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### **FROM THE PRESIDENT'S DESK**

This summer has passed by very quickly, or so it seems to me. Your Board will meet in October 4, 5 and 6, 2006 in Barcelona, Spain. The meeting is being hosted by Rafael Ribó, *Síndic de Greuges* of Catalonia, Spain. Rafael is a newly elected member of the Board of Directors representing Europe. He was elected when Matjaž Hanžek, Human Rights Ombudsman for Slovenia, resigned from the Board because he will not be seeking reappointment as ombudsman. We will miss Matjaz's contributions to the ombudsman community and I wish him well in his future endeavors.

The Board will also welcome two additional new directors representing North America in Barcelona: Gord Button, Ombudsman for the Province of Alberta, Canada and André Marin, Ombudsman for the Province of Ontario, Canada. Gord and André were elected replacing Howard Kushner, who was Ombudsman of British Columbia, Canada and Pauline Champoux-Lesage, who served as *La Protectrice du Citoyen* for Quebec. André Marin was elected Regional Vice-President for North America. Our community and the Board will also miss the contributions of Howard and Pauline.

Secretary Alice Tai and I attended the European Region of I.O.I.'s conference in Vienna, Austria on June 11-13, 2006, hosted by the Austrian Ombudsman Board composed of Dr. Peter Kostelka, Mag. Ewald Stadler and Rosemarie Bauer. The conference was a wonderful opportunity to meet most of our European members and to hear stimulating presentations and discussions from several of our ombudsman colleagues from throughout Europe.

At the 2005 annual I.O.I. Board Meeting, hosted by Dr. Hayden Thomas in Antigua and Barbuda, a Task Force was created and asked to examine important elements of the administration and services offered by the Institute to its members. The Task Force is comprised of myself, I.O.I. Secretary Alice Tai (Hong Kong), Australasia & Pacific Regional Vice-President Bruce Barbour (New South Wales, Australia) and European Regional Vice-President Peter Kostelka (Austria). The Task Force received important historical and archival information about the history of the I.O.I. and

previous examinations of our organization and plans for its development from administrator Diane Callan and Editor Linda Reif. The Task Force worked throughout this past year, including a meeting in Vienna in June after the conference of the European Ombudsmen. Our report will be circulated to the Board of Directors prior to our meeting in Barcelona. It is my hope that all the directors will consult with membership during their consideration of the Task Force recommendations. The Report focuses on World Conferences, Regionalization and the Secretariat and will be presented at the 2006 Annual Board Meeting.

Additionally, I will asking the Board to revisit the issue of membership fees and to decide whether our organization can afford and should implement a variable fee scale based upon notions such as size of the office, ability to pay or other criteria. Please communicate your thoughts on these or any other issues or topics to your elected directors so we can truly represent you in Barcelona.

It has been an honor and a pleasure to have served you as your president for the past two years. I look forward to a strong and active International Ombudsman Institute in the future and will do what I can to contribute to that work.



William Angrick II  
President  
September 2006

## **ADDITIONS TO THE I.O.I. WEB SITE—BIBLIOGRAPHY ON THE OMBUDSMAN, I.O.I. OCCASIONAL PAPERS AND MORE WEB LINKS**

The Editor of the I.O.I. with the assistance of law student Heather Grab has completed the compilation of an extensive Bibliography on the ombudsman containing hundreds of secondary sources in the English language—primarily books, book chapters and academic articles. The Bibliography will be posted on the I.O.I. web site with full public access this September 2006. It is expected that the Bibliography will be updated annually. If you have additional entries for English-language publications on the ombudsman which fall within the above noted categories please send this information to the I.O.I. Editor and it will be included in the next update of the Bibliography. The 2006 version of the Bibliography will also be published in hard copy in (2005) Volume 9 of *The International Ombudsman Yearbook*. Further investigation will be undertaken in the future to compiling Bibliographies of secondary sources published in other languages, e.g. Spanish, French and German publications.

The I.O.I. will also be posting a series of I.O.I. *Occasional Papers* that have been published over the past ten years on the I.O.I. web site in September. These *Occasional Papers* will be available only to I.O.I. members using a member password system. All future *Occasional Papers* will be published both in hard format and on the I.O.I. web site (member-only access).

The I.O.I. already provides numerous links to ombudsman offices around the world on our web site. Most ombudsman office web sites provide copies of their governing legislation and recent annual and special reports. Thus,

the web links provided on the I.O.I. web site are valuable sources for ombudsman research and comparative information for ombudsman offices. The I.O.I. is planning to increase the web links available on our web site by adding a number of international human rights and ombudsman-related web sites.

The I.O.I. hopes that these additions to the I.O.I. web site provide I.O.I. members and the general public with enhanced and valuable ombudsman research capabilities.

### **2006 ANNUAL GENERAL MEETING OF THE CANADIAN COUNCIL OF PARLIAMENTARY OMBUDSMAN (CCPO/CCOP) IN WHITEHORSE, YUKON**

Mr. G.B. (Gord) Button, Alberta Ombudsman, President of the CCPO/CCOP and member of the I.O.I. Board of Directors has provided the following article:

The Annual General Meeting of the Canadian Council of Parliamentary Ombudsman (CCPO/CCOP) was hosted by the Office of the Ombudsman for the Yukon in Whitehorse, Yukon on June 6 to 8, 2006. Representatives from all the Canadian Provincial and Territorial Ombudsman offices except Nova Scotia were in attendance. In addition, the CCPO/CCOP invited Linda Lord-Jenkins, Ombudsman for Alaska, and Arlene Brock, Ombudsman for Bermuda, as guests for the meetings.

Very beneficial discussions were held on topics and challenges of common interest to all participants. In addition, Hank Moorlag, Ombudsman for the Yukon, arranged a visit to the unique Legislative Assembly building and a luncheon was hosted at the MacBride Museum. The guest speaker for the luncheon

was Mr. Patrick Michael, Clerk of the Legislative Assembly, who spoke about his perception on the creation of “specialty Ombudsman” offices by the Government of Canada and the possibility of these initiatives having a negative impact on the perceived integrity of the classical Ombudsman offices. The AGM for 2007 will be hosted by the Manitoba Ombudsman in Winnipeg, Manitoba.

### **2006 ANNUAL MEETING OF THE I.O.I. EUROPEAN REGION MEMBERS IN VIENNA, AUSTRIA**

The 2006 meeting and conference of the members of the European Region of the I.O.I. was held in Vienna, Austria on June 11 to 13, 2006 at the Austrian Parliament, hosted by the Austrian Ombudsman Board composed of Dr. Peter Kostelka, Mag. Ewald Stadler and Rosemarie Bauer. Dr. Kostelka is currently President of the European Region of the I.O.I. and Regional Vice-President (Europe) of the I.O.I. The overall aim of the gathering was to promote communication and exchange between long-term and recent I.O.I. European Region members and provide a deeper insight into the roles and functions of ombudspersons in different European countries. In addition to the many European region members present, I.O.I. President William Angrick and I.O.I. Secretary Alice Tai also attended.

In addition to the General Assembly and some sightseeing activities, a number of conference presentations were made. These included presentations on “The Competence of European Ombudspersons: Description and Analysis of the Status Quo” by Prof. Dr. Gabriele Kucsko-Stadlmayer; “The Implementation of Human Rights in Europe” with contributions by Mr. Thomas

Hammarberg, Council of Europe Commissioner for Human Rights and Mr. Marc Fischbach, Ombudsman of Luxembourg; “Ombudspersons and Jurisdiction” with contributions by Mr. Janusz Kochanowski, Ombudsman of Poland, Mr. Mats Melin, Ombudsman of Sweden, and Prof. Dr. Irmgard Griss, Vice-President of the Supreme Court of Austria; and “The Implementation of Human Rights and the Role of Ombudspersons” with contributions from Mr. Yorgos Kaminis, Ombudsman of Greece, and Ms. Ann Abraham, Parliamentary & Health Service Ombudsman of the UK. A series of working groups on the various topics were also held. The papers presented at the conference can be downloaded from:

<http://www.ioi-europe.org/index2.html>

### **NEW TASKS FOR THE EUROPEAN REGION OF THE I.O.I.**

Dr. Peter Kostelka, Regional Vice-President of the I.O.I. for the European Region has provided the following article:

At the Conference in Vienna, our colleague Marc Fischbach from Luxembourg presented the Interim Report of the Group of Wise Persons of the **Council of Europe** (<http://www.ioi-europe.org/index2.html>).

This Group of Wise Persons has been set up by the Heads of State and Government of the Council of Europe “to consider the issue of the long-term effectiveness of the European Court of Human Rights (ECHR) control mechanism”.

This report and also the initial response to it offered by the newly elected **European Commissioner for Human Rights** Thomas Hammarberg identify the potential contribution by Ombudsmen in assisting in

the more effective management of the workload currently faced by the European Court of Human Rights. The European Commissioner for Human Rights has “welcomed the offer of the **IOI-Europe** to help to collect and structure the reaction of the ombudspersons of the Council of Europe member States as regards the ideas and proposals set out in both the Group of Wise Persons preliminary report and” his “own comments thereon” (<http://www.ioi-europe.org/index2.html>).

The European Directors of the IOI have already elaborated a questionnaire and sent it to its members. It is also available on the homepage of the IOI-Europe (<http://www.ioi-europe.org>), where the results of the common and controversial positions will be published as well.

The **UNDP (Europe)** has set up a programme to organise Round Tables for Ombudsman Institutions in Eastern Europe and the CIS. The 5<sup>th</sup> Round Table was held in Prague last year and had as main objectives to discuss a guide for Ombudsman institutions “How to handle Cases of Discrimination”, exchange experiences and best practices developing the relationship between the ombudsmen and the judiciary ([www.undp.org](http://www.undp.org) or [www.ioi-europe.org](http://www.ioi-europe.org)). The European Directors of the IOI have decided to exchange “Letters of Interest” between the **IOI-European-Region** and the **UNDP** to deepen co-operation on the basis that the IOI-Europe will invite European Ombudsman institutions to nominate experts or put forward working papers for the future Round Tables of the UNDP.

## **CITY OMBUDSMAN FROM CAPE TOWN AND PORTLAND MEET**

Mr. Michael Mills, Ombudsman of the City of Portland, Oregon, U.S.A., has provided the following article:

On June 30, I had the pleasure of meeting with Mr. Mbulelo Baba, the City of Cape Town Ombudsman, while visiting South Africa. While we had met briefly in Quebec City at the I.O.I. Conference, the meeting in Cape Town with several of his staff provided the opportunity to discuss issues facing local ombudsman offices. Local ombudsman offices are still few in numbers, so being able to meet with a counterpart is very rewarding. We were able to find similarities in the types of issues that we deal with and some surprising differences. I have found a continuing need to work on our outreach efforts to help make our services more available to under representative communities, whereas the Cape Town office seems to be much better known to communities in need. We found commonalities among concerns over utility billings for example.

Mr. Baba has what he calls a "Hybrid" Office, one that has adapted to the political structure and culture of Cape Town. The reality is that many local ombudsman offices are tailored to fit their jurisdiction and the people they serve. This can be done while preserving the independence and integrity of the office. In Portland, for example, given our Commission form of government that blends executive and legislative powers, independence was attained by locating the ombudsman under the elected auditor.

I was pleased to hear that the ombudsman concept is being adopted by more local

governments in Africa, a trend that has not, with a few exceptions, developed significantly in North America. While we have model acts, standards and best practices for national and provincial or state ombudsman offices, we as a profession lack guidance in the development of local government ombudsman offices. Being able to guarantee complainants confidentiality remains a challenge for many local ombudsman offices since those protections must be passed at higher levels of government. There continues to be great value in local government ombudsman offices which are readily accessible to the public they serve. Maintaining connections among offices, such as the one made between Cape Town and Portland, will support the development of new local government offices.

#### **EXPANSION OF JURISDICTION OF OMBUDSMAN OF PROVINCE OF ALBERTA IN CANADA**

Starting in September 2006, the Ombudsman of the Province of Alberta in Canada will gain jurisdiction over complaints concerning the handling of patient complaints by the province's regional health authorities. The Ombudsman of Alberta will also be empowered to investigate complaints against Alberta's Mental Health Board and the Alberta Cancer Board.

#### **OMBUDSMAN OF ANTIGUA AND BARBUDA AND CARIBBEAN OMBUDSMAN ASSOCIATION (CAROA) TEAM MEET WITH PRIME MINISTER OF GRENADA TO OFFER ASSISTANCE IN ESTABLISHING OMBUDSMAN INSTITUTION IN GRENADA**

Dr. Hayden Thomas, Ombudsman of Antigua and Barbuda, Vice-President of the I.O.I. and Immediate Past President of the Caribbean Ombudsman Association (CAROA), met with the Prime Minister of Grenada, Dr. Keith Mitchell in early June 2006. Dr. Thomas was a member of a CAROA delegation which offered to provide the government of Grenada with assistance in establishing an ombudsman institution in Grenada. The Cabinet of Grenada has raised the possibility of establishing an ombudsman office for their nation.

In addition to Dr. Thomas, the CAROA delegation was composed of CAROA Secretary/Treasurer Ms. Lawrence Laurent and Director of the Secretariat of the Special Fund for the Office of the Ombudsman, Dr. Alejandro Carrillo. The Special Fund has offered to provide funding and technical expertise in the drafting of the legislation and training in the operations of an ombudsman office.

#### **PRESIDENT OF TURKEY VETOES SOME PROVISIONS IN LEGISLATIVE BILL TO ESTABLISH AN OMBUDSMAN (PUBLIC INSPECTOR) IN TURKEY**

In July 2006, the President of Turkey vetoed some of the provisions in the legislative bill to establish an Ombudsman (Public Inspectorship institution) in Turkey. The

President sent the bill back to Parliament for their review of these provisions.

For further information see: “President Sezer Vetoes Ombudsman Bill”, *Cihan News Agency* (July 1, 2006); “Presidential Vetoing of Ombudsman Bill Played Down”, *Anadolu News Agency* (July 4, 2006).

## **APPOINTMENTS/RETIREMENTS/ ANNIVERSARIES/AWARDS ETC.**

### **BANGLADESH**

The government of Bangladesh appointed the country’s first Tax Ombudsman in July 2006. He is Mr. Khairuzzaman Chowdhury. Prior to his appointment, Mr. Chowdhury was the Chairman of Bangladesh’s National Board of Revenue.

The new institution is supported by the *Tax Ombudsman 2005 Act*. The Tax Ombudsman has the powers to investigate tax payers’ complaints and improve the country’s tax management system. The new office is designed to reduce corruption of tax officials and to take measures against bribery and tax evasion.

### **BOTSWANA**

The President of Botswana has, after consultation with the Leader of the Opposition in the National Assembly, appointed Mr. Ofentse M. Lepodise as Ombudsman effective August 1, 2006. Prior to his appointment, Mr. Lepodise served as Director, Management and Legal Services, in the Ombudsman Office and had been the Acting Ombudsman since December 2005. The appointment is on contract terms for a period of four years.

Mr. Lepodise’s appointment follows the retirement of Mr. Lethebe Maine who served as Botswana’s first Ombudsman from December 1997 until December 30, 2005 when his second term of office expired. Mr. Maine also served on the I.O.I. Board of Directors, including a term as I.O.I. Vice-President.

### **CANADA—GATINEAU, QUEBEC**

The city of Gatineau, Quebec, Canada has created the position of city ombudsman. Mr. Jacques Dionne has been appointed as the first Ombudsman of Gatineau. Mr. Dionne is a lawyer and, prior to his appointment, he served as Gatineau’s assistant general manager. Mr. Dionne will commence his duties at the end of October 2006.

### **CANADA—NOVA SCOTIA**

Ms. Mayann Francis, former Ombudsman of the Province of Nova Scotia, Canada was sworn in as the Lieutenant-Governor of Nova Scotia on September 7, 2006.

In her earlier career, Ms. Francis was Director of the Nova Scotia Human Rights Commission (1999 to 2006), Ombudsman of Nova Scotia (2000 to 2003), former Assistant Deputy Minister of the Ontario Women’s Directorate and the first Employment Equity Officer at Dalhousie University in Halifax, Nova Scotia. She also received the Harry Jerome Award from the Black Business Professional Association, an award from the Multicultural Education Council of Nova Scotia and the Queen’s Golden Jubilee Medal.

### **EAST TIMOR**

The East Timor Ombudsman for Human

Rights and Justice is Mr. Sebastio Ximenes.

#### GAMBIA

Mr. Sam J.O. Sarr, Ombudsman of the Gambia, passed away on July 4, 2006 while undergoing medical procedures in Dakar, Senegal. Mr. Sarr was eighty-eight years old at the time of his death and he is survived by his wife, three children and many grandchildren.

#### MOLDOVA—DNIESTER REGION

The legislature of the breakaway Dniester region in Moldova elected Mr. Vasiliy Kalko as Human Rights Ombudsman in June 2006.

#### NEW ZEALAND

On August 23, 2006, Judge Anand Satyanand, a former Ombudsman of New Zealand, was sworn in as Governor-General of New Zealand. Governor-General Satyanand served as an Ombudsman of New Zealand for two five-year terms starting in 1995.

#### THE PHILIPPINES

The President of the Philippines appointed Mr. Orlando Casimiro Overall Deputy Ombudsman of the Philippines on August 19, 2006. Mr. Casimiro had served as Acting Deputy Ombudsman since March 2006.

#### SPAIN—CATALONIA

Mr. Anton Cañellas, the Ombudsman (*Síndic de Greuges*) of Catalonia, Spain from 1993 to 2004, passed away in Barcelona on Sunday, August 27, 2006 at the age of eighty-two. During his eleven years as Ombudsman he consolidated the institution in Catalonia and supported it internationally in countries with

fragile democracies, like in the Balkan region.

Mr. Cañellas was born in Barcelona and read law at Barcelona University, subsequently joining the Lawyers' Association. He devoted himself to politics from the years he spent in clandestinity, forced to do so by the dictatorial regime of General Franco. He was involved in the foundation of the Catalanian Democratic Youth in 1947 and, later, the Catalanian Association of Juridical, Economic and Social Studies. Mr. Cañellas was appointed Secretary and later President of the United Nations' Association. He formed part of the Spanish official delegation which signed the UN Covenants on human rights at the UN in 1976.

After democracy was restored in Spain, Mr. Cañellas was elected to the Spanish Parliament in 1977 and in 1979, during which periods he was coopted to various important posts including Chair of the Committee of the Presidency of Government. He was also part of the delegation of Catalanian parliamentarians responsible for drafting and negotiating the approval of Catalonia's Statute of Autonomy for the Spanish Parliament. In 1980, Mr. Cañellas was elected to the Parliament of Catalonia, which appointed him to the Spanish Senate, a post he held until 1984. In 1985, he was appointed Chairman of the Social Council of the Autonomous University of Barcelona.

Mr. Cañellas was elected to the position of *Síndic de Greuges* of Catalonia in February 1993. In February 1998 he was reelected *Síndic* for a second term of five years, which was extended to the end of June 2004. During his tenure as *Síndic*, Mr. Cañellas promoted the international focus of the institution as well as the role of regional ombudsmen. He was appointed President of the European



Ombudsman Institute (EOI) from 2000 to 2002 and Vice-President of the Latin American Ombudsmen Federation (FIO) from 1999 to 2001. He organized the first meeting of regional ombudsmen of the European Union in 1997 and the first round table of regional ombudsmen in 2004 in cooperation with the Council of Europe. During his term of office, Mr. Cañellas also designed the post of Deputy Ombudsman for the Defence of the Rights of Children. During his lifetime, he was distinguished with the award of numerous medals including by the Catalanian, Spanish, French and Italian governments.

#### **PAST/UPCOMING CONFERENCES**

JUNE 6-8, 2006—ANNUAL GENERAL MEETING OF THE CANADIAN COUNCIL OF PARLIAMENTARY OMBUDSMAN (CCPO/CCOP)—WHITEHORSE, YUKON

Please see article by Mr. Gord Button placed earlier in this issue of the *Newsletter*.

JUNE 11-13, 2006—ANNUAL MEETING OF THE EUROPEAN REGION MEMBERS OF THE I.O.I.—VIENNA, AUSTRIA

Please see article located earlier in this issue of the *Newsletter*.

SEPTEMBER 14-16, 2006—CAPACITY-BUILDING SEMINAR FOR SOUTHEASTERN EUROPEAN OMBUDSMAN INSTITUTIONS—OHRID, MACEDONIA

The Ombudsman of Macedonia, Mr. Ixhet Memeti, will host a Capacity-Building Seminar for Southeastern European Ombudsman Institutions in Ohrid, Macedonia on September 14 to 16, 2006.

SEPTEMBER 12-15, 2006—UNITED STATES OMBUDSMAN ASSOCIATION (USOA) ANNUAL 2006 CONFERENCE—DES MOINES, IOWA

The 2006 Annual Conference of the United States Ombudsman Association (USOA) will be held in Des Moines, Iowa on September 12 to 15, 2006 at the Embassy Suites Hotel Des Moines. For further information contact Gerald Papica at 615-532-1572, 800-264-0904 or <[Gerald.Papica@state.tn.us](mailto:Gerald.Papica@state.tn.us)>.

#### **I.O.I. PUBLICATIONS**

(2004) 8 THE INTERNATIONAL OMBUDSMAN YEARBOOK

Volume 8 (2004) of *The International Ombudsman Yearbook* is nearing completion. Articles accepted to date include those on “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 Ivan Mifsud and Cécile Plaidy, “Administrative Mediation and Ombudsmen: An Encounter With Normativity” 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, 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, and “The Engaged Ombudsman—Morality and Activism in Attaining Administrative Justice” by Gregory J. Levine.

## (2005) 9 THE INTERNATIONAL OMBUDSMAN YEARBOOK

The extensive Bibliography containing citations of books, book chapters and articles on the ombudsman that will be placed on the I.O.I. web site in September 2006 will also be published in hard form in (2005) volume 9 of *The International Ombudsman Yearbook*.

### **NEW OMBUDSMAN STREET AND E-MAIL/WEB SITE ADDRESSES**

#### **CANADA—QUEBEC PROTECTEUR DU CITOYEN**

The *Protecteur du citoyen* of the Province of Quebec has new e-mail and web site addresses. They are:

e-mail: [protecteur@protecteurducitoyen.qc.ca](mailto:protecteur@protecteurducitoyen.qc.ca)

web: <http://www.protecteurducitoyen.qc.ca>

Please change your records and the *I.O.I. Directory* accordingly.

#### **SOUTH AFRICA—OMBUDSMAN FOR BANKING SERVICES**

As of May 8, 2006, the South Africa Ombudsman for Banking Services has relocated to the following address: 5<sup>th</sup> Floor, 28 Harrison Street, Johannesburg 2001, South Africa. All contact numbers remain unchanged.

### **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 December 2006 *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](mailto:lreif@law.ualberta.ca)