

## INTERNATIONAL OMBUDSMAN INSTITUTE

### Board of Directors Meeting

11 – 12 May 2022 (New York, USA)

### Summary of Board Decisions

#### Present were:

#### **Executive Committee**

<i>President:</i>	Mr. Chris Field (Australia)
<i>First Vice-President:</i>	Ms. Diane Welborn (USA)
<i>Second Vice-President:</i>	Mr. Peter Boshier (New Zealand)
<i>Treasurer:</i>	Ms. Caroline Sokoni (Zambia)
<i>Secretary General (SG):</i>	Mr. Werner Amon (Austria)

#### **Regional Presidents (RP) & Directors**

<i>RP Africa:</i>	Ms. Florence Kajuju (Kenya)
<i>RP Asia:</i>	Mr. Somsak Suwansujarit (Thailand)
<i>RP Australasia &amp; Pacific:</i>	Ms. Deborah Glass (Australia)
<i>RP Caribbean &amp; Latin America:</i>	Ms. Nashieli Ramírez Hernández (Mexico)
<i>RP Europe:</i>	Mr. Andreas Pottakis (Greece)
<i>RP North America:</i>	Mr. Paul Dubé (Canada)
<i>Africa:</i>	Ms. Antonia Florbela de Jesus Rocha Araújo (Angola) Ms. Busisiwe Mkhwebane (South Africa)
<i>Asia:</i>	Mr. Ajaz Ali Khan (Pakistan)
<i>Caribbean &amp; Latin America:</i>	Mr. Keursly Concincion (Curaçao) Ms. Gwendolien Mossel (Sint Maarten) Mr. Gabriel Savino (Argentina)
<i>Europe:</i>	Ms. Maria Lucía Amaral (Portugal) Mr. Marc Bertrand (Belgium) Mr. Rob Behrens (UK) Ms. Nino Lomjaria (Georgia)

**Non-attendance / Apologies:**

*Asia:* Ms. Hyun-Heui Jeon (South Korea)  
*Europe:* Mr. Reinier Van Zutphen (The Netherlands)  
*North America:* Ms. Nadine Mailloux (Canada)

**IOI General Secretariat**

Mr. Meinhard Friedl, IOI Executive Director & Head of International Unit  
Ms. Hannah Suntinger, Project Management, IOI General Secretariat  
Ms. Karin Wagenbauer, Project Management, IOI General Secretariat

**Accompanying Staff**

Mr. Ricardo Carvalho (Office of the Ombudsman of Portugal)  
Ms. Daisy Chebet Kosgey (Office of the Ombudsman of Kenya)  
Ms. Bwalya Chipasha (Office of the Public Protector of Zambia)  
Mr. Liberato Culaia (Office of the Ombudsman of Angola)  
Ms. Jordana Dawson Hayes (Office of the Ombudsman of New Zealand)  
Mr. Randolph Duggins (Office of the Ombudsman of Sint Maarten)  
Mr. Makaya José (Office of the Ombudsman of Angola)  
Ms. Mercy Kalondu Wambua (Office of the Ombudsman of Kenya)  
Mr. Matt Lambie (Office of the Ombudsman of New Zealand)  
Ms. Sabrina Lojnik (Office of the Ombudsman of Austria)  
Mr. Raymond Mathilda (Office of the Ombudsman, Curaçao)  
Ms. Teresa Mota (Office of the Ombudsman of Angola)  
Ms. Nancy Pérez Garcia (Human Rights Commission of Mexico City)  
Ms. Rebecca Poole (Office of the Western Australia Ombudsman)  
Mr. Oupa Segalwe (Office of the Public Protector of South Africa)  
Ms. Claudia Silvia Silva da Costa (Office of the Ombudsman of Angola)  
Ms. Krittiya Sumranbumrung (Office of the Ombudsman of Thailand)  
Ms. Mariam Tavdgiridze (Office of the Public Defender of Georgia)  
Ms. Nalinpun Waisuebkao (Office of the Ombudsman of Thailand)  
Mr. Mariano Yakimavicius (Office of the Ombudsman of the Province of Santa Fe, Argentina)

During the annual meeting of the IOI Board of Directors, held in New York from 11 – 12 May 2022, the Board took decisions as outlined in this document.

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## OPENING OF THE MEETING

**Board Decision:** IOI President Chris Field opened the meeting by referring to the European Data Protection Regulation and the fact that all participants are asked to give their consent in order for the meeting to be recorded. The President confirmed that the recording will only be used for documentation and administrative purposes.

**Board Decision:** The Board approved the agenda for the meeting, as well as the participants. The Board further approved the Summary of Decisions of the last meeting (held by electronic means on 15 November 2021), as circulated in advance.

**Board Decision:** The Board approved English as the working language of the meeting and noted that interpretation services were provided throughout the meeting for the Spanish-speaking participants.

## REPORTS

**Board Decision:** The Board acknowledged a brief report from the President on the main events and activities carried out by the President in 2021/2022, such as the online meetings of the Executive Committee, the Board of Directors, and the IOI's UN Working Group, as well as several other online events in which the President participated representing the IOI.

**Board Decision:** The Board acknowledged a brief report from the Secretary General (SG), which informed about the most important achievements, projects and activities of the IOI in the past membership year. The SG's overview was based on the more detailed written report, which was circulated to the Board prior to the meeting and which will – as usual – form the basis of the IOI's Annual Report for the membership year 2021/2022.

## MEMBERSHIP APPLICATIONS

**Board Decision:** The Board followed the recommendation of the IOI Executive Committee and approved **Voting membership** for the following institutions:

- Ombudsman of Seychelles (Africa)
- Defensoría del Pueblo de la República Dominicana (Caribbean & Latin America)
- Difensore Civico della Regione Lazio, Italy (Europe)

- Haut Commissariat des Droits, des Libertés et à la Médiation de Monaco (Europe)
- La Médiatrice Bruxelloise, Belgium (Europe)

**Board Decision:** The Board followed the recommendation of the IOI Executive Committee and approved **(non-voting) membership** for the following institutions:

- Patient Ombudsman Ontario, Canada (North America)
- Canadian Ombudsperson for Responsible Enterprises (North America)

## ORDER OF MERIT

**Board Decision:** The Board welcomed an initiative from the SG to introduce an order of merit for IOI Honorary Life Membership and unanimously endorsed the draft design of the order as presented prior to the meeting. The Board also agreed not to have the proposed cut-off date at 2021, but to award the order to all living Honorary Life Members of the IOI. The Secretariat will provide the Board with a list of all living Honorary Life Members.

## RUSSIAN COMMISSIONER FOR HUMAN RIGHTS

**Board Decision:** The Board discussed the possibility of loss of membership for the office of the High Commissioner for Human Rights in the Russian Federation. Two aspects were discussed in particular: (1) the process of loss of membership as provided for in the IOI By-laws, and (2) the merits of the case.

**Board Decision:** In relation to the process, the Board agreed that the existing provisions of Article 10 of the IOI By-laws are unsatisfactory and must be reviewed and reformed; especially in terms of transparency and involvement of the entire Board of Directors. The Board endorsed the establishment of a By-laws Sub-committee, to be chaired by President Chris Field. This Sub-committee will be entrusted with the task of reviewing the existing provisions on loss of IOI membership and suggesting amendments for reform, so they will meet the IOI's standards as an international organization. Board members from all six IOI Regions will be invited to join the By-laws Sub-committee. A first progress report with suggestions for amendments will be presented to the Board at its next meeting in Vienna in 2023, with the overall aim to have a set of amendments ready for approval at the next IOI General Assembly in 2024.

**Board Decision:** In relation to the merits of the case, the Board acknowledged a short summary by North American Regional President Paul Dubé of a submission from the British Columbia (BC) Ombudsperson, which established cause for consideration of loss of membership for the Russian institution. The Board further acknowledged a summary from SG Werner Amon, who – pursuant to Art. 10.3 of the IOI By-laws – had prepared a report on

this matter for the Executive Committee, as well as a short contribution from the Public Defender of Georgia, Ms. Nino Lomjaria, on her experiences with the current office holder of the Russian institution.

**Board Decision:** The Board agreed that a final decision could not be made unless all Directors had an equal opportunity to read both documents on the matter, i.e. the BC Ombudsperson's submission, as well as the Secretary General's report. The two documents were forwarded to the Board on 11 May 2022. A revised version of the BC Ombudsperson's submission, will be circulated as well. The Board agreed to re-convene virtually to resume the discussion and decide whether the IOI should consider revoking membership of the Russian High Commissioner for Human Rights or not. If the majority agrees to continue this process, the Russian institution will be informed and given an opportunity to comment in writing.

## UN WORKING GROUP

**Board Decision:** The Board acknowledged a progress report from the President and the Secretary General about the IOI's efforts to apply for a permanent observer status in the UN General Assembly and recognized the importance of advocating this project at the national level to ensure that as many members states as possible support the IOI's application. The Board further endorsed a comment from Marc Bertrand to involve partner associations, such as AOM, AOMF, AOMA, CAROA, FIO etc., to ensure the mobilization of Ombudsman offices in all regions and to include colleagues who are not (yet) members of the IOI in the process, and to also contact the Ombudsman of Morocco specifically to seek his support again, as the IOI did with the amendments to the UN Resolution in 2020.

**Board Decision:** The Board endorsed a proposal to discontinue one of the objectives of the UN Working Group (regarding peer review) as unnecessary given the longstanding and exceptional work of Rob Behrens and the European Region.

## IOI FINANCES

**Board Decision:** In absence of IOI Treasurer Caroline Sokoni, President Field gave a short report on the IOI's budgetary situation, as well as the IOI's assets, revenues and liabilities. The Board noted with satisfaction that the IOI's financial status remains healthy. It therefore approved the budget overview, as circulated prior to the meeting.

**Board Decision:** The Board agreed to commission Mazars Austria to carry out the IOI's audit for 2022/2023 in accordance with the quotation submitted by Mazars Austria and circulated prior to the meeting.

## FEE WAIVER POLICY

**Board Decision:** The Board acknowledged a short progress report from IOI Executive Director Meinhard Friedl regarding the IOI's future approach on how to handle outstanding fee payments and fee waiver policies. The Secretariat is currently looking into possible ways for an electronically supported accounting system, which would ensure an easier follow-up process for the Secretariat, as well as a fairer approach in general. The Board agreed to grant the Secretariat more time for this project. The Secretariat will regularly update the Board on any progress made.

## TRAINING

**Board Decision:** The Board noted a progress report from the Secretary General about the training cooperation with the Geneva-based Association for the Prevention of Torture (APT). The Board endorsed the next NPM training in Spanish for Latin American NPMs in spring 2023. The training will deal with monitoring detention of women and LGBTI persons, with a specific focus on the implementation of safeguards to ensure adequate protection for these groups from the very first moment of detention. The training will be open to IOI members in the Region who have a NPM mandate, as well as Ombudsman offices in the region with a NPM mandate, who are not (yet) members of the IOI.

**Board Decision:** The Board acknowledged a report from the Secretary General about the most recent online media training on "Presenting with Impact". The Board further agreed that online training in this field is very useful for IOI members; it therefore approved to continue the cooperation with Media First and to offer another online media training to members next year. The Board entrusted the General Secretariat with the further negotiations for this training and approved a max. amount of 20,000.00 EUR for this training initiative.

**Board Decision:** The Board acknowledged the close and fruitful cooperation with the African Ombudsman Research Centre (AORC) – the research and training branch of the African Ombudsman and Mediators Association (AOMA) – in jointly providing speakers for webinars on different topics. The Board agreed to make a final decision on possible Webinar cooperation with AORC by circular email after the New York meeting.

## REGIONAL SUBSIDIES 2022/2023

**Board Decision:** The Board acknowledged an overview about the submitted project proposals as well as the status of completion of the various projects in the regions. The Board approved to make a total of 42,000.00 EUR available for the next round of regional subsidies, i.e. for the membership year 2022/2023. The General Secretariat will start a call for project proposals.

**Board Decision:** The Board endorsed a proposal from the Secretary General to introduce a crisis fund with a view to provide quick and flexible support to members who operate on the ground in a crisis and are in need of financial support. Every year, unclaimed funds from the regional subsidies program will be moved to this crisis fund, instead of being returned to the IOI's general budget (starting with unclaimed subsidies for 2021/2022). The Board further agreed that this fund must be steered based on guidelines, which define specifically what the IOI will consider a crisis, the type of expense, as well as when and how the money from this fund will come into effect.

**Board Decision:** In relation to a request for financial support for the Hungarian Ombudsman's work to support Ukrainian refugees at the border, the Board agreed that the IOI should establish the crisis fund first and then ask the Hungarian colleague to lay a more detailed application for money from this crisis fund before the Board again.

## **SANTA FE CONGRESS ON MEDIATION**

**Board Decision:** The Board noted a brief presentation from Gabriel Savino, the Ombudsman of the Province of Santa Fe (Argentina), about an international congress on mediation and conflict resolution, to be held on 5 – 7 July 2022. Mr Savino invited the Board to participate in this hybrid event, which is held to mark 30 years of mediation work and 27 years since the creation of the Center for Mediation and Conflict Resolution in Santa Fe.

## **COOPERATION / MOUs**

**Board Decision:** The Board acknowledged a proposal from Gabriel Savino to sign a Memorandum of Understanding (MoU) with the Association of Ombudsman of Argentina (ADPRA). Considering that the IOI has never before signed MoUs with associations whose membership is limited to a national scope, and taking into account, that the IOI has already signed MoUs with the Federation of Ibero-American Ombudspersons (FIO) and the Institute of Latin-American Ombudsman (ILO) – in which many of the Argentinian Ombudsman institutions are members anyhow – the Board did not unanimously agree that signing another MoU with a national organization would make much sense.

**Board Decision:** The Board discussed that signing MoUs with partner organization should have a more practical effect and not be limited to a cooperation agreement “on paper only”. The Board requested the Executive Committee to look into: (1) how the IOI should approach MoU requests in the future, and (2) how the IOI can make sure that MoUs bring about concrete actions and find a more practical implementation through joint projects and exchange. The Executive Committee will report back to the Board at its next meeting in Vienna in 2023.

**DATE AND VENUE OF NEXT BOARD MEETING(S)**

**Board Decision:** The Board confirmed to hold its next meeting in Vienna in May 2023. The final date will be established and approved by email circulation.

**ANNEX: Financial Summary**

<b>PROJECTS</b>	<b>approved amount in EUR</b>
Regional subsidies 2022/2023	42,000.00
Online Media Training	20,000.00
Audit 2022/2023	3,540.00
<b>TOTAL (if max. amounts apply)</b>	<b>65,540.00</b>