

## **I.O.I. Newsletter**

### **Volume 32, No. 3**

**September 2010**



*Beverley Wakem*

Dear Colleagues,

It is my pleasure to address you as the newly elected President of the I.O.I. I am conscious of the honour of having been selected, the challenge of following the outstanding service which my immediate predecessors Bill Angrick and Mats Melin have given to the organisation and the responsibility of leading the organisation in a changing world where Ombudsmen everywhere face challenges to their jurisdiction.

I think all of us have a common desire to see the I.O.I. as the pre-eminent Ombudsman organisation but we need to recognise that other organisations have sprung up which may offer more immediate professional support and development to our colleagues at a regional and sub regional

level. We need to rebuild alliances with these groups and with other international integrity institutions to complement our own renewed efforts to be relevant to our members.

So, as we approach the end of another busy year we can look back with some satisfaction at the progress that has been made to revitalise the I.O.I., strengthen our ties with members and our support of them, and embark on a programme of new services to members.

The General Secretariat, under the able leadership of Peter Kostelka has provided outstanding support to the Board and to members this past year. The new website profiles the I.O.I. and will increasingly act as a forum for exchanges with members on training, professional development and so on. We have a more robust process for assessing membership applications and are developing more professional means of evaluating proposals for I.O.I. support for members' local initiatives.

The Board has resolved to focus first on training opportunities for members. The

very successful “Sharpening Your Teeth” programme, conducted by Andre Marin, was offered for the first time specifically to I.O.I. members. This was well received and the feedback affirms its practicality and usefulness to participants. The session was oversubscribed and indicated a thirst for this kind of training. We will do more.

Together with my ExCom and Board colleagues and with the support of the General Secretariat I promise to continue and expand these activities so that we fully support members’ aspirations to be the best they can be in performing their exacting roles and to strengthen our capacity to continue to do this.



Beverley Wakem  
President of the I.O.I.



Peter Kostelka

Dear Colleagues,

The General Secretariat looks back at a busy but successful autumn that saw several long-term projects being finalised. For example, the new website of the I.O.I. ([www.theioi.org](http://www.theioi.org)) was successfully launched in November 2010. It provides

information on ombudsman institutions and their activities and enables I.O.I. members to engage in the exchange of best practice models.

The first virtual library with an ombudsman focus, containing member publications as well as research work in this field, legal foundations and contact details of the member institutions is now available. An interactive calendar helps members to share information on regional, national and international events. A comprehensive I.O.I. directory replaces the outdated paper version.

The new I.O.I. communication platform is operated by the General Secretariat but has a strong regional focus. All members are therefore welcome to contribute actively to the website content and send news items or press releases on their activities to be published on the website.

The General Secretariat is currently preparing the first large-scale comparative research project that will focus on the APOR region. The project draws on the experience of a previous research project on the European region by Prof. Kucsko-Stadlmayer and is planned to be implemented for the APOR region by the Ludwig Boltzmann Institute of Human Rights (<http://bim.lbg.ac.at/en>), an internationally renowned and independent Austrian human rights research institution.

The suggested comparative study on ombudsman institutions should focus on a comparative description of the various ombudsman offices in regard to their legal basis, their integration into the political system and their mandates. Research will also concentrate on an analysis of the various ombudsman offices in terms of their compliance with international and regional hu-

man rights standards, to guarantee independence and pluralism and their links to other similar organisations. The project should run from November 2010 to October 2011 with the aim of presenting the preliminary results of the study in the next Board meeting in autumn 2011.

The first I.O.I. training for staff members of ombudsman institutions has taken place from 15 to 17 November 2010 at the I.O.I. General Secretariat in Vienna. The educational program was based on the format "Sharpening Your Teeth" (SYT) that was invented by Ontario Ombudsman André Marin. The three-day training on systemic investigations brought together 38 administrative watchdogs from 18 different countries and four I.O.I. regions who were briefed on principles of excellent investigative work. I am specifically happy that the I.O.I. was able to fund five scholarships for participants from Burkina Faso, Djibouti, The Gambia, Mali and Zambia.

Following this success the Board approved that another worldwide I.O.I. edition of the SYT training should be held in Vienna before summer 2011. Dates will be communicated within the next couple of weeks. SYT 2011 will also offer scholarships for member institutions with limited resources and the course will be open to non I.O.I. members depending upon availability.

In order to maximise transparency within the I.O.I. this newsletter edition includes a summary of all major decisions that were taken by the Board during its Bermuda meeting. Reaching from I.O.I. subsidies for regional projects to preparations for the I.O.I. world conference in 2012 that will be kindly hosted by I.O.I. President Beverley Wakem - the General Secretariat will support the newly elected Executive Commit-

tee in implementing projects that constitute a concrete membership benefit.

Therefore I would like to thank in this context all those members who have already paid their annual contribution for the membership year 2010/2011.



Dr. Peter Kostelka  
Secretary General of the I.O.I.

## **NEW EXECUTIVE COMMITTEE**

The I.O.I. Board held officer elections for the roles of the I.O.I. President, Vice-President and Treasurer during its meeting in Bermuda in October 2010: New Zealand Chief Ombudsman Beverley Wakem was elected President. The Northern Ireland Ombudsman Tom Frawley will serve as Vice-President and Hong Kong Ombudsman Alan Lai was elected I.O.I. Treasurer.

I.O.I. President Beverley Wakem was appointed New Zealand Ombudsman in March 2005 and Chief Ombudsman in April 2008. She has been a member of the I.O.I. Board of Directors since 2008. Ms. Wakem's background is in broadcasting, public relations and consulting, much of the latter to the state sector. Ms Wakem's broadcasting career in news, current affairs and general programming culminated in her appointment as Chief Executive of Radio New Zealand. She was also for five years President of the Asia Pacific Broadcasting Union. In 1997 Ms Wakem was

appointed by the Government to the Higher Salaries Commission and was reappointed twice to that body.

I.O.I. Vice-President Tom Frawley was appointed Ombudsman for Northern Ireland in September 2000. He has already served as Vice-President of the I.O.I. in 2006/2007 and has been a member of the I.O.I. Board of Directors since 2004. Following graduation at the Trinity College in Dublin in 1971, Tom Frawley pursued a successful career in the health service in Northern Ireland before his appointment as Ombudsman. In 2003 he was invited by the power sharing government to chair the Panel of Experts that was appointed to support the Review of Public Administration in Northern Ireland. He is now the longest serving Ombudsman since the Office was created in 1969.

I.O.I. Treasurer Alan Lai was appointed as Hong Kong Ombudsman in April 2009 for a period of five years and has been a member of the I.O.I. Board of Directors since June 2009. Mr Lai has over 30 years of experience in public administration. He was heavily involved in international trade negotiation work in the 1980's and 1990's, representing Hong Kong in bilateral trade negotiations and multilateral forums like the World Trade Organization and the Asia-Pacific Economic Cooperation. He served as Commissioner of the Independent Commission Against Corruption in 1999-2002 and the Permanent Secretary for the Treasury from 2002 to 2007.

As laid out in Art. 14 of the I.O.I. by-laws the Secretary General who is nominated by the members of the Austrian Ombudsman Board also forms part of the Executive Committee. I.O.I. Secretary General Peter Kostelka was appointed in June 2009 and

continues to serve on the Executive Committee.

The I.O.I. Board thanked the outgoing Acting President Mats Melin (Sweden) and Treasurer Gord Button (Canada/Alberta) for their valuable services to the I.O.I. Their leadership in the first year after the transition of the I.O.I. General Secretariat to Vienna has significantly contributed to a successful membership year.

## **BERMUDA BOARD DECISIONS**

In addition to the above mentioned elections the Board of Directors took far reaching decisions that will form the basis of the I.O.I.'s work programme for the next twelve months.

### **I.O.I. Annual Report**

An I.O.I. Annual Report highlighting the main developments in the past membership year and outlining the work program until the next Board meeting will be sent to all I.O.I. members. The report will be published in all three official languages.

### **I.O.I. Funding for regional projects**

The Board asked the General Secretariat to develop guidelines as to which regional projects might in the future profit from I.O.I. funding. This new policy for regional I.O.I. projects and external regional funding requests is proposed to come into effect after a debate and decision at the 2011 Board meeting.

The Board authorized the Executive Committee, within the limits of the by-laws, to review and short-list applications for I.O.I. project funding. All regions are therefore asked to submit concrete project proposals and cost calculations before 15 January 2011. The General Secretariat will inform all regions on the necessary documentation of the project proposals. From now until the end of the current fiscal year Ex-Com will decide which applications for subsidy should benefit from financial support. In total these will not exceed the amount of 50.000 EUR. Preference will be given to training activities. This decision also applies to already tabled requests for subsidies.

### **Treasurer's Report & Finances**

The Board approved the Treasurer's report that provided information on revenues and net assets of the past membership year. As of 29 September 2010 revenues amounted to EUR 89,038.15, expenditures amounted to EUR 1,553.40. Net assets stood at EUR 87,484.75. Revenue from membership is estimated at EUR 65,000 for the 2010/2011 membership year.

The Board took notice of the financial support by Austrian authorities that amounted to EUR 500.000 for the past membership year. This amount covered one time costs for the new office's infrastructure and equipment as well as regular costs for ongoing operation, technical servicing and three full-time employees.

The Board decided to re-commission Ernst & Young for the external annual audit of the I.O.I. membership year 2010/2011.

### **Comparative Study: APOR Region**

The Board approved the first I.O.I. comparative research project that draws on the experience of a previous research project on the European region by Prof. Kucsko-Stadlmayer and is planned to be implemented for the APOR region by the Ludwig Boltzmann Institute of Human Rights (BIM).

The project should run from November 2010 to October 2011 with the aim of presenting the preliminary results of the study at the 2011 Board meeting.

### **Future Training Programmes**

Following the success of the first I.O.I. / SYT training in Vienna the Board approved that another worldwide I.O.I. edition of the SYT training should be held in Vienna in 2011. Dates should be communicated before the end of the year 2010. SYT 2011 will also offer several scholarships for member institutions with limited resources and the course will be open to non I.O.I. members depending upon availability.

The Board instructed the General Secretariat to conduct a survey among I.O.I. members focusing on their training needs. In cooperation with the Regional Vice-Presidents the General Secretariat will also review and evaluate external training programmes that might receive I.O.I. funding. The result of this survey will be presented in the framework of an I.O.I. business plan at the Board meeting in 2011. The Regional Vice-Presidents were asked by the Board to compile a list of regional training programmes that might be opened to I.O.I. member institutions from other regions or for non I.O.I. members.

The Training Committee will be chaired in the future by Ms. Arlene Brock (Caribbean & Latin America). Mr. Chronox Manek (APOR), Mr. Arne Fliflet (Europe), Ms. Diane Welborn (North America) and Ms. Amina Ouédraogo (Africa) will serve on the Committee.

### **Pending membership applications**

The Board approved applications for institutional membership from the Protector of Citizens (Serbia), the Ombudsman of Andalusia (Spain), the Ombudsman of Castilla-La Mancha (Spain), the Ombudsman of Rioja (Spain), the Human Rights Commission of Azerbaijan, the Complaints Commission of the Cayman Islands and the Ombudsman of Sindh (Pakistan).

The Board deferred the application for institutional membership from the institution of the Banking Ombudsman from Pakistan until more detailed results from the deliberations of the Governance and By-laws Committee are available.

### **Honorary Life Membership**

Based on Art. 6 of the I.O.I. by-laws Mr. William P. Angrick II (Iowa, USA), Ms. Alice Tai (Hong Kong), Mr. Mats Melin (Sweden) and Dr. Hayden Thomas (Antigua/Barbuda) were appointed Honorary Life Members of the I.O.I. This recognises their exceptional contribution in respect of the purposes of the I.O.I. as well as their outstanding services to the I.O.I.

All Honorary Life Members of I.O.I. Canada will receive a communication confirming their membership class within the new I.O.I.

### **I.O.I. World Conference 2012**

Following an open ended invitation to host the I.O.I. World Conference 2012 the Board accepted the offer of Ms. Beverley Wakem, Chief Ombudsman of New Zealand, to host the event which coincides with the 50-year-anniversary of the ombudsman institution in New Zealand. The World Conference is scheduled for November 2012 and the location for the conference will be the capital city, Wellington.

### **Governance and By-laws Committee**

The Board appointed I.O.I. President Beverley Wakem as Chair of the Governance and By-laws Committee. The African region will be represented by Regional Vice-President John Walters whereas the North American region will be represented by Ms. Diane Welborn. The Asian representative will be appointed after the Regional Vice-President election in the region.

Based on Art. 26.6. of the I.O.I. by-laws the Board asked Mr Mats Melin to remain as consultant to the Governance and By-laws Committee for a period not exceeding one year. Mr Melin accepted this offer.

### **Board of Directors Meeting 2011**

The Board accepted the offer of Ms. Caroline Sokoni (Zambia) to host the upcoming I.O.I. Board of Directors meeting, which will be held in autumn 2011 in Livingston, Zambia.

## **OMBUDSMAN NEWS**

The latest ombudsman news can also be found on [www.theioi.org](http://www.theioi.org).

### **ITALY/BOLZANO: Ombudswoman Burgi Volgger re-elected**

On 10 November 2010 the South Tyrolean parliament re-elected Ombudsperson Burgi Volgger.

Burgi Volgger studied law in Vienna and Florence and pursued a successful career in the private sector before being elected ombudswoman. From 2000 on she volunteered as President of the association "la strada" that offers housing and therapeutic measures to young drug addicts.

Since 5 April 2004 Burgi Volgger acted as Ombudswoman of South Tyrol and has been actively engaged in the international ombudsman community ever since. Since 2006 she is a board member of the European Ombudsman Institute in Innsbruck, whose president she became in June 2010.

### **FRANCE: Médiateur Delevoye new CESE President**

The French Ombudsman Jean-Paul Delevoye was elected President of the Economic and Social Council CESE (Conseil Economique, Social et Environnemental).

CESE issues opinions and recommendations concerning economic, social and environmental topics at the request of the government or on its own initiative. As this new function is incompatible with his duties as an Ombudsman Mr. Delevoye will ad-

minister his official duties until a new Médiateur is appointed.

### **APOR: New Regional Vice-President**

Following the elections of Beverley Wakem and Alan Lai to Executive Committee roles with the I.O.I. Board in October 2010, it was necessary to appoint a new Regional Vice President of the APOR region. APOR members were canvassed for their support for the appointment of Chronox Manek as Acting Vice President for APOR until the next formal meeting of the group in Taiwan in March 2011.

Mr Manek's appointment was endorsed by members wholeheartedly recognising the contribution he has made to the I.O.I. and to the region.

### **GREECE: Former Ombudsman elected Mayor of Athens**

Former Greek Ombudsman Giorgos Kaminis was elected Mayor of Athens in the Greek local elections that took place on 14 November 2010.

Kaminis started his professional career as Research and Teaching Fellow at the Faculty of Law of the University of Athens before becoming an Assistant Professor at the Faculty of Law. From 1998 to 2003 he acted as Deputy Ombudsman for Human Rights. As Greek Ombudsman from 2003 onwards Kaminis was very actively engaged in the international ombudsman community. He was a member of the European Board of Directors of the I.O.I.

### **UK: Local Government Ombudsman retires**

After nine years as Local Government Ombudsman (LGO), Tony Redmond retired from the post on 11 November 2010.

Until his successor is appointed, Ombudsmen Jane Martin (based in the LGO's Coventry office) and Anne Seex (based in the LGO's York office) will divide the work of the London office between them. Ms. Martin will also take the role of Acting Chairman of the Commission for Local Administration in England.

### **CANADA/ONTARIO: Ontario Ombudsman celebrates 35rd birthday**

The Ontario Ombudsman's Office turned 35 years in November and marked the occasion with a gathering attended by Ministers, MPPs, and other distinguished guests including United Nations Ombudsman, John Barkat.

Mr. Marin praised his talented staff for their service over the years. "Although legislation vests important powers in the Ombudsman, the office would not be able to function without the amazing staff, many of whom are here tonight. I am immensely proud of our staff. For a small office, we have the memory of an elephant. We take pride in knowing that we have substantially improved the relationship between state and individual and strengthened good governance."

### **SWEDEN: Head of Staff passed away**

Mr Kjell Swanström, Head of Staff at the Office of the Swedish Parliamentary Ombudsmen, has passed away on 31 October

2010, at the age of 65. Mr Swanström held office as Head of Staff for almost 20 years.

For the Ombudsmen and other staff members he was an invaluable source of knowledge as he was an exceptionally knowledgeable, experienced and dedicated lawyer. Mr Swanström represented the Swedish Office within the international network of Freedom of Information Commissioners.

He is greatly missed within the Swedish Office, both as a valued colleague and, to many, as a personal friend.

### **BULGARIA: New Ombudsman**

On 7 October 2010, Mr Konstantin Penchev was elected to the post of Ombudsman by the Bulgarian Parliament. Mr Penchev replaces the previous Ombudsman, Mr Guinio Ganev, who did not stand for re-election.

Mr Penchev has been President of the Supreme Administrative Court of Bulgaria since 2004 and has worked as a judge for most of his career. He was a member of the Bulgarian Bar from 1994 to 2004 and a Member of the Bulgarian Parliament from 2001 to 2004.

### **New VOJVODINA Ombudsman**

The Assembly of the Autonomous Province of Vojvodina elected Mrs. Anikó Muskinja Heinrich as Provincial Ombudswoman on 11 October 2010.

Mrs. Anikó Muskinja Heinrich is a legal expert and a licensed lawyer with a Bar Exam and has been working in this field since 1976. She gained valuable profes-



sional experience particularly regarding employment, public administration, judiciary and human rights protection. Before her election, she was State Secretary with the Ministry of Human and Minority Rights of the Republic of Serbia.

#### **EUROPE: New Board member**

The Norwegian Ombudsman Arne Fliflet became member of the European Board by a vote in the General Assembly of the European region of the I.O.I. in Barcelona in October 2010. Arne Fliflet replaces the Greek Ombudsman Giorgos Kaminis in this function.

Arne Fliflet was born in 1946 and received his law degree in 1971. He was a university lecturer in jurisprudence at Oslo University in 1973 and has subsequently lectured on public law at the Universities of Oslo, Bergen and Tromsø.

The Storting appointed Arne Fliflet as Parliamentary Ombudsman for the first time in 1990. He has subsequently been re-elected five times, the last appointment being in 2009.

#### **NORTH AMERICA: New Board member**

The I.O.I. is pleased to announce that Diane Welborn, Ombudsman, Joint Office of Citizen Complaints for Dayton, Ohio has been elected as the new Director for the I.O.I. North American Region.

Diane Welborn replaced Iowa Ombudsman Bill Angrick after his retirement in June 2010.

#### **SWEDEN: Ombudsman resigns**

The Swedish Government has appointed Mats Melin President of the Swedish Supreme Administrative Court on 26 August 2010. Consequently, he will resign from his present position as Chief Parliamentary Ombudsman on 2 January 2011 to take up the new post.

Mats Melin has been an Ombudsman since 2004 with a specifically strong commitment within the I.O.I. After serving on the European Board Mr. Melin was elected Vice-President in June 2009 and played a major role in the relocation process of the I.O.I. In June 2010 Mr. Melin became Acting President of the I.O.I. after the retirement of Bill Angrick and handed over the Presidency to Beverley Wakem in October 2010.

Despite his career move Mats Melin will continue to be involved in I.O.I. matters as he has accepted the Board's offer to stay on the Governance and By-laws Committee, that he previously chaired as a consultant.

#### **FLANDERS: New Ombudsman**

On 20 September 2010, Mr Bart Weekers took his oath of office as the new Ombudsman of Flanders. Mr Weekers replaces Mr Nan Van Zutphen, who became Ombudsman ad interim on 1 May 2009.

Bart Weekers who was born in 1968 is a law graduate (K.U.Leuven) specialised in public law. For the last ten years, he has worked as auditor to the Council of State, the judicial body which oversees the government and the laws it makes. The Council issues an opinion on the constitutionality of all new laws, and can also rule on gov-

ernment orders or actions, overturning or limiting their application.

### **CZECH REPUBLIC: New Ombudsman**

Pavel Varvarovsky was elected as the new Czech Public Defender of Rights (Ombudsman) on the 7 September 2010. He assumed the office on 13 September 2010.

Mr. Varvarovsky, 64, is a former judge of the Constitutional Court. His candidacy for the ombudsman was proposed by the Senate, the upper house of Parliament.

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