail.com

I.O.I. 9TH WORLD CONFERENCE TO BE HELD IN STOCKHOLM, SWEDEN ON JUNE 9 TO 12, 2009 AND MARKING 200TH ANNIVERSARY OF THE SWEDISH PARLIAMENTARY OMBUDSMAN

The 9th International Ombudsman Institute World Conference will be held on June 9 to 12, 2009 in Stockholm, Sweden. The Conference will be followed by a one-day celebration of the 200th anniversary of the Office of the Swedish Parliamentary Ombudsmen.

Invitations to the 9th International Ombudsman Institute World Conference and the Swedish Parliamentary Ombudsmen 200th Anniversary were sent out via e-mail and ordinary mail to all Institutional, Individual and Associate Members of the I.O.I. in December 2008. Registration for the events is open on the website <http://www.ioi2009.com>

The deadline for registration is April 17, 2009. All matters regarding registration, hotel booking, social events and general information are managed by Congrex Sweden AB (e-mail: IOI2009@congrex.com, website: <http://www.congrex.com>). For the latest information about the Conference please visit the Conference website at <http://www.ioi2009.com>

The Swedish Parliamentary Ombudsmen wish you all very welcome to Stockholm in June 2009.

I.O.I. MEMBERSHIP FEES DUE FOR PERIOD JULY 1, 2008 TO JUNE 30, 2009

Membership fees for all I.O.I. members for the period July 1, 2008 to June 30, 2009 are due. In particular, Institutional Members who plan to attend the 9th I.O.I. World Conference in Stockholm in June 2009 will not be authorized to vote at either the Regional or General Members' meetings held during the Conference unless they pay their 2008-2009 annual membership fee immediately.

For payment of membership fees and all inquiries please contact Mrs. Diane Callan, I.O.I. Office Manager, +(780) 492-3196, <dcallan@law.ualberta.ca>.

THE FOURTH MANDATE OF THE CONTROL YUAN STARTED OPERATIONS ON AUGUST 1, 2008 AFTER A THREE AND A HALF YEAR VACANCY

The *Control Yuan*, the highest supervision organ of the Republic of China (Taiwan), started operations on August 1, 2008 after

having been dormant since February 1, 2005. According to the Constitution, the *Control Yuan* shall have 29 members, including a President and a Vice President, all of whom shall serve a term of six years.

The members of the Fourth *Control Yuan* were nominated by the President of the ROC (Taiwan) and were approved by the Legislative Power. The inauguration ceremony was held on August 1, 2008. The newly elected President of the *Control Yuan*, Chien-shien Wang, former Minister of the Ministry of Finance, is an expert in accounting and financial policies. The Vice President, Jinn-lih Chen, has a Ph.D. in agriculture. Dr. Louis R. Chao, member of the *Control Yuan* and Chairman of International Affairs Committee, was nominated again. The other 26 members have specialties in the areas of judicial, educational, medical and human rights matters. The expiration of the Fourth *Control Yuan* will be on July 30, 2014.

For further information please visit the official website of the *Control Yuan* at: <http://www.cy.gov.tw/eng/index.asp>.

ANOTHER FAILURE OF THE KOSOVO ASSEMBLY TO APPOINT A HUMAN RIGHTS OMBUDSPERSON

On February 12, 2009, the Kosovo Assembly failed again in the process to appoint a Human Rights Ombudsperson for Kosovo. The Kosovo Assembly has been given the responsibility for the appointment of an Ombudsperson since January 2006. There has been an Acting Ombudsperson for over three years. Kosovo declared independence in early 2008.

The Kosovo Ombudsperson is empowered to investigate alleged human rights violations and abuses of authority by public institutions. In addition to investigations, it issues reports and provides legal services and public advocacy. The initial structure of the Kosovo Ombudsperson was established under the auspices of the UN mission in Kosovo in 2000 with the Ombudsperson being an international appointee of the Special Representative of the UN Secretary General.

SECOND MEETING OF THE NETWORK OF MEDIATORS AND OMBUDSMAN OF THE MEDITERRANEAN AREA AND ESTABLISHMENT OF THE MEDITERRANEAN OMBUDSMAN ASSOCIATION

The second meeting of the Network of Mediators and Ombudsman of the Mediterranean Area took place in Marseille, France from December 18 to 19, 2008. The main theme of the meeting was “Ombudsman of the Mediterranean Area—Challenges in a Common Space”. Ombudsman and mediators from twenty-three states of the Mediterranean area and representatives of five international and regional organizations dealing with human rights attended this meeting (the IOF, the European Ombudsman, the Arab League, the Council of Europe and the UNHCHR).

The meeting led to the implementation of a new ombudsman association: the Mediterranean Ombudsman Association, located in Morocco at the office of the Morocco Ombudsman (*Diwan Al Madhalim*). The Ombudsman of Morocco was elected as the President of the new Association. The Vice-Presidents are the *Defensor del Pueblo* of Spain and the Ombudsman of Egypt, and

the *Médiateur de la République* is the Executive Secretary. The Ombudsmen of Tunisia, Palestinian Territories, Israel, Greece and Croatia were elected as Board directors. The IOF, European Ombudsman, Arab League, Council of Europe and UNHCHR will serve as consultative Board members.

The next meeting of the Mediterranean Ombudsman Association will be held later in 2009 in Athens, Greece.

OFFICE OF REGIONAL OMBUDSMAN OF FRIULI-VENEZIA GIULIA IN ITALY ABOLISHED

On August 1, 2008, the Regional Council of Friuli-Venezia Giulia voted to abolish the Office of the Regional Ombudsman (*Il Difensore*) of Friuli-Venezia Giulia. The decision was published on August 22 and entered into force on August 23, 2009.

OMBUDSMAN OF PAKISTAN CREATES CHILDREN'S COMPLAINT OFFICE INSIDE OMBUDSMAN INSTITUTION

The Ombudsman (*Wafaqi Mohtasib*) of Pakistan, Mr. Javed Sadiq Malik, in partnership with UNICEF, has created a Children's Complaint Office inside the Ombudsman Secretariat. This is the first child ombudsman service in Asia. The Children's Complaint Office has been established under the Responsible, Enabling and Accountable Mechanisms for Child Rights (REACH) project. The Children's Complaint Office is dedicated to receiving and resolving complaints from and about children against maladministration in any federal agency (e.g. health, education, social welfare ministries,

immunization, HIV/AIDS and tobacco use and control programs) and will help Pakistan to implement its obligations under the UN Convention on the Rights of the Child. Complaints can also be made online and by e-mail. Over time, the coverage of this service will be extended to the eight regional offices of the *Wafaqi Mohtasib*.

The REACH program also will engage in consultations with stakeholders, including children, through mechanisms such as youth parliaments and civil society children's rights projects. Under the program the Ombudsman will conduct research on systemic problems in administration that lead to children's rights violations.

Mr. Malik states that "children constitute nearly half of Pakistan's population but had not yet been provided any forum for grievance redress. By setting up a dedicated children's complaint office, we are lending voice to a hitherto silent and marginalized segment of our society and supplementing ongoing efforts to respecting and protection of children's rights."

In addition, as part of the REACH project a proposal has been made to establish an Asian Coalition for Child Rights and Development (ACCORD) through which Asian Ombudsman Association member countries will be encouraged to establish children's ombudsman offices either by extending their current arrangements (as in Pakistan) or by setting up independent children's ombudsman institutions.

UZBEKISTAN HUMAN RIGHTS OMBUDSMAN 2008 REPORT

On February 12, 2009, the Legislative Chamber (Lower House) of the *Oliy Majlis* of the Republic of Uzbekistan held a session. The Authorized Person for Human Rights (Ombudsman) of the *Oliy Majlis* of the Republic of Uzbekistan, Sayyora Rashidova, spoke on the outcomes of activity in 2008, according to the report.

Last year the parliamentary Ombudsman actively participated in implementing state policy on ensuring constitutional rights and freedoms of citizens, and improving the national legislation in this sphere in line with universally recognized standards. Also, the Ombudsman has constantly learned about and scrutinized both oral and written addresses of citizens, monitored research and engaged in broad awareness work among the population. The adoption of the Decree of the President of the Republic of Uzbekistan “On the Action program dedicated to the 60th anniversary of the Universal Declaration of Human Rights” served as a powerful impetus in terms of protecting human rights and freedoms in 2008. Following the report, lawmakers engaged in floor debates on the basic elements of the Ombudsman’s work in 2008. They stated that starting from the early years of its sovereign development Uzbekistan has paid profound attention to protecting human rights and freedoms. The nation’s commitments to human rights have been declared in the Constitution, as well as in other legislative documents. Over the years of independence, Uzbekistan has joined more than 60 basic human rights documents and six fundamental treaties adopted by the United Nations in this sphere.

After tight scrutiny and floor debates, the Uzbek legislators approved the 2008 report of the activity of the Authorized Person for Human Rights and adopted the related resolution.

TAJIKISTAN EXPECTED TO ESTABLISH A HUMAN RIGHTS OMBUDSMAN INSTITUTION IN 2009

It is reported that Tajikistan is expected to establish a human rights ombudsman institution in 2009. This development was discussed at a conference held in December 2008 on “Tajikistan and the 60th Anniversary of the Universal Declaration of Human Rights”, co-organized by the OSCE, UNDP, the Office of the UN High Commissioner for Human Rights, the Tajik government and the Swedish government.

For further information see: OSCE Press Release, “OSCE Office supports human rights conference in Tajikistan” (Dushanbe, December 10, 2008).

U.S. COALITION OF FEDERAL OMBUDSMEN PUBLISHES GUIDE FOR STRUCTURING AND IMPLEMENTING WORKPLACE AND EXTERNAL OMBUDS PROGRAMS

The U.S. Coalition of Federal Ombudsman has published a guide for structuring and implementing workplace and external ombuds programs, entitled *A Unified Model for Developing an Ombudsman Function*. To obtain a copy of this guide, go to:

<<http://federalombuds.ed.gov/pdfs/FederalOmbudsGuide.pdf>>.

APPOINTMENTS/RETIREMENTS/ ANNIVERSARIES/AWARDS, ETC.

HONG KONG

The Chief Executive has appointed Mr. Alan Lai Nin as the new Ombudsman of Hong Kong for a five-year term commencing April 1, 2009. Mr. Lai joined the Hong Kong government in 1974, serving initially as a Judicial Clerk and later as an Executive Officer. He joined the Administrative Service in 1976. He has worked in various bureaux and departments, including the Home Affairs Department and the former Office of Unofficial Members of the Executive and Legislative Councils. He was the Director-General of Trade from 1996 to 1999 and Commissioner, Independent Commission Against Corruption, from 1999 to 2002. He was the Permanent Secretary for Financial Services and the Treasury from 2002 to 2007.

He replaces Ms. Alice Tai whose term of office expires on March 31, 2009 after completion of her second term as Ombudsman. Ms. Tai has also served as Secretary of the I.O.I. for a number of years and as Secretary of the Asian Ombudsman Association. The Chief Executive of Hong Kong paid tribute to Ms. Tai, stating, "Ms. Tai has demonstrated able leadership and strong commitment to the work of the Office of the Ombudsman in the last 10 years. During her term of office, the Ombudsman has proved to be a valuable and effective means of redress for citizens' complaints. Her contribution in handling public complaints against maladministration and improving the quality of public administration is widely recognised by the community."

IRAN

Mr. Mostafa Pour Mohammadi has been appointed as the new Head of the General Inspection Organization of Iran. He replaces Mr. Mohammad Niazi who has retired.

THAILAND

On October 13, 2008, Mrs. Panit Nitithanprapas was appointed by the King of Thailand as an Ombudsman of Thailand for a six-year term. She replaced Mr. Poonsup Piya-Anant whose term had expired. Prior to her appointment, Mrs. Nitithanprapas worked as an Assistant Permanent Secretary and Inspector General of the Office of the Permanent Secretary, Secretary-General of the Office of the Commission for the Management of Land Traffic (OCMLT) and Permanent Secretary, Office of the Permanent Secretary, Ministry of Social Development and Human Security.

Thailand has three Ombudsmen, currently: Chief Ombudsman General Teeradej Meepien (Ret.), Mr. Pramote Chotimongkol and Mrs. Nitithanprapas.

PAST/UPCOMING CONFERENCES AND MEETINGS

NOVEMBER 22-27, 2008—ANNUAL BOARD MEETING OF THE ASSOCIATION OF THE AFRICAN OMBUDSMAN AND MEDIATORS (AOMA)

The annual Board Meeting of the Association of the African Ombudsman and Mediators (AOMA) was held on November 22 to 27, 2008. A definitive decision was taken to locate the seat of the AOMA in Tripoli, Libya.

The inauguration will take place in April 2009. The next AOMA executive committee meeting will take place in Tripoli, Libya in April/May 2009.

APRIL 15-18, 2009—ACCUO, FCO, IOA
JOINT OMBUDSMAN CONFERENCE—
MONTREAL, QUEBEC, CANADA

The Association of Canadian College and University Ombudspersons (ACCUO), the Forum of Canadian Ombudsman (FCO) and the International Ombudsman Association (IOA) will be hosting a joint ombudsman conference on April 15 to 18, 2008 at the Fairmont Queen Elizabeth Hotel in Montreal, Quebec, Canada. The conference theme is “Evolution of the Ombudsman (1809-2009): A Rich History, A Promising Future”, highlighting the 200th anniversary of the creation of the modern ombudsman in Sweden. Plenary, general and panel sessions will be offered, with care taken to ensure that during concurrent sessions value will be provided for legislative/governmental ombudsman, corporate ombudsman and academic ombudsman. A series of pre-conference courses requiring a separate registration fee will be held on April 15, with the conference starting on April 16. One of the conference’s guiding principles is that all participants will be free to attend all sessions regardless of the organizing association. For further information on the conference program, registration and hotel accommodation see:
<www.ombudsmanforum.ca/conferences/2009_joc/default_e.asp>.

JUNE 9-12, 2009—I.O.I. NINTH WORLD
CONFERENCE—STOCKHOLM, SWEDEN

Please see information on the ninth I.O.I. World Conference printed earlier in this *Newsletter*.

JUNE 17-19, 2009—INTERNATIONAL
CONFERENCE ON BIOETHICS, HUMAN
RIGHTS AND NEW TECHNOLOGIES—
BAKU, AZERBAIJAN

Hosted by Professor Elmira Suleymanova, the Commissioner for Human Rights of Azerbaijan with the participation of UNESCO, an International Conference on “Bioethics, Human Rights and New Technologies: Legal and Ethical Aspects of Reproductive Health and Family Planning” will be held in Baku, Azerbaijan on June 17 to 19, 2009. The event will also celebrate National Human Rights Day in Azerbaijan. The aim of the Conference is to discuss modern problems in the field of human rights related to the rapid developments in science and technology and the ethical issues raised, including the issues of reproductive health and family planning. Ombudspersons from different countries, the representatives of international organizations and experts in the field of bioethics and human rights will participate in the Conference.

If you are interested in participating in the conference, please contact Professor Suleymanova by March 15, 2009 at: ombudsman@ombudsman.gov.az or by tel/fax (+99412) 498 2365 / (+99455) 222 2288.

SEPTEMBER 28-OCTOBER 2,
2009—UNITED STATES OMBUDSMAN
ASSOCIATION (USOA) ANNUAL
CONFERENCE—ESTES PARK,
COLORADO

The 2009 annual conference of the United States Ombudsman Association (USOA) will be held on September 28 to October 2, 2009 at the Holiday Inn at Rocky Mountain Park, Estes Park, Colorado. A two-day New Ombudsman Training pre-conference session is also scheduled. The 2009 Conference host is Marilyn Young, Ombudsman with College Assist Neinet Guarantor Solutions. For further information, please contact Marilyn Young at (303) 305-3274 or Gerald Papica, USOA Conferences and Training Committee Chair at 1-800-264-0904.

UZBEKISTAN HUMAN RIGHTS OMBUDSMAN CHANGE OF ADDRESS

The Authorized Person of the *Oliy Majlis* of the Republic of Uzbekistan for Human Rights (Ombudsman) has moved to a new office in Tashkent. The new address of Uzbekistan Ombudsman office is:

16A, Uzbekistan Avenue
100027, Tashkent
Uzbekistan

Tel.: (998 71) 239 8136, 239 8422, 239 8633
Fax: (998 71) 239 8136
E-mail: info@ombudsman.uz
Internet: www.ombudsman.uz
www.ombudsman.gov.uz

Official name in Uzbek: *O'zbekiston Respublikasi Oliy Majlisining Inson huquqlari bo'yicha Vakili (Ombudsman)*

In English: *The Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)*

UPDATES TO CONTACT INFORMATION FOR ANTWERP OMBUDSMAN IN BELGIUM

The current information for the Ombudsman of Antwerp, Belgium follows:

Ms. Karla Blomme
Ombudsvrouw Stad Antwerpen
Sint-Jacobsmarkt 7
BE - 2000 Antwerpen, Belgium

tel: +32 3 292 37 50
fax: +32 3 292 37 79

email: ombudsvrouw@stad.antwerpen.be
homepage: www.antwerpen.be/ombudsvrouw

I.O.I. PUBLICATIONS

(2006) 10 THE INTERNATIONAL OMBUDSMAN YEARBOOK

Volume 10 of the *Yearbook* has been compiled and the final editing of the volume is underway. It is expected that Volume 10 will be sent to the publishers by early May and should be published in August 2009.

The papers that have been accepted for publication are: "The Origins and Birth of the European Ombudsman" by Alexandros Tsadiras; "Evaluating Ombudsman: A Case Study in Developing a Quantitative Methodology to Measure the Performance of Ombudsman" by Anita Stuhmcke; "The Ombudsman Offices in Denmark and British Columbia, Canada: A Comparative Study" by

Shera Skinner and Carly Hyman; “The Constitutional Role of the Ombudsman” by Richard M. Kirkham; “The Guarantee of the Ombudsman’s Independence” by Rafael Ribó; “The Hungarian Ombudsman Institution (1995-2008)” by Máté Szabó; and “Poland’s Commissioner for Civil Rights Protection: Two Decades of Human and Civil Rights Protection” by Marek Zubik.

I.O.I. 2009 CONFERENCE PROCEEDINGS

Papers from the I.O.I.’s 2009 International Ombudsman Conference will be compiled into book form and published by Martinus Nijhoff Publishers. The conference book will be edited by professional staff of the Ombudsman of Ontario. It is expected that the book will be published in 2010.

OTHER PUBLICATIONS ON THE OMBUDSMAN

EUROPEAN OMBUDSMAN INSTITUTIONS

Recently published is the book, Dr. Gabriele Kucsko-Stadlmayer, ed., *European Ombudsman - Institutions: A comparative legal analysis regarding the multifaceted realisation of an idea* (Vienna: Springer-Verlag, 2008). The book provides an overview of the powers and tasks of European administrative control bodies.

Copies of the research study can be ordered from Springer at: <http://www.springerpub.com>

UPCOMING ISSUE OF THE ASIA PACIFIC LAW REVIEW TO CELEBRATE TWENTIETH ANNIVERSARY OF THE HONG KONG OMBUDSMAN

An upcoming special 2009 issue of the *Asia Pacific Law Review* will be dedicated to a celebration of the twentieth anniversary of the Hong Kong Ombudsman institution. A series of articles will appear in the issue on topics covering aspects of the Hong Kong Ombudsman institution and ombudsmanship in general. More details on the articles and the date of issue will appear in the June issue of the *Newsletter*.

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

We encourage the submission of articles and lectures for consideration of their publication in the *Occasional Paper* series. We also invite the submission of news items for the June 2009 *Newsletter*. We also appreciate the regular receipt of information from member offices on changes in appointment, retirements, etc. for inclusion in the *Newsletter*.

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