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FROM THE PRESIDENT'S DESK

As we enter the end of the first quarter of 2006 it is interesting to note the changes and developments in our ombudsman community. Annual reports that are starting to be published indicate the important and effective work ombudsman offices around the world continue to accomplish. New offices are being considered and many of those are being established. Old friends and respected colleagues are leaving office and new faces are emerging on every continent of our world. The ombudsman is truly a dynamic institution.

Of special value to me is the ability to learn from my peers and a recent report by Howard Kushner, Ombudsman of British Columbia, Canada on the Power of Apology reaches to the foundations of our work. More often than not the acceptance of responsibility for an error or mistake and the offer of an apology can heal an injustice or resolve maladministration. Howard's work builds upon previous recognition of the meaning and value of apology as a remedy in the work of Ombudsman Bruce Barbour in New South Wales, Australia. The diffusion of redemptive principles and alternative dispute resolution methodologies shows that we live in one world on a small planet and that our similarities are often greater than our differences.

Another consideration and exploration of sharing in the ombudsman community is a proposed panel and discussion at the June ombudsman conference of the European region of the I.O.I. During this meeting in Vienna the participants will consider, among other important topics, the Implementation of Human Rights and the Role of Ombudspersons. As we all know the evolution of the ombudsman institution has branched to include human rights mandates and anti-corruption emphasis in addition to the traditional concern for maladministration. In December I was privileged to be able to attend and participate in the Asian Ombudsman Association annual conference in Hong Kong. Among the topics discussed at the A.O.A. meeting were the Development of Specialty and Industry Ombudsmen and their Relationship with the Ombudsman. Most instructive to me was the opportunity to learn how the industry ombudsman and the general jurisdiction ombudsman have been structured to function collaboratively and positively in Australia and elsewhere. Conferences such as these and those occurring in all of our regions speak favorably to the adaptability and flexibility of the ombudsman institution in our evolving world. It is important that our Institute and its members remain at the forefront of this evolution.

Important events and activities are taking place in the ombudsman community every month. Bermuda celebrated the formal opening of its Ombudsman office on January 19 and the I.O.I. was ably represented by our Vice-President Hayden Thomas, Ombudsman of Antigua and Barbuda. Congratulations to Ombudsman Arlene Brock and the government, officials and citizens of Bermuda in taking the steps to add Bermuda to the global ombudsman community.

One of the most enjoyable responsibilities I have as Citizens' Aide/Ombudsman for the State of Iowa and as President of the International Ombudsman Institute is the opportunity to meet with visitors to my state and office interested in learning more about the ombudsman institution. In January I had the pleasure of meeting with Wang Yong, faculty member of the Central Party School in the Republic of China, who was interested in learning about the ombudsman and how citizens raise issues and concerns to government officials in the United States. This visit was coordinated by the Iowa Council for International Understanding as was a visit to my office in February by three members of the National Congress of Uruguay. I had a very enjoyable time meeting with Congressman Dr. Daniel Bianchi, Congressman Enrique Pintado and Congressman Daniel Pena Fernandez. During our discussions I learned that the ombudsman institution has been embraced in Uruguay, and that offices have been recently established and ombudsmen are being selected for both general jurisdiction administrative complaints on a regional level and for the special jurisdiction of corrections matters, I believe, nationally. I was able to use the opportunity of this visit to inform the congressmen about the I.O.I. and the rich tradition and regional ombudsman associations in Latin America.

The spring of the year is a busy time in my own office. The Iowa General Assembly meets from early January into April and sometimes May, considering legislation and passing budgets. My own annual report is due in April and throughout the legislative session my staff and I are on call to appear before legislative committees on topics of administration and policy. I am also pleased and gratified to report that the confirmation resolution for my reappointment to an additional four year term of office, which was made by the Legislative Council in June 2005 subject to approval by both Houses of the Iowa General Assembly, was adopted by the Iowa House on February 6 and on February 14 by the Iowa Senate.



William Angrick II
President
March 2006

OMBUDSMAN OF ANTIGUA AND BARBUDA AND I.O.I. VICE-PRESIDENT REPRESENTS THE I.O.I. AT OFFICIAL OPENING CEREMONY OF THE BERMUDA OMBUDSMAN

A formal ceremony was held in Hamilton, Bermuda on January 19, 2006 to mark the official opening of the Office of the Ombudsman. The many dignitaries present included His Excellency the Governor Sir John Vereker, the Premier Hon. William Alexander Scott, other Ministers of Government, Members of the Judiciary and members of other oversight institutions.

Present as specially invited guests were Professor Victor Ayeni, Director of the Governance and Institutional Development Division of the Commonwealth Secretariat, London and Dr. Hayden Thomas, Ombudsman of Antigua and Barbuda and President of the Caribbean Ombudsman Association. He is also the recently elected Vice-President of the International Ombudsman Institute and represented the President William Angrick who was unable to attend because of other official engagements.

The feature address was delivered by the Governor who congratulated the Government of Bermuda for passing the necessary law which enabled him to appoint Bermuda's first Ombudsman – Ms. Arlene Brock. He emphasized:

“Governments have nothing to lose and everything to gain by ensuring high standards of public administration. Democratic societies always have to balance the powers of the state against accountability to the people. Accountability means that public servants and public institutions can be held responsible for their actions, that Governments must explain what they are doing with the taxes they raise, and that individuals know what to do if they have a grievance.”

Remarks were also given by the Hon. Premier, by Professor Ayeni and Dr. Thomas on behalf of the Commonwealth and the I.O.I. respectively. All spoke in glowing terms of Ms. Brock and the wealth of experience she has brought to her new office.

The Governor performed the ceremonial cutting of the ribbon and declared the new office open following which there was a reception and tour of the office.

In related news, Professor Victor Ayeni of the Commonwealth Secretariat and Dr. Hayden Thomas, the first Ombudsman of Antigua and Barbuda, participated in various activities while they were in Bermuda to promote public awareness of the role of the ombudsman. These included press conferences, discussions with several officials, radio and television interviews and a public lecture sponsored by the Bermuda College. Newspaper reports indicate that these were all well received.

OMBUDSMAN INSTITUTION TO BE INCLUDED IN BULGARIA'S CONSTITUTION

The governing coalition in Bulgaria has agreed on a draft bill to amend the national Constitution. Among the amendments in the draft is a provision to include the ombudsman institution in the Constitution. On February 3, 2006, the Bulgarian National Assembly adopted the constitutional amendments on first reading.

ANGOLA OMBUDSMAN OFFICE LAWS APPROVED

The Angolan National Assembly approved the draft Organic Law and Statute of Angola's Ombudsman on February 3, 2006. The Ombudsman of Angola is Mr. Paulo Tjipilika.

For further information see: "Ombudsman Office Law Grants Major Satisfaction to Citizens", *Angola Press Agency (Luanda)* (February 3, 2006) (on-line).

HONG KONG OMBUDSMAN NEWS

After meeting with Members of the Legislative Council in December 2005, the Ombudsman agreed to revise the Office's performance pledge. From April 1, 2006, time will only run when the complainant has given consent for the release and/or obtaining of his personal data, and sufficient *prima facie* evidence to support his complaint is present.

In keeping with the community's increasing expectation of a fair, open and accountable public administration, the Ombudsman is conducting a jurisdictional review to identify possible areas of expansion. The review will revisit the rationale for the current restrictions on the Ombudsman's investigative powers and reexamine the scope of organizations covered by the *Ordinance*. The review will draw from the experience of ombudsman systems and practices overseas.

THE GAMBIA OMBUDSMAN OPENS HUMAN RIGHTS UNIT

The Human Rights Unit, placed within the Office of the Ombudsman of The Gambia, was officially opened in December 2005. Mr. Sam J.O. Sarr, the Ombudsman of The Gambia stated that the rights in the 1948 Universal Declaration of Human Rights act as the guiding principles in the Constitution and laws of The Gambia.

See: A.S. Jatta, "VP launches national human rights unit", *Daily Observer* (December 8, 2005) (on-line).

MUNICIPAL OMBUDSMAN FOR TORONTO, ONTARIO, CANADA

Bill 53, entitled the *Stronger Toronto for a Stronger Ontario Act*, was introduced in the legislature of the Province of Ontario in late 2005. It includes provisions to establish an Integrity Commissioner and an Ombudsman for the City of Toronto.

SCOTTISH PUBLIC SERVICES OMBUDSMAN (SPSO) AND MALAWI

The Scottish Public Services Ombudsman (SPSO) is developing links with the Office of the Malawi Ombudsman. Contact began in 2005 when Alan Msosa, the Chief Investigations Officer of the Office of the Malawi Ombudsman, spent time on an internship with the Office of the Parliamentary and Health Service Ombudsman in London. During that period he paid two visits to the SPSO, and established that there are areas of common interest between the offices in Lilongwe and Edinburgh. The Scottish Executive is promoting a co-operation agreement with Malawi, one strand of which focuses on governance. A cross-party delegation of Members of the Scottish Parliament visited the

Ombudsman's office in Lilongwe during a visit to Malawi in February 2006.

SOUTH KOREA GOVERNMENT BEGINS TO OPERATE A UNIFIED OMBUDSMAN CALL CENTER

The South Korean government will set up a unified telephone call center in early 2007 to process public inquiries and complaints about public administration more quickly. It is expected that the call center will employ 500 operators. In June 2006, the South Korean online ombudsman service will be expanded to cover all national government departments.

For more information see: "Government to operate unified ombudsman call center", *Yonhap News* (February 13, 2006) (on-line).

APPOINTMENTS/RETIREMENTS/ANNIVERSARIES/AWARDS ETC.

ARMENIA

Ms. Larisa Alaverdyan's position as Human Rights Defender of Armenia was terminated pursuant to recently passed amendments to the Constitution. These amendments require that a new Human Rights Defender be elected by Parliament within 30 days after adoption of the amendments. Prior to this the President appointed the Human Rights Defender. Ms. Alverdyan was seen to be a strong critic of the Armenian government's conduct concerning human rights protection.

In early February the Armenian Parliament began to examine the nominees for the position put forward by the governing party and the opposition parties. On February 17, the National Assembly elected Mr. Armen Harutyunyan as the new Human Rights Defender for a six-year term of office. Prior to his election, Mr. Harutyunyan was a constitutional law adviser to the President of Armenia.

CANADA—NEWFOUNDLAND AND LABRADOR

Mr. Fraser March, Citizens' Representative (Ombudsman) of Newfoundland and Labrador, was removed from office by a vote of the provincial legislature that went along party lines in December 2005. The removal was based on issues concerning his travel claims and consulting work performed while serving as Ombudsman that were raised by the province's Auditor General in a report published in January 2005. Mr. March has argued that the conduct of the legislature was politically motivated and has stated that he will be suing the provincial government for wrongful dismissal.

Mr. Robert Jenkins was appointed Acting Citizens' Representative on October 25, 2005.

For further information see: "Sacked by MHAs, March vows lawsuit", *CBC News* December 13, 2005) (on-line); R. Antle, "Marching orders", *The Telegram* (December 13, 2005) (on-line).

CANADA—SASKATCHEWAN

Mr. Kevin Fenwick, Ombudsman of Saskatchewan, received a Queen's Counsel (Q.C.) appointment in January 2006. It is an honorary appointment awarded to lawyers with at least ten years

distinguished experience in the practice of law.

CANADA—DEPARTMENT OF NATIONAL DEFENCE AND CANADIAN FORCES OMBUDSMAN

Katherine Elizabeth (Liz) Nutter Hoffman passed away on January 27, 2006 after battling cancer. During her career she served as Ombudsperson at Carleton University, University of Toronto, Ryerson Polytechnic University and the Ontario College of Art and Design. For the past five years she was a Senior Investigator with the Office of the Department of National Defence and Canadian Forces Ombudsman and was based in Winnipeg. She was a founding member and Past President of the Association of Canadian College and University Ombudspersons. In addition, she was a founding member of The Forum of Canadian Ombudsman and remained actively involved as a member of the Board.

ETHIOPIA

The new Chief Ombudsman of the new Ombudsman of Ethiopia institution is Abay Tekle.

FINLAND

At its meeting in plenary session on January 12, 2006, the *Eduskunta* reappointed Ms. Riitta-Leena Paunio, Licentiate of Laws, as Ombudsman of Finland. Her second term began on January 1, 2006 and runs until the end of December 2009. Ombudsman Riitta-Leena Paunio is the 17th incumbent of the office. She assumed her duties on January 1, 2002.

At its meeting, in plenary session on February 28, 2006, the *Eduskunta* reappointed Mr. Petri Jääskeläinen, Doctor of Laws, as Deputy Ombudsman. His second term begins on April 1, 2006 and runs until the end of March 2010. During his term as Deputy Ombudsman, Dr. Jääskeläinen is on leave of absence from his post as State Prosecutor at the Office of the Prosecutor General. Deputy-Ombudsman Jääskeläinen's doctoral dissertation examines the prosecutor as judge. He has also written presentations and articles on criminal and procedural law.

GERMANY

Ms. Kersten Naumann was voted in as the Chair of the *Bundestag's* Petitions Committee in December 2005. Prior to her entry into politics in 1989 she worked in the agricultural sector. Since 1989 Ms. Naumann has served as a member of the Kyffhäuser County Council, Deputy Chairwoman of the PDS parliamentary group in Thuringia, spokeswoman on agriculture for the PDS in the *Bundestag* (1998-2002) and a member of Thuringia Land Parliament representing the PDS. In 2005 she was elected to the *Bundestag* as a member of the Left Party.

HONG KONG

Mr. Frederick Tong and Mr. Tony Ma, Assistant Ombudsmen, have both been reappointed for three-year terms, effective from April and June 2006 respectively.

JAMAICA—CHILDREN’S ADVOCATE

Ms. Mary Clarke has been appointed by the Minister of Health, effective January 1, 2006, as the first Children’s Advocate of Jamaica. The position is established under Jamaica’s new *Child Care and Protection Act* which entered into force in 2004. Prior to her appointment, Ms. Clarke was an educator and former senior projects personnel with the Planning Institute of Jamaica. The powers of the office include investigating complaints brought on behalf of children. The Children’s Advocate reports to Parliament and the public.

KOSOVO

On December 28, 2005, the UNMIK Special Representative of the UN Secretary-General appointed Hilmi Jashari as the new Kosovo Human Rights Ombudsperson. He assumed his duties on January 1, 2006. Mr. Jashari is the first Kosovo Albanian appointed to the position. Prior to his appointment he served as Deputy Human Rights Ombudsperson.

He replaces Marek Antoni Nowicki, a Polish national, whose mandate ended on December 31, 2005.

MALTA

Chief Justice Emeritus Joseph Said Pullicino was appointed Ombudsman of Malta in December 2005 for a five-year term. Prior to his appointment, Dr. Said Pullicino served as Chairperson of Malta’s Broadcasting Authority. He retired from the judiciary in 2002 after serving as Chief Justice since 1995. Dr. Said Pullicino obtained his doctorate in law in 1961.

He replaces Mr. Joseph Sammut as Ombudsman who served in office as the first Ombudsman of Malta for ten years.

MOROCCO

The King Of Morocco appointed Moulay Mhamed Iraqi as *Wali* (Governor) of the *Diwan Al Madhalim* (Ombudsman) in February 2006.

NEW ZEALAND

Former Ombudsman of New Zealand, Judge Anand Satyanand, has been appointed Registrar of Pecuniary Interests. The Registry lists monetary interests and assets of New Zealand’s MPs.

POLAND

Mr. Janusz Kochanowski was elected Civil Rights Protector (Ombudsman) of Poland in late January 2006. Prior to his election, Mr. Kochanowski was the President of the Ius et Lex Foundation and had been a European Parliament candidate representing the governing Law and Justice Party. He is a lawyer by training and has a doctoral degree. Professor Andrzej Zoll is the outgoing Civil Rights Protector.

TRINIDAD AND TOBAGO

Ms. Lynette Stephenson has been appointed the new Ombudsman of Trinidad and Tobago for a five-year term. Prior to her appointment she served as Solicitor General of the nation. Ms. Stephenson replaces Mr. Justice George Edoe as Ombudsman.

U.S.A.—MICHIGAN

The Governor of Michigan has appointed Ms. Verlie Ruffin as the new Children's Ombudsman of Michigan. Prior to her appointment, Ms. Verlie served for twenty years as Associate Director of the Michigan Federation for Children and Families. She replaces Lynne Martinez.

U.S.A.—MISSOURI

Mr. Stephen Morrow was appointed by the Governor, subject to Senate confirmation, as Missouri's Child Advocate in January 2006. Mr. Morrow is the former Vice-President for Student Development at Southwest Baptist University and ran for Congress as a Republican in 2004. The position of Child Advocate was created in 2004 state legislation and covers conduct of the Departments of Social Services and Mental Health and the Juvenile Court. The Child Advocate reports to the commissioner of the Office of Administration.

PAST/UPCOMING CONFERENCES AND COURSES

APRIL 2-5, 2006—FIRST ANNUAL CONFERENCE OF THE INTERNATIONAL OMBUDSMAN ASSOCIATION (IOA)—LA JOLLA AND SAN DIEGO, CALIFORNIA

The First Annual Conference of the International Ombudsman Association (IOA) will be held on April 2 to 5, 2006 at the La Jolla Marriott Hotel and the University of California, San Diego. For more information on the conference please contact Shawna Wilker, Director of Meetings, at: <swilker@association-partners.com> or call 1-908-359-0246.

JULY 2006—INTERNATIONAL OMBUDSMAN ASSOCIATION (IOA) TRAINING AND EDUCATION COURSES—MONTREAL, CANADA

The International Ombudsman Association (IOA) will be holding ombuds training and education courses in Montreal, Quebec, Canada in July 2006. For further information please contact the IOA at <info@ombuds-toa.org> or call 1-908-359-0246.

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>.

I.O.I. PUBLICATIONS

(2004) VOLUME 8 OF THE INTERNATIONAL OMBUDSMAN YEARBOOK

Work is underway on the compilation of (2004) Volume 8 of *The International Ombudsman Yearbook*. As of this date three articles have been accepted for publication: “The Role of Administrative Courts and Ombudsmen in France and Malta: A Review of Two Contrasting Systems” by Cécile Plaidy and Ivan Mifsud; “The Ombudsman and the Rule of Law” by John McMillan; and “Administrative Mediation and Ombudsmen: An Encounter With Normativity” by Marie-José Chidiac.

OMBUDSMAN BIBLIOGRAPHY PROJECT AND OTHER I.O.I. WEB SITE PROJECTS

Work has begun on compilation of a Bibliography containing secondary sources in the English language—books, book chapters, academic articles etc.—on the ombudsman which will be posted on the I.O.I. web site when it is completed (with any links where available). Given the number of publications on the theme, it is expected that the compilation of this Bibliography will take a number of months. It is expected that the Bibliography will be published in late summer. The Bibliography will be updated annually. In addition, 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.

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 (2004) Volume 8 of *The International Ombudsman Yearbook* and news items for the June 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:

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