

No. 1(13)/AOA/2004

Islamabad, the 31st July, 2004

From: Zaheer ud Din Babar,
Executive Secretary,
Asian Ombudsman Association,
Headquarters,
Islamabad, Pakistan.

To: All members of the Association

Subject: **Minutes of the Meeting of the Board of Directors of the AOA on 26-04-2004,
at Seoul, Republic of Korea**

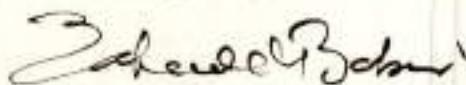
Excellency,

Minutes of the meeting of the Board of Directors of the Asian Ombudsman Association, held on 26th April, 2004, at Seoul, Republic of Korea, along with annexure, are forwarded for information and necessary action at your end (if any).

Please confirm the receipt of e-mail at your earliest convenience.

With regards

Yours sincerely,


(ZAHEER UD DIN BABAR)

MINUTES

MEETING OF THE BOARD OF DIRECTORS OF THE ASIAN OMBUDSMAN ASSOCIATION (AOA) 26-04-2004 SEOUL, REPUBLIC OF KOREA

Agenda Item No.1

Approval of the minutes of the last meeting of the Board of Directors held at Macao, SAR, People's Republic of China, from 20-21 October, 2003

The President requested the Board to consider and approve the minutes of the last meeting of the Board of Directors held at Macao (SAR), People's Republic of China, from 20-21 October 2003.

DECISION

2. The Board unanimously approved the minutes of the last meeting of the Board of Directors held at Macao (SAR), People's Republic of China, from 20-21 October 2003 (Annex-A/Page. 17-32).

Agenda Item No.2

Approval of draft Agenda for the present Meeting of the Board of Directors of the AOA

3. The President requested the Board to consider and approve the draft Agenda (Annex-B/ Page. 33) for the Board of Directors' meeting.

DECISION

4. The Board unanimously approved the draft Agenda of the meeting of the Board of Directors of the AOA scheduled at Seoul, Peoples Republic of Korea, on 26th April 2004 (Annex-B/ Page. 33).

Agenda Item No.3

Approval of the draft Resolution for General Assembly regarding membership of the AOA of: -

- i. **Commissioner for Human Rights of the Republic of Azerbaijan;
and**
- ii. **Provincial Mohtasib (Ombudsman) Balochistan, Pakistan.**

5. The Board in its last meeting unanimously endorsed the membership of the two applicants as they met the requisite criteria for membership and decided that their case be placed before the General Assembly for ratification in the next session.

6. Consequently, Draft Resolution (Annex-C/Page. 34) for ratification of the Board's decision regarding acceptance of the two applicants as members of the AOA by the General Assembly was placed before the Board for approval to be placed before the General Assembly for consideration/ ratification.

DECISION

7. The Board unanimously approved the Draft Resolution (Annex-C/ Page. 34) for placing before the General Assembly for consideration/ ratification.

Agenda Item No.4

Election of the new Board of Directors of the Asian Ombudsman Association

8. The President informed the Board that the term of the present Board of Directors is ending on 19th July 2004, vide Resolution No. 4 dated 24-05-2002, of the General Assembly of the A.O.A and there may not be another possibility for the Board of Directors and the General Assembly to meet before that date. Consequently, it has been decided to hold the elections of the Board of Directors in the session of the General Assembly convened on 29-04-2004. Accordingly, in terms of Clause II Sub-Clause 2-1 and 2-2 of the Code of Conduct of Business of the Association, the nominations for all offices of the Board were invited vide Notice dated 19th February, 2004. The Executive Committee of the Board of Directors consisting of the President, the Vice President and the Secretary, duly assisted by the Executive Secretary, scrutinized the Nomination Papers and confirmed the eligibility of the panel of candidates as required under (Clause 2-6 of the Code of Conduct of Business of the AOA). The list of eligible voters was also prepared and the host of the General Assembly meeting has very kindly made all the necessary arrangements to ensure smooth holding of the elections.

9. Secretary of the A.O.A. informed the Board that for the following positions only one nomination and secondment each have been received as of 26-04-2004.

(a) PRESIDENT	Pakistan
(b) VICE PRESIDENT	Philippines
(c) SECRETARY	Hong Kong
(d) TREASURER	Republic of Korea

10. For the position of member, the following nominations and secondments have been received: -

1. Japan	4. Macao
2. Malaysia	5. Sri Lanka
3. Iran	6. China

11. The member from Iran said that every member has a right to convey its nomination and secondment three days before the commencement of the General Assembly. Before nominations a member has to lobby with the members to generate support in his favour. Since, Iran is a candidate for the position of the Vice President, time should be allowed to put up the nomination papers as the Code of Conduct allows at least three days for the nominations to reach the President before the date set for the General meeting.

12. The President said that since the closing date for submission of nominations for the next elections is 26.4.2004, and the General Assembly is to meet on 29-04-2004, to hold the elections, there should be no problem for any member to submit nomination papers till 5.P.M on 26-04-2004. The Secretary said that the final list of the candidates and the voters would be ready before the close of the day for circulation to the members.

13. The draft Resolution for the election of the new Board of Directors to be placed before the General Assembly for consideration/ ratification.

DECISION

14. It was unanimously agreed that: -
- (i) all those members who wished to submit their nominations for the forthcoming elections on 29-04-2004, should do so by 5 P.M on 26-04-2004, i.e. the closing date for filing of the nomination papers, as required vide notice dated 19-02-2004.
 - (ii) In future the closing date for submission of nomination papers shall be three clear days before the date of elections as stipulated vide Code II (2-5) of the Code of Conduct of the AOA.
 - (iii) the draft Resolution (Page. 63-64) in connection with the election of the new Board of Directors be placed before the General Assembly for consideration/ ratification.

Agenda Item No.5**Consideration of the report of the Sub-Committee of the Board of Directors of the AOA on grant of scholarships and financial support to individuals who intend to carryout research/ study in the field of Ombudsmanship in member countries (Follow up action Agenda Item No. 5 of Board's meeting held in 2003 at Macao)**

15. The Board in its last meeting held at Macao from 20-21 October, 2003, unanimously agreed to the constitution of a Sub-Committee consisting of Ms. Alice TAI, Ombudsman of Hong Kong (Convenor); Dr. Lee Wun-Hyoung, Chief Ombudsman of Republic of Korea; Mr. Cheong U, Commissioner Against Corruption, Macao and Mr. Simeon Marcelo, Ombudsman of Philippines, to determine the scope of the proposal and the modalities of its implementation. All the members of the Association and the Board were required to send their proposals to the Convenor with copies to the AOA Headquarters by the 15th January, 2004, regarding areas of research studies, their scope and the modalities of their implementation for consideration of the Sub-Committee.

16. In spite of repeated reminders to the members, proposals were only received from Wafaqi Mohtasib (Ombudsman)'s Secretariat, Pakistan; Federal Tax Ombudsman, Pakistan; Provincial Ombudsman Sindh, Pakistan; Office of the Ombudsman, Hong Kong; Office of the Chief Ombudsman, Republic of Korea, Office

of the Director General, Administrative Evaluation Bureau Japan and Office of the Ombudsman, Philippines.

17. The meeting of the Sub-Committee of the AOA was held on 19-20 February 2004, at Islamabad, Pakistan, which was attended by Ms. Alice TAI, Ombudsman of Hong Kong/ Secretary AOA; Ms. Wai Fong TOU, Deputy Commissioner, Commission Against Corruption, Macao; Ms. Teresa VELOSO, Legal Advisor, Commission Against Corruption, Macao and Mr. Zaheer ud Din Babar, Executive Secretary AOA. Draft Report was prepared in the light of proposals received from the member countries/ regions and circulated for the comments of the members. No comments were received from any member as of 26-04-2004.

18. However, the Board of Directors was requested to consider the Report (Annex-D/ Page. 35-45) of the Sub-Committee of the AOA.

19. The Secretary of the AOA, pointed out the inadequate response from the members and emphasised the need for exchange and sharing of information between the members to benefit from each other's experiences. The Philippines promised to send its report in the near future. Iran suggested that it should be left open to the members whether they like to send their comments/reports or not. The President clarified, that in case any member wished to contribute something it could do so otherwise there is no compulsion.

20. The Secretary of the AOA, briefly explained the main features of the report. She said that the paper is the result of the deliberations by the committee based on the input from members quoted above. The objective of the committee was to invigorate the AOA in order to meet its objectives.

21. The President said that the AOA is in its 8th year of existence. We have discussed our experiences in various meetings, but we have yet to put our objectives in practical terms as a professional body for our collective benefit. We have tried to share our systems to learn from each other's experiences.

22. The member from Iran said that we should adopt a system, which could be beneficial to all the members. He said that, all the existing members have either structural problems or procedural problems. We should ask all the members about

their means to support any research or project. Based on the above information, we should evolve a model Ombudsman institution and introduce it to other countries for replicating it considering its suitability to their own environment. However, to begin with we may ask the members as to what kind of research can be carried out by them.

- (i) The Secretary AOA said that, presently, we have 21 members. As Convener of the Sub-Committee, we look up to the Board for leadership and show to other member countries what we have done and what we propose to do. At the end of the day, each member has to decide which system he can benefit from. We can only put up the material and members can benefit from it. The more input we have from the members the more material we can provide to benefit from.
- (ii) The President said that each member of the AOA has a distinct system, but we all have the same objective i.e. to curb mal-administration and to protect the rights of the citizens. Therefore, there is a need for research in the existing systems so that better things could be identified to be replicated in our systems considering our respective environments. Consequently, we have to be on the lookout as to what should be the subject of research, which could be beneficial for most of the members. We need to explore the avenues for generating funds for such research. Proposals have been given in the paper, which the members may like to read and give their suggestions for further improvements.

DECISION

23. The Board unanimously approved the report of the sub-committee with focus on the points mentioned by the President.

Agenda Item No.6**Consideration of working paper on making the Ombudsman/ like Institutions more independent and autonomous in their working for greater efficiency and credibility (Follow up action Agenda Item No. 8 of Board's meeting held in 2003 at Macao)**

24. The Board in its last meeting held at Macao from 20-21 October, 2003, unanimously approved that each member of the Association should submit a self-contained paper on the Financial and Administrative Dispensation under which their respective Organizations were functioning, the extent to which these met the criteria of autonomy and independence, and improvements, if any, proposed to be reflected therein. These papers were required to be submitted to the AOA Secretariat by the 15th February 2004, for preparing an integrated working paper for the information and consideration in the next meeting of the Board of Directors. In spite of repeated reminders by the AOA Secretariat, papers were only received from Ombudsman's Office of Hong Kong, Office of the Commissioner Against Corruption Macao, Federal Tax Ombudsman of Pakistan, Provincial Ombudsman Sindh, Pakistan, Lokayukt, Madhya Pradesh, India and Wafaqi Mohtasib (Ombudsman) Pakistan. However, on the basis of proposals received from the above quoted members, the AOA Secretariat has prepared a draft integrated working paper (Annex-E/ Page. 46-49).

- (i) After the President briefly explained the background of the proposal and conclusions of the draft working paper, he requested the Board to consider the draft working paper.
- (ii) The Secretary requested the members who had not submitted their papers to do so now so that AOA could be energised and the objectives given in the Bye- Laws and the Code of Conduct could be achieved. She further said that less than 1/3rd of the members and even less than half of the Board's members provided the requisite information.
- (iii) The member from the Philippines expressed his satisfaction over the present Financial and Administrative dispensations under which they were presently working and also regretted not having provided the

requisite material to the AOA secretariat earlier and requested for some more time for submission of the paper.

- (iv) The member from the Republic of Korea said that it was on account of change at the top in the Ombudsman's office in their country that the paper could not be sent in time.
- (v) The member from Iran said that they have an independent office, which submits its budget to the management and budget department. They have 18 sub- organisations in 18 provinces, which are working independently. Their office has the authority to inspect the government departments, which are within their purview.
- (vi) The Secretary AOA, said that we only want to make this organisation relevant which was the reason for her requesting the members for a response.
- (vii) The member from Iran said that if the Board had created a format it would have been a lot easier to obtain the requisite material from a country as the reason for collecting this information were not clear. This type of research topic should not give impression of an intrusion in the system of another country and should not be mandatory also. Rather, it should be in the form of a request on a prescribed format or questionnaire.
- (viii) The President said that nowhere in the working paper a uniform system has been suggested for all member countries. Each institution of the ombudsman is the product of the legal and administrative structures existing in a country. The intention is not to prescribe solutions across the board for member countries, but to bring to their notice the systems prevailing in the member countries so that they might like to incorporate certain good things in their systems. No proposal as such has been made to prefer a certain system over the dispensations under which some other country's function.
- (ix) Regarding the Iranian proposal that a questionnaire should have been drafted for obtaining material for research, the President said that

although questionnaires are useful for focussing the issue and determining the parameters for research, yet could be restrictive which is not the objective of the proposed research.

- (x) Regarding Malaysia's point for incorporating best practices of an institution to enhance the efficacy of our own systems, the President said the best practices are to be gleaned from various papers and benefits drawn in the context of our respective environments.
- (xi) The Secretary AOA on a point raised by the member from Malaysia as to how to make the ombudsman's institution more effective said, that a detailed discussion on this point at this level will not be appropriate as we are at present in the initial stage of our existence. For the present, if the Board could only provide material for an academic research that would be a big step. It would be at a later stage that we can take up the matter in detail.
- (xii) The member from Iran said that requisite information could be provided but it should not be made mandatory.
- (xiii) The Secretary said that when we requested the Board to contribute, it was with a confidence and the degree of cooperation that we expect from it.
- (xiv) The member from Macao said that in the last meeting, we wanted to make the AOA, more dynamic. We are happy that the A.O.A is trying to increase its membership. The working paper prepared by the Sub-Committee could be very useful in improving the working of the AOA. He hoped that the remaining members would send their respective contributions to the AOA Head Office which would issue a newsletter to this effect.

DECISION.

25. It was unanimously agreed that those members of the Board who wish to send their papers could do so now. After the papers have been received, the AOA Secretariat should make a gist of these papers and circulate it to all the members to make use of it in the manner they want.

Agenda Item No.7**Consideration of working paper on creating awareness among general public about effectiveness and usefulness of the office of Ombudsman in the society (Follow up action Agenda Item No. 9 of Board's meeting held in 2003 at Macao)**

26. The Board in its last meeting held at Macao from 20-21 October, 2003, unanimously approved that country specific papers on creating awareness about the powers, functions and jurisdiction of the Office of the Ombudsman (Ombudsman like institution) should be submitted to the AOA Secretariat by 15th February, 2004, indicating the existing position and pointing out the improvements/ modifications needed, if any. The essence of these would be integrated into a paper by the Secretariat for consideration of the Board in the next meeting. In spite of repeated reminders by the AOA Secretariat, contributions were received only from Office of the Ombudsman of Hong Kong; Office of the Commissioner Against Corruption, Macao; Federal Tax Ombudsman of Pakistan and Wafaqi Mohtasib (Ombudsman) Pakistan. Based on the papers received from the above-mentioned members, the AOA Secretariat has prepared a draft working paper.

27. After the President briefly gave the background and conclusion of the report of the sub- committee, he requested the Board to consider the draft Working Paper (Annex-F/ Page. 50-53).

DECISION.

28. It was unanimously decided to circulate the paper prepared by the sub-committee to all the members to benefit from it in the manner they like.

Agenda Item No.8**Invitation and consideration of the proposals (if any) for holding 9th and 10th AOA Conferences**

29. Keeping in view the commitments of some member countries of the AOA, who are also active members of the IOI, change in the schedule of AOA conference from even to odd years without prejudice to the next conference was suggested by the Secretary AOA, Ms Alice TAI, during the Board of Directors' meeting in 2003. The issue as to when the first biennial odd year conference should be held, also came up. The choice was between the years 2005 and 2007. In this context, it was felt

that the year 2005 would be preferable as year 2007 was a long way off and members could loose interest by then.

30. The Board in its meeting held on 20-21 October 2003, at Macao, decided that: -

- (i) efforts would be made to hold the conference in the year 2005, in Malaysia or Thailand;
- (ii) in case it is not possible to hold the conference in the year 2005, being too close, then Malaysia would be requested to be the host in the year 2007; and
- (iii) matter regarding the venue of the Conference in 2005, should be placed before the General Assembly for consideration/approval, if required by the Bye-laws/Code of Conduct of the AOA.

31. As of 26-04-2004, no formal response/ proposal either from Malaysia or Thailand, in connection with, holding of General Conference in 2005 or 2007, was received by the AOA Secretariat.

32. The Board of Directors was requested to discuss the issue and even consider inviting fresh proposals from the member countries regarding holding of the General Conference in 2005, Board's meeting in 2006 and the General Conference in 2007. On receipt of formal proposal and finalizing the hosts of the next Conference/ meeting, a draft Resolution will be submitted to the General Assembly for consideration/ ratification.

33. The Secretary AOA, said that a formal reply from Thailand, has been received. In view of the political changes in the country, it is not possible for it to host the conference in 2005.

34. The representative of Malaysia stated that subject to confirmation of his government, the Conference of 2007 would be hosted by them.

35. The Secretary AOA, said that since it is not possible for Thailand, to host the conference in 2005, Hong Kong offers to host the next conference in 2005.

36. The President expressed his and the Board's gratitude to Hong Kong, for the offer to hold the next General Assembly meeting in Hong Kong and to Malaysia for offering to do so in 2007.

DECISION

37. (a) It was decided that the next meeting of the General Assembly would be hosted by Hong Kong, in November or December 2005. Draft Resolution to this effect to be placed before the General Assembly for consideration/ ratification (Page-66) was approved.

(b) It was further decided that Subject to confirmation within six months time from Malaysia, the Conference in 2007, would be held in Malaysia, in May or June 2007.

Agenda Item No.9

Payments of outstanding dues by the Association's members

38. While discussing the schedule of the outstanding dues from the Association's members in the Board of Directors' meeting in 2003, it was unanimously decided that the letters to the members would be issued by the Secretary AOA for meeting their financial obligations at the earliest, failing which invocation of the relevant clauses of the Bye-laws and Code of Conduct of Business of the AOA could jeopardize their membership of the Association and also their right of vote in the elections for the membership of the Board in the next meeting. In case of Iraq, it was decided that the matter be taken up on return of normalcy to that country. As to Maldives, it was decided that since it has not been paying the Annual Membership Fee of the AOA since inception, a letter be issued to it and all other members to meet their up-to-date financial obligations by 30-12-2003, failing which relevant provisions of the Bye-Laws and the Code of Conduct of Business would have to be invoked and the case placed before the General Assembly for a decision.

Accordingly, the Secretary AOA, issued reminders to the defaulters including Maldives requesting therein for clearance of outstanding dues.

- (i) Updated schedule of the outstanding dues as of 24.4.2004 (Annex-G/ Pg.54-55), was placed before the Board for information and consideration.
- (ii) The member from Iran said that our objective has been to attract more members; therefore, it would not be advisable to strike out the members for US\$1000 i. e. the Annual Membership Fee, as it would not be conducive to the growth of the Association. In International Associations the practice is that the defaulting members lose the right to vote but not the membership.
- (iii) The President, said that in this session we are only taking up a position to be put up to the General Assembly.
- (iv) The Secretary AOA, said that the IOI struck out 47 members for non-payment of IOI dues. We would like to have members but we would also like to have members who could contribute. She proposed that the matter should be put up before the General Assembly for a decision.
- (v) The member from Malaysia said that in the last meeting we decided to have more members. Striking the members out for non payment of dues could discourage them from coming back to the AOA as it could be embarrassing for them. He proposed that rather than striking them out, they should not be allowed to vote and also precluded from nominating or seconding any candidate. He further said that the defaulters should not be allowed in the conference.
- (vi) The member from the Philippines said that the defaulted member is inactive. The membership can be resumed on payment of dues. He proposed that the matter should be brought before the General Assembly for a decision.

- (vii) The President said that the other two viewpoints of Iran and Malaysia should also be reflected in the proposal for the General Assembly in the form of a draft to be placed before it.
- (viii) The member from Iran referred to the Bye- Laws of the AOA, which stipulate that Annual Fee is to be paid in the account of the AOA and cheque paid on the last date fixed for filing of the nominations for elections to the Board, should not be accepted and the member be held as ineligible.
- (ix) The Secretary AOA asked as to which Bye- Law the member from Iran was referring to. In response the member stated that he was not referring to any Bye- Law of the AOA but to a principle of General Law as such.
- (x) The Secretary said that the method of payment has not been specified in the Bye-Laws or the Code of Conduct of the AOA. We have not had any problem of dishonoured cheques so far. In case the cheque is not honoured, we can always reserve the right to take action against that member.
- (xi) The member from Iran said that in case a cheque is dishonoured, would the elections be required to be held afresh? It may become a precedent and everybody would be presenting cheques at the last moment.
- (xii) The member from Malaysia said that if the cheque has the backing of the government, then it should be accepted.
- (xiii) The member from the Philippines said that the cheque could have been delivered earlier, but on account of the visit of some delegations, the matter got delayed. Therefore, it was considered safe to make the payment personally.

- (xiv) The member from Iran said that it was not the action of a particular member that was being discussed, but a principle. If the amount has not been credited in the AOA account then the cheque is not money but just a piece of paper.
- (xv) The member from Malaysia said that the clearance of cheques sometimes takes a long time. Therefore, we have to accept the cheques presented as valid.
- (xvi) The member from Iran objected to the confirmation of the Philippines as a candidate for the Vice President's position without clearance of the cheque.

39. The President then put the matter before the Board whether a cheque presented to the Secretary or the Executive Secretary on the closing day of the nominations is a valid document in terms of the AOA Bye- Laws for proof of payment of outstanding dues enabling a member to contest elections. All the members, except Iran, confirmed that a cheque so presented was valid.

DECISION

40. It was decided that: -
- (i) the cheque presented by the Philippines to the Executive Secretary of the AOA as payment of dues was valid and payment is to be considered as having been made.
 - (ii) a new Bye-Law 5(11), authorising the General Assembly to suspend the membership of those members who are in default of payment of their membership fee be incorporated in the Bye-Laws of the AOA. Draft Resolution (Page-69) to this effect was approved for placing before the General Assembly for consideration/ ratification.

Agenda Item No.10

Consideration and approval of the Financial statements of the AOA Accounts for the period from 16th October, 2003 to 24th April, 2004

41. The financial statements of the accounts of the AOA, including income and expenditure statements and balance sheets as of 24th April 2004, prepared by the AOA

Secretariat (Annex-H&I/Page. 56-57), were placed before the Board for consideration and approval to be put up to the General Assembly for consideration/ ratification.

DECISION

42. The Board noted with satisfaction the financial statement as of 24-04-2004. The Philippines requested that the cut off date for the financial statement should be 26-04-2004, and circulated to the members. Draft Resolution (Page. 67) to this effect was approved for placing before the General Assembly for consideration/ ratification.

Agenda Item No.11

Approval of the Conference arrangements and Agenda of the General Assembly meeting

43. The host of the 8th AOA Conference, Republic of Korea, has finalised the programme/ arrangements for the meeting of the Board of Directors and the General Assembly (Annex-J/ Page. 57-61).

44. The programme along with the Agenda for the General Assembly (Annex-K/ Page.62), was submitted to the Board of Directors for consideration and approval.

DECISION

45. The Board unanimously approved the programme /arrangements of the meetings of the Board of Directors and the General Assembly.

Agenda Item No.12

Any other item, which any member of the Board of Directors may like to discuss

46. No other item was discussed.

MINUTES**OF THE MEETING OF THE BOARD OF DIRECTORS
OF THE A.O.A HELD AT MACAO (SAR)
PEOPLE'S REPUBLIC OF CHINA
FROM 20-21 OCTOBER 2003****IN ATTENDANCE**

- President:** Mr. Imtiaz Ahmed Sahibzada
Federal Ombudsman
For Pakistan
- Secretary:** Ms. Alice TAI Yuen-Ying
Ombudsman of the Hong Kong
- Treasurer:** Mr. LEE Wun Hyoung
Ombudsman Republic of Korea
- Executive Secretary:** Mr. Zaheer ud Din Babar
Federal Secretary, Pakistan
- Members:** Mr. Kong Xiangren
Deputy Director General
Ministry of Supervision
People's Republic of China.
- Mr. Watarai Osamu
Director of the Administrative Counselling
Division, Japan.
- Mr. Haji Khalid Bin Ibrahim
Deputy Director General of the
Public Complaints Bureau,
Malaysia.
- Mr. Margarito GERVACIO, JR
Over-All Deputy Ombudsman
Republic of Philippine.
- Mr. Cheong U
Commissioner Against Corruption, MACAO,
SAR, China.

The President of the A.O.A welcomed the delegates. Thereafter, the Agenda items were discussed. Decisions on the Agenda items are given below each item.

AGENDA ITEM NO.1

**APPROVAL OF THE MINUTES
OF THE LAST MEETING OF THE BOARD OF DIRECTORS
HELD AT BEIJING, PEOPLE'S REPUBLIC OF CHINA,
ON 21ST MAY 2002.**

The President requested the Board to consider and approve the minutes of the last meeting of the Board of Directors held at Beijing, Peoples Republic of China on 21st May 2002.

DECISION

2. The Board unanimously approved the minutes of the last meeting of the Board of Directors held at Beijing, Peoples Republic of China on 21st May 2002.

AGENDA ITEM NO. 2

**APPROVAL OF DRAFT AGENDA FOR THE
PRESENT MEETING OF THE BOARD OF DIRECTORS
OF THE A.O.A.**

3. The President requested the Board to consider and approve the draft Agenda (Annex "B") for the present Board of Directors meeting.

DECISION

4. The Board unanimously approved the draft Agenda of the meeting of the Board of Directors of the A.O.A scheduled at Macao, SAR, Peoples Republic of China on 20-21 October 2003.

AGENDA ITEM NO. 3

**DISTRIBUTION OF APPROVED PRINTED COPIES OF BYE-LAWS
AND CODE OF CONDUCT OF BUSINESS.**

5. The General Assembly of the A.O.A in its meeting held on 21st May, 2002, vide resolution No.2 & 3, resolved to accord its approval to the revised Bye-Laws and the Code of Conduct of Business of the Asian Ombudsman Association. Accordingly,

these were printed and dispatched to all the members. The Board was informed that, all the members have received the printed copies of the Bye-laws and the Code of Conduct of Business of the A.O.A and the item had been included on the Agenda for the information of the Board.

DECISION

6. The Board noted the action taken by the Secretariat.

AGENDA ITEM NO. 4

CONSIDERATION OF APPLICATIONS FOR MEMBERSHIP FROM:-

- (i) **COMMISSIONER FOR HUMAN RIGHTS OF THE REPUBLIC OF AZERBAIJAN.**
- (ii) **PROVINCIAL MOHTASIB (OMBUDSMAN) BALOCHISTAN, PAKISTAN.**

7. The President informed the Board, that, both the applicants are eligible under the existing criteria prescribed by the relevant Article of the Code of Conduct and they have also paid the application-processing fee.

8. The Board of Directors was requested to recommend to the General Assembly of the A.O.A, the acceptance of their applications for the membership of the A.O.A.

9. The Secretary, A.O.A and the member from Philippines, raised the issue whether authority for according approval in those cases where the applicants meet the criteria of membership should vest in the Board of Directors with the matter being referred to the General Assembly for information.

10. The President said that under the existing rules the application for membership needs first to be considered by the Board of Directors, and decision of the Board is then referred to the General Assembly for ratification. He suggested that where the Board approves the application for membership for recommendation to the General Assembly for consideration/ ratification, the applicants should be informed accordingly and invited for prospective conferences as provisional members.

DECISION

11. The Board unanimously endorsed the membership of the two applicants and decided that their cases be placed before the General Assembly for ratification during the next session and they be informed accordingly.
12. Invitations should be extended to both the applicants, as provisional members, to attend the next General Assembly Session.

AGENDA ITEM NO.5**GRANT OF SCHOLARSHIPS AND FINANCIAL SUPPORT
TO INDIVIDUALS WHO INTEND TO CARRY OUT RESEARCH/ STUDY IN THE
FIELD OF OMBUDSMANSHIP IN MEMBER COUNTRIES**

13. It was proposed to the Board, that to promote the idea of Ombudsmanship in the member countries of the A.O.A, individuals who are interested in carrying out specific studies/ research work in the field may be encouraged to do so through grant of scholarships and financial support. For this, members would have to convince their respective Governments/ Universities/ Institutions for monetary support. It was proposed that a Sub-committee of the Board may be constituted to determine the scope of the proposal and the modalities of its implementation for presentation to the next meeting of the Board.
14. The Secretary A.O.A observed that the proposal should only be put up to the General Assembly if sufficient interest in it has been exhibited. In this context she was informed by the President, that the Office of the Ombudsman in Pakistan had received a number of requests which could not be entertained for want of funds.
15. The Member from Philippines stated, that they have a programme for students who want to undertake research on the subject of corruption under which relevant material and assistance is provided. Where the theses of research are upheld by the Universities, the students are financially rewarded with substantial amounts.

16. The Member from Macao said that he agreed to the proposal and wanted it to be circulated to all the members of the Association for their views. He also offered appropriate financial support from the Macao Foundation for the proposed research.

17. The President pointed out that the proposal under consideration essentially related to the nomination of a sub-committee to determine the areas of research, their scope and the modalities of implementation. The issue of the extent of financial resources needed for the purpose could only be determined after this exercise had been undertaken.

18. The Member from Macao agreeing to the proposal offered his services as a Member of the sub-committee.

19. The Member from Philippines also supported the proposal of constituting a sub-committee and, while supporting Macao for the purpose, offered his services as a member thereon.

20. The President suggested, that the Ombudsman of Hong Kong should also be on the Committee both as a Member and its Convenor.

21. The Member from the Republic of Korea supported the proposal of a sub-committee and undertook on behalf of his country to favourably consider financially supporting its work and also ultimately of providing appropriate financial resources for the research work to be conducted. He further suggested, that a visit to the A.O.A Headquarters in Pakistan by the Members of the sub-committee in January 2004 for a meeting would be useful in further discussing different aspects of the proposal and firming up a Working Paper for the next Board of Directors meeting. Since the financial implications of research studies to be conducted had also to be worked out, it was observed by the President that the Member from the Republic of Korea would also need to attend the proposed meeting in Pakistan. In this context it was also observed that to make a meeting of the sub-committee a success the Members of the Board and the A.O.A should be requested to provide their proposals with regard to the subject matter of the research studies, their scope and the modalities of their implementation within a month of the receipt of the minutes.

Since the proposed meeting is likely to be scheduled at the end of January 2004, it would be appropriate if the proposals in this regard were to be submitted to the Headquarters by the middle of January 2004.

DECISION

22. (i) The Board unanimously agreed to the constitution of a sub-committee of representatives of Hong Kong (Convenor), Macao and Philippines as members. The meeting of the sub-committee would be held in Islamabad, Pakistan, at the end of January 2004, the dates of which would be fixed by the Convenor in consultation with the members and the A.O.A Headquarters.
- (ii) All members of the A.O.A and the Board should send their proposals to the Convenor with copies to the A.O.A Headquarters by the 15th January, 2004, regarding the areas of research studies, their scope and the modalities of their implementation for consideration of the sub-committee.
- (iii) The Ombudsman of the Republic of Korea would attend the meeting of the sub-committee in Pakistan as Treasurer of the Association for working out the financial implications of the proposal and suggesting possible ways of mobilizing resources for it.

AGENDA ITEM NO. 6

INVITATION TO JOIN THE A.O.A.

23. It was proposed to the Board that to achieve the objectives of the A.O.A in a more effective manner, efforts need to be continued to increase its membership. For this purpose all members of the Association should identify institutions in the region to be requested to join the A.O.A. In this context it was pointed out that the President A.O.A had already used his good offices through the Embassies of Pakistan in all Asian countries. So far, response from Pakistan Embassies in Azerbaijan, Kyrgyz Republic and Brunei Darussalam have been received to the effect that Ombudsman-like institutions exist in these countries. These have been contacted to join the Association. In two countries i.e. Lebanon, and Bangladesh, the establishment of the institution of Ombudsman is under process. Commissioner for

Human Rights for Republic of Azerbaijan has submitted an application for membership of the A.O.A. However, each member of the Association needs to use his good offices to expand the membership of the Association.

24. The Board was informed by the President about the efforts made so far for any further action as deemed appropriate.

DECISION

25. The Board noted with satisfaction the efforts made by the A.O.A Secretariat to increase the memberships of the A.O.A and desired that Members should continue to use their good offices in this regard.

AGENDA ITEM NO.7

DEVELOPING A COMPREHENSIVE MANAGEMENT INFORMATION SYSTEM TO FACILITATE DATA COLLECTION FROM MEMBER COUNTRIES AND TO EXCHANGE INFORMATION FOR RESEARCH AND DEVELOPMENT WORK IN THIS FIELD

26. The availability of accurate, comprehensive, and timely information plays a vital role in governance and the functioning of organisations. To improve the working of the A.O.A, prompt exchange of information among the member countries and updation of data is necessary. Consequently, a comprehensive Management Information System is required. This will help the Association in collaboration and coordination through communication channels i.e. Internet WAN etc. It will also be helpful to the Members of the Association in the sharing of information in the form of reports, periodicals, and decisions/ findings for improvement of their respective organizations.

27. Each member/ organisation may exchange in house journals/ reports and Findings/Recommendations in specific cases with other members. However, if this documentation is in the national language only, then, for the benefit of members, arrangements may be made for translation into the official language of the A.O.A.

28. The Board was requested to consider the above proposal.

29. Member from Malaysia said, that, in case of Malaysia, the requisite material may be accessed through their website. He promised to send the Annual Report for the year 2001-2002, in English to the members.

30. The Ombudsman of Hong Kong suggested linking of website of the A.O.A with the member countries.

DECISION

31. It was unanimously agreed by the Board that:-

- (i) Members should exchange their respective publications with each other; and
- (ii) A.O.A's website should be linked up with member countries to facilitate exchange of information/views.

AGENDA ITEM NO. 8

**MAKING THE OMBUDSMAN/ LIKE INSTITUTIONS
MORE INDEPENDENT AND AUTONOMOUS IN THEIR
WORKING FOR GREATER EFFICIENCY AND CREDIBILITY**

32. It was proposed that, for greater efficiency and credibility the institution of the Ombudsman needs to be as administratively and financially independent of the Executive Branch of government as possible in the circumstances of each member country. Member countries, may, therefore, consider highlighting these aspects of the functioning of their organizations through subject-specific papers for consideration of the Board in its next meeting so that experiences in this context get to be shared for effecting improvements.

33. The Board was requested to consider the proposal and decide on the scope of the coverage.

34. The proposal was appreciated by the Board, but it was suggested that each member of the Association should be requested to submit a self-contained paper regarding the financial and administrative dispensation under which they are working. The extent to which these meet the criteria of autonomy and independence should be highlighted alongwith any proposals to effect improvements therein. The information so submitted would then be integrated into a self-contained paper by the Secretariat for information and consideration of the next meeting of the Board. To be able to do so the papers would need to be submitted by the 15th of February, 2004.

DECISION

35. The Board unanimously approved that each member of the Association should submit a self-contained paper relating to the Financial and Administrative Dispensation under which their respective Organizations were functioning, the extent to which these met the criteria of autonomy and independence, and improvements, if any, proposed to be reflected therein. These papers should be submitted to the A.O.A Secretariat by the 15th of February 2004 for an integrated working paper for the information and consideration of the next meeting of the Board of Directors.

AGENDA ITEM NO. 9**CREATING AWARENESS AMONG GENERAL PUBLIC ABOUT EFFECTIVENESS AND USEFULNESS OF THE OFFICE OF OMBUDSMAN IN THE SOCIETY**

36. Lack of education in developing countries renders the less educated citizens an easy prey to the high handedness and less than ethical conduct of the bureaucracy. Poverty compounds their miseries and enhances their helplessness against bureaucratic excesses and mal-administration.

37. A significant aspect of the role of the Ombudsman is to work as a bridge between the public and the Government departments. The efficacy and usefulness of the institution of the Ombudsman is linked to the awareness of the general public about its functions, powers, and jurisdiction. The experience of each member country and how this is brought about needs to be collectively shared for improvement of the country-specific strategy and programme.

38. It was proposed, that, country-specific papers on the subject may be submitted for consideration of the Board in its next meeting.

DECISION

39. The Board unanimously decided, that Country specific papers on the subject should be submitted to the A.O.A secretariat by 15th of February, 2004, indicating the existing position and pointing out the improvements/modifications needed, if any. The essence of these would be integrated into a paper by the Secretariat for consideration of the Board in its next meeting.

AGENDA ITEM NO. 10**PUBLICATION OF QUARTERLY NEWS BULLETIN OF THE A.O.A**

40. The Board was requested to consider the proposal in the context of what it would contain and the periodicity of its publication. In this context it was suggested, that its format could be that of a News Bulletin containing summaries of major decisions and recommendations of the respective Organizations regarding specific complaints in addition to any other item that may be considered significant enough to be shared with the members. As to its periodicity a quarterly issue would be appropriate.

DECISION

41. The Board unanimously decided that, the publication should be brought out on a quarterly basis by the A.O.A Secretariat under the nomenclature of A.O.A News Bulletin. It should generally contain summaries of decisions/ recommendations in specific complaints considered important enough for circulation amongst members in addition to any other information deemed significant for sharing with other members.

AGENDA ITEM NO.11

**CONSIDERATION AND APPROVAL OF THE
PROGRAMME/ARRANGEMENTS OF THE 8TH A.O.A CONFERENCE TO
BE HELD IN SEOUL, REPUBLIC OF KOREA FROM 26-29 APRIL 2004.**

42. The programme of the Conference (Annex "H") was discussed in the context of its under mentioned main and sub themes.

MAIN THEME

- (i) The Ombudsman And Strengthening Of Civil Rights In Asia

SUB THEMES FOR PLENARY SESSIONS

- (i) The Government-citizen Relationship: What do the citizens expect from the Government?
- (ii) The Role of Ombudsman in Safeguarding Civil Rights.
- (iii) The Ombudsman and Citizen Participation.

43. Opening the discussion the President proposed, that the scope of the main theme could be enlarged by making it as **"The Ombudsman, Civil Rights and Prevention of Mal-administration"**. This was necessary as quite a number of Ombudsman Institutions in the member countries were exclusively concerned with the issue of mal-administration leaving the area of civil rights as such to the domain of the judiciary. The Member from the Philippines suggested, that the topic could be **"The Ombudsman and upholding of Human Rights in Asia"**. To this the Member from the Republic of Korea responded, that in his country there is a specific Agency for the protection of human rights, and consequently, the term Civil Rights had been incorporated in the main theme of the Conference as this was within the domain of the Ombudsman. The Member from Malaysia suggested the term **"promoting"** instead of **"upholding"** in the revised proposal of the Member from the Philippines.

44. The Member from the People's Republic of China suggested, that irrespective of the exact nomenclature of the main and sub-themes of the Conference, the mode of treatment should be such as to embrace the wide diversity of functions and practice of the Ombudsmen/ 'Ombudsman-like' institutions of member countries and in this regard sufficient flexibility of treatment should be shown.

45. The Member from the Philippines proposed that to promote greater interaction and the formulation of specific recommendations on each sub-theme, the participants attending the Conference should be divided into three groups-one for each of the sub-themes. They in turn should be provided an opportunity of discussing the papers presented at the different sessions and finalizing agreed recommendations for adoption at an overall Plenary Session of the Conference. For this purpose a specific day should be allocated for discussion of the papers relating to each sub-theme by the groups so formed. Within this context the detailed programming and format of the Conference should be left to the hosts to determine. The President observed that the structuring of the Conference would have to be done within the overall time frame of the Conference and, therefore, the hosts were the best judge of how this should be done.

46. Translation facilities from Japanese into English came under discussion. In this context it was agreed by the Members from the Republic of Korea that Japan could bring along its own interpreter who would be provided the required facilities. However, if an interpreter were to be arranged by the Republic of Korea this could only be done on payment of cost by Japan.

DECISION

47. The Board unanimously approved the programme of the 8th A.O.A Conference as structured by the host country subject to the following observations:-

- (i) the approach to the contents of the country papers under the sub-themes of the Conference should be flexible enough to reflect the wide diversity of the scope of the functions and practice of the concerned Organizations in each member country; and
- (ii) the programme and proceedings of the Conference should, to the extent permitted by the limitations of time, be so structured as to permit a wide exchange of views and discussions on the Papers presented and the formulation of specific recommendations for adoption on each of the sub-themes in an over-all plenary session.

AGENDA ITEM NO 12

TO CONSIDER HOLDING OF THE A.O.A CONFERENCE FROM EVEN TO ODD YEARS TO AVOID CLASH WITH IOI CONFERENCES

48. Some of the member countries of the A.O.A are also active members of the IOI. The general conference of the IOI is scheduled to be held in the year 2004, in Canada, while the next biennial conference of the A.O.A is also scheduled to be held in the year 2004 in the Republic of Korea. Therefore, change in the A.O.A conference from even to odd years without prejudice to the next conference was suggested by the A.O.A Secretary Ms Alice Tai. Additionally the format of future A.O.A conferences and possible technical support to fellow members were also proposed.

49. However, the issue of when the first biennial odd year conference should be held came up. The choice was between the years 2005 and 2007. In this context, it was felt that the year 2005 would be preferable as year 2007 was a long way off and members could lose interest by then. It was, however, pointed out that it might not be possible to hold the conference in 2005 as no member had as yet offered to do so. Therefore, while attempting to schedule the conference in 2005, we should mentally be prepared, that this could go over to the year 2007.

50. Secretary A.O.A said that she could request Thailand to consider holding the meeting in the year 2005 in case it is not possible for Malaysia to hold the meeting.

DECISION

51. The Board decided that: -

- (i) efforts would be made to hold a conference in the year 2005, in Malaysia or Thailand;
- (ii) in case it is not possible to hold the conference in the year 2005, then Malaysia would be requested to host the conference in the year 2007; and
- (iii) matter regarding the venue of the Conference in 2005, should be placed before the General Assembly for consideration/approval, if required by the Bye-laws/Code of Conduct of the A.O.A.

AGENDA ITEM NO. 13

PAYMENTS OF OUTSTANDING DUES BY THE ASSOCIATION'S MEMBERS

52. Schedule of the outstanding dues from the Association's members (Annex "J") was discussed. The A.O.A Secretariat had already reminded the members for meeting their obligations.

53. The Board of Directors was requested to consider inviting the attention of the members to the need for early payment of the dues.

DECISION

54. It was unanimously decided that letters be issued to the defaulting members by the Secretary A.O.A for meeting their financial obligations at the earliest failing which invocation of the relevant clauses of the Bye-laws and the Code of Conduct of

Business of the A.O.A could jeopardize their membership of the Association and also their right of vote in the elections for the membership of the Board in the forthcoming Conference/Meeting scheduled at Seoul (Republic of Korea) in April, 2004.

AGENDA ITEM NO. 14

CONSIDERATION AND APPROVAL OF THE FINANCIAL STATEMENTS OF THE A.O.A ACCOUNTS FOR THE PERIOD FROM 16TH MAY 2002 TO JULY 2003

55. The financial statements of the accounts of the A.O.A, including income and expenditure statements and balance sheets, upto May 2003, prepared by the A.O.A Secretariat as contained in (Annex-K & L) were considered.

56. Secretary A.O.A pointed out, that, it was decided in the last meeting of the Board of Directors held on 21st May, 2002 in Beijing, Peoples Republic of China, to remunerate the Executive Secretary and Office Manager @ 20% of Basic pay for 6 months in a year when the General Assembly meeting is held and @ 20 % of 3 months Basic Pay when no such meeting is held. The amount supposed to be paid to the Executive Secretary and the Office Manager has not been reflected in the expenditure statement placed before the Board.

57. The President informed that the Executive Secretary and the Office Manager have agreed to work without remuneration. Therefore, the amount has not been reflected in the financial statement for year 2002-2003.

DECISION

58. The Board of Directors accorded approval to the financial statements placed at (**Flags "K & L"**) and expressed its appreciation of the gracious gesture on the part of the Executive Secretary and the Office Manager of the A.O.A for working without remuneration.

AGENDA ITEM NO. 15

REVIEWING THE MEMBERSHIP/ SITUATION OF TURKEY, MALDIVES AND IRAQ

59. It was pointed out in the working paper on the subject, that the first A.O.A Conference was held in Islamabad from 15-16 April, 1996, which was attended by delegates from 18 countries. In that conference, all the delegates agreed to form the

Asian Ombudsman Association (A.O.A). Hence, by virtue of declaration of the conference to form the Association, all the delegates were presumed to have become Founding Members of the A.O.A. However, in the subsequent meetings/conferences of the Association there has been no representation from Turkey, Iraq and Maldives and nor have the reports/ circulars etc. forwarded by the A.O.A, Headquarters Office been replied to.

60. In their response to the draft agenda of this meeting, Turkey has impliedly indicated that the issue of membership would be considered once the institution of the Ombudsman is established through an Act of Parliament.

61. It was proposed, that as far as Iraq is concerned the issue should be taken up on the return of normalcy in that country. As to Maldives it was suggested, that the member may be asked to confirm, whether it would like to continue the membership of the Association or otherwise.

62. The Board was requested to consider the above proposal.

DECISION

63. The Board decided that:-

- (i) In case of Turkey, issue be taken upon on establishment of the Institution of Ombudsman through an Act of Parliament.
- (ii) In case of Iraq, the matter be taken up on return of normalcy to that country;
- (iii) As to Maldives, since it has not been paying the Annual Membership Fee of the A.O.A since inception, a letter be issued to it and all other members to meet their up-to-date financial obligations by 30.12.2003, failing which relevant provisions of the Bye-Laws and the Code of Conduct of Business would have to be invoked and the case placed before the General Assembly for a decision.

AGENDA ITEM NO. 16

ANY OTHER ITEM, WHICH THE BOARD OF DIRECTORS MAY LIKE TO DISCUSS

64. The Member from Philippines observed that he has been attending the meeting of the Adhoc Committee of the U.N Convention Against Corruption and was

surprised at the fact that the A.O.A was not represented in the deliberations. He suggested that the President of the A.O.A should be invited to the signing ceremony of the Instrument to be held in Mexico.

65. In this context it was observed that the presence of the President of the A.O.A at the signing ceremony may not be appropriate, as not all of the Organizations represented in the A.O.A dealt with corruption as a specific subject. Quite a number were exclusively concerned with the issue of mal-administration. However, to enable the Member Organizations of the A.O.A who were concerned with corruption to be associated with the policy input at the Convention, it would be appropriate to obtain the relevant documentation and pass it on to these Organizations for submitting their comments thereon to those Agencies of their respective Governments which were invited for the deliberations of the Convention. In this regard the member from the Philippines was requested to provide the relevant documentation to the A.O.A Secretariat which in turn would provide copies to all the Members.

DECISION

66. The Board decided that the Member from the Philippines would submit the required material on the U.N Convention Against Corruption to the A.O.A Secretariat which would in turn send copies to all the Members of the Association for submitting comments thereon to those Agencies of their respective countries which had been invited to take part in the deliberations of the Convention.

CONCLUSION

67. The meeting concluded with a note of thanks by the President to the Board of Directors for their co-operation and contribution in making the meeting a success. The President also thanked Macao, SAR, China for the excellent arrangements and hospitality extended to the participants.

**DRAFT AGENDA
FOR THE MEETING OF THE
BOARD OF DIRECTORS OF THE ASIAN OMBUDSMAN ASSOCIATION AT
SEOUL, REPUBLIC OF KOREA
ON 26TH APRIL, 2004**

1. Approval of the minutes of the last meeting of the Board of Director held at Macao, People's Republic of China, from 20-21 October, 2003.
2. Approval of draft Agenda for the present meeting of the Board of Directors of the AOA.
3. Approval/ratification of the Resolution for General Assembly regarding membership of the AOA from: -
 - i. Commissioner for Human Rights of the Republic of Azerbaijan; and
 - ii. Provincial Mohtasib (Ombudsman) Balochistan, Pakistan.
4. Election of the new Board of Directors of the Asian Ombudsman Association.
5. Consideration of the report of the Sub-Committee of the Board of Directors of the AOA on grant of scholarships and financial support to individuals who intend to carryout research/ study in the field of Ombudsmanship in member countries (Follow up action Agenda Item No. 5 of Board's meeting held in 2003 at Macao).
6. Consideration of working paper on making the Ombudsman/ like Institutions more independent and autonomous in their working for greater efficiency and credibility (Follow up action Agenda Item No. 8 of Board's meeting held in 2003 at Macao).
7. Consideration of working paper on creating awareness among general public about effectiveness and usefulness of the office of Ombudsman in the society (Follow up action Agenda Item No. 9 of Board's meeting held in 2003 at Macao).
8. Invitation and consideration of the proposals (if any) for holding 9th and 10th AOA Conferences.
9. Payments of outstanding dues by the Association's members.
10. Consideration and approval of the financial statements of the A.O.A Accounts for the period from 16th May 2002 to 15th April 2004.
11. Approval of the Conference arrangements and Agenda of the General Assembly meeting.
12. Any other item, which the Board of Directors may like to discuss.



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29-04-2004

DRAFT RESOLUTION NO. 2 OF 2004

**APPROVAL OF THE APPLICATIONS OF COMMISSIONER FOR HUMAN
RIGHTS OF THE REPUBLIC OF AZERBAIJAN AND PROVINCIAL MOHTASIB
(OMBUDSMAN) BALOCHISTAN, PAKISTAN, FOR FULL MEMBERSHIP OF THE
A.O.A.**

Whereas, the Commissioner for Human Rights of the Republic of Azerbaijan and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, have applied for the Full Membership of the Asian Ombudsman Association (AOA) and their applications have been recommended for acceptance by the Board of Directors of the Association in its meeting of 21st October, 2003; and

Whereas, the applicants meet all the prescribed requirements for Full Membership under the provisions of Bye-Law 5(1) and Article-1 of the Code of Conduct of Business of the Association;

Now, therefore, the GENERAL ASSEMBLY of the Asian Ombudsman Association in the 8th AOA Conference hereby resolves to accord its approval to the Commissioner for Human Rights of the Republic of Azerbaijan and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, as Full Members of the Asian Ombudsman Association.

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.

PRESIDENT (AOA)

Attested:

Secretary (AOA)

SUB-COMMITTEE OF THE BOARD OF DIRECTORS OF AOA**WORKING PAPER****GRANT OF SCHOLARSHIPS AND FINANCIAL SUPPORT TO INDIVIDUALS FOR
CARRYING OUT RESEARCH/ STUDY IN THE FIELD OF OMBUDSMANSHIP IN
MEMBER COUNTRIES****INTRODUCTION**

At its last meeting in October 2003, the Board of Directors considered a suggestion to establish a scheme to support research studies, with the aim of promoting Ombudsmanship among AOA members and facilitating comparative studies for cross-reference among different Ombudsmen regions. The Board directed that the idea be further explored and appointed a Sub-committee to examine the proposal, particularly as regards the modalities of implementation, financial implications and funding support for such scheme. Membership of the Sub-Committee comprises Hong Kong (Convener), Korea, Macao and the Philippines.

2. In response to the Board's invitation, the following members submitted their views and suggestions:

- i. Ombudsman Hong Kong
- ii. Administrative Evaluation Bureau Japan
- iii. Ombudsman Korea
- iv. Commission Against Corruption Macao
- v. Wafaqi Mohtasib (Ombudsman)- Pakistan
- vi. Federal Tax Ombudsman Pakistan
- vii. Ombudsman Philippines

3. The Sub-Committee met in Islamabad from 18-19 February 2004. The Ombudsman of Hong Kong, and representatives of Macau and the Wafaqi Mohtasib of Pakistan attended the meeting. This paper summarizes the recommendations made by the Sub-Committee.

Need for a Research Programme

4. Since, its establishment in 1996, the AOA has provided a forum for Asian Ombudsmen to learn from each other's experience, to network and to provide professional support to fellow Ombudsmen when called to do so. The Sub-Committee noted that the time has come for the Association to move forward in helping members to pursue professional excellence in more concrete ways. One way to do so is through sponsoring comparative reviews and research to facilitate the identification of model Ombudsman institution.

Scope for Research

5. The Sub-Committee endorses the idea of AOA sponsoring study and research activities on identification of model Ombudsman institution and has identified the following categories of research and studies:-

- A. *Research by Ombudsman Institutions.*** An Ombudsman may have to initiate studies or research that may be case-specific or more generally related to problems within his jurisdiction. In some Asian countries the legislation may actually charge their Ombudsmen with research functions, as follows:
- (a) "ascertaining the causes of corrupt practices and injustice, arrange for studies to be made or research to be conducted and may recommend appropriate steps for their eradication" (Source: Federal Tax Ombudsman Ordinance of Pakistan)
 - (b) 'shall research each year the actual operational conditions of the administrative regulations, such as permission, authorization, etc. and the civil petition affairs, of which the agency takes charge" (Source: Presidential Decree, Law and Administrative Regulation on Civil Petition Affairs of Korea)
 - (c) "conduct policy evaluation and research to arrive at a comprehensive information base relevant to formulating policies, making decisions,

corporate planning and designing/improving systems and procedures....." (Source: Functional Description of Area Offices of the Office of the Ombudsman in Philippines)

- (d) "The Mohtasib may also, from time to time, make public any of his studies, research, conclusions, recommendations, ideas or suggestion in respect of any matter being dealt with by the Office." (Source: Establishment of the Office of the Wafaqi Mohtasib (Ombudsman) Order, 1983) (Pakistan)

Where the enabling legislation empowers an Ombudsman to undertake work-related research, such activities become part of the Ombudsman's official functions, therefore, to be funded from operating expenses of his office.

- B. *Academic Research.*** Scholars, Researchers, university students majoring in law, politics or public administration and other professionals may be interested to explore Ombudsmanship issues. Such studies may be country-specific-examining the jurisdiction, investigation techniques, procedures and practices of a particular Ombudsman office, or take the form of cross-country comparative studies.

Generally speaking, unlike natural sciences, research of the social sciences does not require huge grants, laboratories or expensive equipment. Academic research of this type is usually funded by the sponsoring university or institution.

- C. *Overseas Study and Placement.*** Such type of research/studies provides learning opportunities for Ombudsman's staff to study and reflect on Ombudsmanship issues away from the pressure of work and/or to glean insight from the operation of other Ombudsman offices. Staff of an Ombudsman's office may be sponsored to study Ombudsman systems in other member countries, by attendance at an academic institute or placement in other Ombudsman Offices. Overseas training and placement aims primarily at the professional development for the staff concerned.

Overseas study activities are most commonly funded by a trainee's parent office or an international aid programme sponsored by the country of the recipient institution/Ombudsman office.

- D. *AOA Initiated Project.* AOA may from time to time commission the research of specific topics of interest to its members.

Need for a Research-Specific Fund

6. The Sub-Committee recognizes that while ideal, there may be practical problems to establish an AOA Fund earmarked specifically for research and study. The Sub-Committee canvassed the following options and its views are summarized:

- (a) *A specific Fund for research and study should be generated from donations by AOA members and/or their Governments.* While ideal, this option may be difficult to exercise because several members face financial constraints in seeking budgets for their normal operations. Governments may not be sympathetic and Ombudsman offices may be financially unable to donate additional funds for AOA sponsored researches.
- (b) *Asking members to earmark a portion of operating expenses for AOA researches.* This may also pose problems for those members whose legislation does not empower them to do research other than those specifically related to their work. In practical terms, when the AOA Secretariat experiences difficulties in collecting membership dues, it may not be viable to impose what is effectively an additional levy on membership.
- (c) *Donations/Sponsorship from International aid agencies/ private philanthropists.* Such type of donors may be sympathetic to funding certain types of researches, but success depends very much on the subject matter of the research and the requesting member country's relationship with the potential donor in question. AOA cannot rely on this source as a regular feature for funding its activities.

7. After discussion, the Sub-Committee concluded that there is no need for AOA to wait for establishing a Fund. This objective can be achieved through bilateral cooperation among members. After identifying appropriate research topics, the relevant members could be asked to bear the project costs proportionately, thereby avoiding the need to set up a separate

Research Fund. To test the viability of this approach, the Sub-Committee recommends that a research project be sponsored on a pilot basis.

Criteria for AOA Involvement in the Research/Studies

8. The Sub-Committee considered that AOA has limited role to play in:

- (a) individual Ombudsman's activities to study and/or research issues related directly to his official duties (para. 5-A above);
- (b) individual academic's study into Ombudsmanship issues specific to the researcher's own country (para. 5-B above); and
- (c) bilateral arrangements among Ombudsman offices, whether or not they are AOA members, on overseas study and/or work placement.

9. The above activities fall squarely within the responsibility of the sponsoring Ombudsman office(s) and/or universities. Subjects of study/research (i.e. (a) and (b) above) are normally confined to domestic issues within the countries/regions where the sponsoring Ombudsman office and/or universities are situated. In bilateral relationships (i.e. (c) above), the initiative rests with the requesting Ombudsman office, which is usually the funding body, to identify the target and objective of its study/placement programme. Individual Ombudsman offices must have the prerogative to initiate and respond to these kinds of initiatives, which provide opportunities for mutual professional support among Ombudsmen.

10. AOA's involvement in research and study should only extend to projects:

- (a) initiated by AOA in the interest of all or part of its membership;
- (b) relating to the concepts of Ombudsmanship and its practical implementation; and
- (c) aiming at enhancing the professional skills of Ombudsman's institution staff, and/or improving the practices, procedures and technical support for Ombudsman institutions.

11. Having limited resources, preference should be given to research/study proposals that:
- (a) focus on the development of Ombudsmanship in Asia: the laws and systems, practices and procedures of Ombudsman offices in Asia; and
 - (b) compare different systems within Asia with a view to recommending best practices to enhance professionalism in discharge of the Ombudsman's functions.

Nature of Assistance Offered

12. The following types of assistance may be involved:
- (a) experience sharing between Ombudsman offices on issues of common interest;
 - (b) receiving fellow Ombudsmen, their staff, other public officers, or visiting scholars on familiarization visits;
 - (c) making available personnel, data and/or information to assist researchers in their studies of specific issues;
 - (d) hosting working attachments for fellow Ombudsman's staff;
 - (e) participating in exchange programmes;
 - (f) financing research projects; and
 - (g) financing own staff to participate as "expert" in the training activities of another Ombudsman office.

Subject Matter for Research

13. The Sub-Committee considered that AOA sponsored research could include the following level of activities:

- A. For the pilot scheme, the Sub-Committee recommends that research be confined to the classical Ombudsman model. The first subject for research

should seek to survey the various Ombudsman systems and practices among its members, with the view of identifying a model Ombudsman Institution for best practice of its members. This needs not be confined to Asian experiences.

In the context of the essential characteristics of an efficient and effective Ombudsman office and the extent to which AOA members correspond to these, the following sub-areas could be considered for research studies:

- (a) the nature of the law establishing the office;
- (b) institutional safeguards for the independent functioning of the Ombudsman (including financial and administrative dispensation);
- (c) The extent of independence of functioning from the executive, judicial and legislative branches of government;
- (d) matters relating to nomination, appointment, tenure and removal of the Ombudsman;
- (e) the 'nature' of the Ombudsman's findings/ decisions i.e. whether binding or recommendations, provisions for review, appeal etc. and the modalities, thereof;
- (f) strategy adopted/ needed for bringing about required degree of social awareness of the functioning of the office.

B. At the next level, research could be considered for more sophisticated and specific type of Ombudsman activities. Such can include:

- (a) *Operations Research relating to organizational problems* – identifying the problems, their contributing factors and possible solutions;
- (b) *Evaluation research relating to the performance of Ombudsman offices in member countries/regions* – establishing performance appraisal systems and benchmarking, identifying yardsticks for measuring effectiveness, establishing reasons for under-performance and suggestions for improvement;
- (c) *Policy research on specific problems common to some members*– identifying problems that require policy intervention, establishing

difficulties for the policy shortfall and possible policy alternatives, their consequences/costs.

- C. From a broader perspective and to recognize developments outside Asia, AOA should also take note of developments outside Asia and anticipate their development in Asia. A suggestion is to study the extent and impact of the development of Specialty Ombudsman in Asia.

Proposal for Granting AOA Sponsored Researches

14. *Eligibility.* The following eligibility criteria may be considered for inviting the applications:-

- (a) application is open to individuals including the staff of the Ombudsman Office of all member countries/regions with recognized academic background and experience;
- (b) research/study proposal must be supported by the AOA Voting Member of the applicant's country/region and any other countries/regions that will be the subject of the research/study;
- (c) applicant should not be a retired or serving member of the AOA and should not be related to any member of the Board of Directors or any official of the Ombudsman Office;
- (d) applicant should preferably be between 35 to 45 years of age;
- (e) in case of an official of the Ombudsman Office, should be willing to continue serving for at least 5 years in the Ombudsman Office on completion of research/ study;
- (f) applicant should have a good academic background with a research-oriented aptitude;
- (g) where an applicant did not apply through the Ombudsman of his country/region, the AOA Secretariat will refer his application to the relevant Ombudsman for comments; and
- (h) the Ombudsman of the applicant's country of origin should vouch for the conduct and academic credentials of the applicant.

15. **The Application Procedure.** Interested applicants should apply in writing to the AOA Secretariat through the *Ombudsman* office in their respective countries. Applicants should state clearly the following:-

- (a) purpose and scope of the project, indicating how it would contribute towards the improvement and further development of Ombudsmanship;
- (b) methodology of research study to be adopted, (if applicable);
- (c) schedule/time-table of the research project;
- (d) estimates of funds required and schedule of its disbursement;
- (e) sponsorship from any other organization/agency/government;
- (f) consent to vest in AOA all intellectual property rights in respect of any report(s) and/or document(s) in whatever format produced.

16. **Assessment Criteria of the Applications.** Applications will be assessed according to the following criteria:-

A. QUALITY OF THE PROJECT PROPOSAL

Academic research projects must be conceptually sound and have clear objectives. The proposal should be comprehensive in design and feasible. There will be added advantages if the projects have innovative ideas bring about new development in Ombudsmanship, supported by people with appropriate qualifications and experience.

For training and/or placement project, it must benefit the Ombudsman staff's professional development and ability to promote Ombudsmanship.

B. COST-EFFECTIVENESS

The cost-effectiveness of the project, that is, the benefits (e.g. the number of beneficiaries, the extent to which the Ombudsman system be further developed or the professionalism be further enhanced) to be derived as against the cost of the project, will also be taken into consideration.

C. OTHER FACTORS

Other factors may include the track record of the applicant's involvement in similar undertakings in the past, the project's potential for wider dissemination etc. Besides, the sub-committee will also consider comments and recommendations made by, if any, the Ombudsman's office of the respective member country.

All applicants will be informed of the results through the respective Ombudsman offices within xx months after receipt of their applications.

Other Conditions of Grant and Funding Arrangements

17. Funding will normally not be provided if an applicant is sponsored by some other organization. However, AOA may approve funds where the applicant is sponsored by any Ombudsman's office. Funds for the first quarter will be released upon approval of the project, subsequent installments (up to 70% of the total amount approved) will be released on performance evaluation by the AOA.

Vetting Procedures

18. A Sub-committee will be established to consider proposals submitted to the AOA for Ombudsmanship-related study and research. In considering proposals, the following principles should be observed:

- (a) no member should take part in considering proposals that emanate from his country/region: where necessary, the Chairman of the Sub-Committee may co-opt a "disinterested" member to replace the said member in considering a particular proposal;
- (b) the "sponsoring" Ombudsman should monitor on behalf of AOA any approved projects within his jurisdiction. The applicant will be required to submit to AOA and the "sponsoring" Ombudsman interim reports at 3-monthly intervals, until the completion of the project;

- (d) upon completion of the project, AOA will publish a report or disseminate the research data and/or findings in whatever format deemed appropriate.

ENDORSEMENT BY THE AOA

19. After deliberation by the Sub-Committee, a formal submission incorporating Members' views will be presented to the Board of Directors for consideration.

AOA Secretariat, Islamabad.

February, 2004

WORKING PAPER**Making the Ombudsman/ like Institutions more independent and autonomous in their working for greater efficiency and credibility****INTRODUCTION:**

The Board in its last meeting held at Macao from 19-20 October, 2003, considered a proposal that for greater efficiency and credibility the institution of the Ombudsman needs to be as administratively and financially independent of the Executive Branch of government as possible in the circumstances of each member country. The Board decided that in order to further explore the idea, each member of the Association should submit a self-contained paper relating to the Financial and Administrative Dispensation under which their respective Organizations are functioning, the extent to which these met the criteria of autonomy and independence, and improvements, if any, proposed to be reflected therein.

2. In response to the Board's decision, the following members submitted their papers: -
 - Office of the Commissioner Against Corruption Macao.
 - Lokayukt, Madhya Pradesh, India.
 - Provincial Ombudsman Sindh, Pakistan.
 - Federal Tax Ombudsman of Pakistan.
 - Wafaqi Mohtasib (Ombudsman)'s Secretariat, Pakistan
 - Ombudsman's Office of the Hong Kong.

3. The salient features of Administrative and Financial dispensation under which the above mentioned institutions are working is as follows: -

COMMISSIONER AGAINST CORRUPTION (CCAC), MACAO SAR.

- Established under Commission Against Corruption Legal Framework (v. Law 10/2000 Administrative Regulation 21/2000 and the Decree Law 53/93/M).
- A public body with functional, administrative and financial autonomy.
- Accountable to the Chief Executive of the Macao SAR.
- Holds powers to carry out all acts relating to the appointment or termination of functions as well as the disciplinary actions regarding the personnel of the CCAC (except in relation to the two Deputy Commissioners).
- Budget is allocated as part of the General Budget of the Macao SAR.
- Full powers of allocation and transfer of funds within the allocated budget.
- Surplus budget is carried over to the next economic year as financial income.

The CCAC is satisfied with the functional administrative and financial autonomy enjoyed by him therefore, made no proposals/ comments.

LOKAYUKT (OMBUDSMAN) OF MADHYA PRADESH

- Established under Madhya Pradesh Lokayukt Up-Lokayukt Act 1981 enacted by the State Legislature.
- The Governor appoints Lokayukt after consulting the Chief Justice of the High Court and leader of the Opposition in the Legislative Assembly.

No proposals/ comments have been made in the working paper by this institution, except that it wants a constitutional status.

PROVINCIAL OMBUDSMAN SINDH, PAKISTAN

- Established under Establishment of Office of the Ombudsman for the Province of Sindh Act, 1999.
- The Governor has discretionary powers for appointment of the Provincial Ombudsman.
- The Ombudsman has security of tenure and cannot be removed except by adopting procedure for removal of the judge of the High Court.
- The budget is allocated as part of the consolidated budget.
- Full powers to appoint Advisers, Consultant, Commissioners and Experts.
- Discretionary powers to fix honorarium or remuneration of Adviser, Consultants, Experts and interns engaged by him.

Suggested that Administrative and Financial autonomy should be an area of research study.

FEDERAL TAX OMBUDSMAN, PAKISTAN

- Established under Establishment of Office of the Federal Tax Ombudsman Ordinance, 2000.
- The President of Pakistan has discretionary powers for appointment of the Ombudsman.
- The Ombudsman has security of tenure and cannot be removed except by adopting the procedure for removal of the judge of the Supreme Court.
- The budget is allocated as part of the Federal consolidated budget.
- Enjoys the full powers of the Principal Accounting Officer of the institution.
- Has full powers to appoint Advisers, Consultant, Commissioners and.
- Has discretionary powers to fix honorarium or remuneration of Adviser, Consultants, and Experts.

No proposal/ comments has been made in the working paper by this institution, therefore, seems to be satisfied with the existing independence and autonomy.

WAFAQI MOHTASIB (OMBUDSMAN),, PAKISTAN

- Established under Establishment of the Wafaqi Mohtasib (Ombudsman) Order, 1983 (P.O. No. 1 of 1983).
- The establishment Order of the institution is covered under the Constitution.
- The President of Pakistan has discretionary powers for appointment of the Ombudsman.
- The Ombudsman has security of tenure and cannot be removed except by adopting the procedure for removal of the judge of the Supreme Court.
- The Mohtasib (Ombudsman), the employees, officers and all other staff of the Office are deemed to be public servants within the meaning of Section 21 of Pakistan Penal Code (Act XLV of 1860).
- The budget is allocated as part of the Federal consolidated budget.
- Enjoys the full powers of the Principal Accounting Officer of the institution.
- Has full powers of allocation and re-appropriation of funds from one account to other except establishment charges for which he has to inform the Finance Secretary.
- Has full powers of creation of temporary posts upto mid-administrative level.
- Has full power for re-designation, up-gradation and down-gradation of the posts.
- Has full powers to appoint Advisers, Consultant, Commissioners and Experts.
- Has discretionary powers to fix an honorarium or remuneration of Adviser, Consultants, and Experts engaged by him.

It is proposed that for proper dispensation of functions and role assigned to the Office of Ombudsman, this institution needs to be mandated with more independence and autonomy to achieve efficiency, credibility and speedier disposal of cases. Therefore, the Ombudsman should be vested with the extended administrative and financial autonomy, which are enjoyed by the autonomous bodies on the pattern of the Ombudsman of Hong Kong.

OMBUDSMAN OF HONG KONG SAR

The salient features of the Administrative & Financial dispensations of Hong Kong effective from 19th December, 2001, are as follows: -

- The Ombudsman has been declared as a corporation sole capable of taking and/or defending civil actions, therefore, is a legal person capable of holding and operating bank accounts.
- Budget allocation is not a part of general revenue but annual subvention is paid in lump sum to bank account bearing the Ombudsman's name.
- At the end of each financial year, the surplus funds are not required to be returned to the Government, but are used to build up a reserve fund allowing the Ombudsman to plan long term and improve services when necessary.
- Empowered to acquire, hold or dispose of property, to enter into contracts and to charge fees.
- The Ombudsman and his/her staff are not servants or agents of the government.
- Empowered to determine the salaries, terms and conditions of appointment of the staff.
- Empowered to use private legal services instead of going to the Department of Justice for legal advice.
- About 90% of staff is appointed directly by the Ombudsman.
- Empowered to determine remuneration for staff, provided that these are not more than terms for comparable ranks in the civil service.

CONCLUSION

The responses received from the different members of the AOA on the subject clearly demonstrate that the status and mode of operations of each Ombudsman/ Ombudsman like institution is determined by the objective conditions prevailing in each member country. There are a number of features of each country's/ members' organizations which might not be present in the organizations of other countries. These could fruitfully be examined by them for possible changes in their administrative/ financial dispensations for greater efficiency and autonomy. The positions of the different countries/ members indicated in this working paper are, therefore, submitted to the Board of Directors for information and subsequent circulation to all members.

WORKING PAPER**CREATING AWARENESS AMONG GENERAL PUBLIC ABOUT EFFECTIVENESS AND USEFULNESS OF THE OFFICE OF OMBUDSMAN IN THE SOCIETY****INTRODUCTION**

The Board in its last meeting held at Macao from 19-20 October, 2003, considered a proposal that country specific papers on how awareness of the general public on the functions, powers and jurisdiction of the Ombudsman's office is brought about, should be submitted to the A.O.A secretariat by 15th of February, 2004, indicating the existing position and pointing out the improvements/modifications needed, if any.

2. In response to the Board's decision, the following members submitted their papers: -
 - Federal Tax Ombudsman of Pakistan
 - Ombudsman's Office of the Hong Kong.
 - Wafaqi Mohtasib (Ombudsman)'s Secretariat, Pakistan
3. The salient features of papers submitted by the above-mentioned Ombudsman institutions are as follows: -

FEDERAL TAX OMBUDSMAN, PAKISTAN

- Regularly interact with the electronic and print media.
- Regularly addresses the Associations of Trade, Commerce and Industry.
- Established a separate compliance and monitoring section.
- Issues Annual Report.
- Important cases decided by the Ombudsman are published in the Commerce and Trade Journals.
- Emphasized the need that the stake holders understand that the institution has not been developed to replace the existing channels or forum of redress; rather acts in complement to the existing structure.

WAFAQI MOHTASIB (OMBUDSMAN), PAKISTAN

- Within three months of conclusion of each calendar year, the Annual Report on performance of the Office is submitted to the President, which is also released to the public.

- Studies, research, conclusions, recommendations, ideas or suggestions in respect of any matter dealt with by the Office from time to time are made public.
- An in-house quarterly Journal "Ehtasab" is published and circulated to the Agencies as well as to the general public.
- Information material including brochures, leaflets etc. are published and distributed among the citizens as a public awareness campaign to inform about the functions and jurisdiction of the institution.
- Visits to the Office of the Ombudsman of the participants of courses conducted by different Agencies i.e. Shariah Academy and National Accountability Bureau take place
- The subject of Ombudsmanship has been introduced at the Secondary School level.
- On conclusion of the important cases press releases are issued to make them public.
- A well equipped library of the institution at Headquarters Office, equipped with Ombudsmanship literature is also opened for public use.
- At Headquarters as well as at Regional Offices, the front offices are established to guide and facilitate the citizens in lodging their complaints.
- An official website is launched to apprise the public about functions, jurisdiction and other related information regarding Ombudsman institution.
- Online data processing facility is available for the public through data processing centre in the Office to enquire about the status of their complaints.
- TV, radio and print media broadcast and publish the salient features of the Annual Report as well as the important cases decided by the Hon'ble Wafaqi Mohtasib (Ombudsman) from time to time.

During the current calendar year it is proposed to print in the official/ national and regional languages in easily understood terms a brochure on the functions, powers, jurisdiction and procedures of the Ombudsman's Office for use by intending complainants. These brochures would be placed with the reception of the Head Office, Regional Offices and also with the District Coordination officers in each of the 108 districts of the four provinces of the Federation, Northern Areas and Azad Jammu and Kashmir.

OMBUDSMAN OF THE HONG KONG SAR

- Organizes press conferences to announce selected anonymous investigation reports.
- Periodical newsletter "Ombuds News" is issued.
- Interviews with the media are arranged on adhoc basis.
- Publicity drive through TV and radio broadcast.
- Mount roving exhibitions in public areas.
- An Ombudsman's Office Resource Centre having rich collection regarding Ombudsman institution is opened to public.
- Booklets, CDs with interactive quiz games and a variety of souvenirs to facilitate public's understanding of Ombudsman institutions are produced and distributed at promotional events.
- List of community leaders and organizations is maintained to get their support.
- Non-official justice for peace from the prominent citizens is introduced to the work of Ombudsman's Office.
- Talks for the departmental recruits and serving officers are arranged.
- Seminars are organized for voluntary agencies and interest groups.
- Annual complaint management workshop is arranged to improve professionalism in handling complaints and cultivating positive complaint management among public officers.

- Ombudsman awards have been introduced to recognize the public organizations adopting a professional and positive approach to complaint management.
- Exemplary individual public officer are also honoured for achieving a high standard of customer service or contributing significantly to improving of public administration in handling of complaints.

CONCLUSION

From the responses received from the different member countries/ institutions, it is apparent that awareness with regard to the functions, powers and jurisdiction of the Ombudsman's Office or like institution is created through a number of measures, which are the product of their own specific environments. These measures, however, could be studied by members for assistance in the overall task of bringing about greater awareness in the context of the functioning of Ombudsman/ Ombudsman like institution. Response of the different member countries/ institutions as summarized in the working paper are submitted to the Board of Directors for information and subsequent distribution to all members.

REMITTANCE STATUS OF ANNUAL MEMBERSHIP FEE AS ON 24TH APRIL, 2004

S.No.	Member's Name	Year of Membership	Year 2000	Year 2001	Year 2002	Year 2003	Year 2004
1	Wafaqi Mohtasib Sectt., Pakistan	1996 Founding Member	-	-	-	-	-
2	Islamic Republic of Iran	1996 Founding Member	Outstanding	Outstanding	Outstanding	Outstanding	Due
3	Hong Kong	1996 Founding Member	-	-	-	-	Due
4	Republic of Korea	1996 Founding Member	-	-	-	-	Due
5	China	1996 Founding Member	-	-	-	-	Due
6	Japan	1996 Founding Member	-	-	-	-	Due
7	Macao	1996 Founding Member	-	-	-	-	Due
8	Malaysia	1996 Founding Member	-	-	-	-	Due
9	Philippines	1996 Founding Member	-	-	-	Outstanding	Due
10	Yemen	1996 Founding Member	-	-	-	-	Due
11	Iraq	1996 Founding Member	Outstanding	Outstanding	Outstanding	Outstanding	Due
12	Maldives	1996 Founding Member	Outstanding	Outstanding	Outstanding	Outstanding	Due
13	Sri Lanka	1996 Founding Member	-	-	-	-	Due
14.	Jordan	1996 Founding Member	-	-	Outstanding	Outstanding	Due
15.	Sindh (Pakistan)	1996 Founding Member	-	-	-	-	Due

16.	Azad Jammu & Kashmir (Pakistan)	1996 Founding Member	-	-	-	-	Due
17.	Indonesia	2000 Full Member	-	-	-	Outstanding	Due
18.	Thailand	2000 Full Member	-	-	-	-	Due
19.	India. (Lokayukta - State of Madyha Pradesh)	2002 Full Member	-	-	-	-	Due
20.	Federal Tax Ombudsman (Pakistan)	2002 Full Member	-	-	-	-	Due
21.	Punjab (Pakistan)	2002 Full Member	-	-	-	-	Due

ASIAN OMBUDSMAN ASSOCIATION

INCOME/EXPENDITURE STATEMENT
16-10-2003 TO 24-04-2004
IN PAK RUPEE (ACCOUNT NO. 5756-7)

A.	<u>INCOME</u>	
	NIL	
	Total Receipts (Income)	NIL
	<u>EXPENDITURES</u>	
(i)	Payment of Web hosting charges to M/s COMSATS, ISP, for the year from Feb-2004 to Feb-2005	Rs. 5,100/-
(ii)	Payment of Web Domain Reg. charges to M/s COMSATS, ISP, for the year from Feb-2004 to Feb-2006	Rs. 2,000/-
(iii)	Payment of Telephone, Fax and Internet charges (Upto March., 2004)	Rs. 5,483/-
B.	<u>TOTAL EXPENDITURES</u>	Rs. 12,083/-
	Excess of expenditure over income (A - B)	Rs. 12,083/- (-)

BALANCE SHEET
IN PAK RUPEE ACCOUNT NO. 5756-7
AS ON 24-04-2004

(A)	<u>ASSETS</u>	
(i)	Cash with the Bank	Rs. 1,239,630/-
(ii)	Cash in hand	Rs. 8,067/-
(B)	<u>LIABILITIES</u>	NIL
	NET ASSETS	(A-B) <u>Rs. 1,247,697/-</u>

ASIAN OMBUDSMAN ASSOCIATION

**INCOME/EXPENDITURE STATEMENT
16-10-2003 TO 24-04-2004
IN US DOLLARS (ACCOUNT NO. NFC-98)**

OPENING BALANCE		US\$ 50,818.49
A. INCOME		
(i) Membership Fee Received (Details at Appendix-1)		US\$ 10,952.00
(ii) Profit earned on Deposit		US\$ 127.01
TOTAL INCOME		US\$ 11,079.01
B. EXPENDITURE		
(i) Collection charges on Demand Drafts/ Cheques/Remittances and Commission		US\$ 47.70
TOTAL EXPENDITURES		US\$ 47.70

**BALANCE SHEET
IN US DOLLARS (ACCOUNT NO. NFC-98)
AS ON 24-04-2004**

(A) <u>ASSETS</u>		
As on 24-04-2004		US\$ 61,849.80
Cash with the Bank		US\$ 61,849.80
(B) <u>LIABILITIES</u>		Nil
NET ASSETS (A-B)		US\$ 61,849.80

8th Asian Ombudsman Association Conference

"The Ombudsman and Strengthening of Civil Rights in Asia"

Conference Program (April 27-29)

Sunday April 25

Registration(Jade Room, 2nd Floor)

Monday April 26

	Registration(Jade Room, 2nd Floor)
09:00-10:15	Board of Directors' Meeting(Peacock Suite, 36th Floor)
10:15-10:30	Tea Break
10:30-11:45	Board of Directors' Meeting(Peacock Suite, 36th Floor)
12:00	Lunch hosted by Mr. Cho Young-Hoang, Chief Ombudsman of Korea (Board of Directors, Charlotte Suite, 36th Floor)
14:00-15:30	Board of Directors' Meeting(Peacock Suite, 36th Floor)
15:30-15:45	Tea Break
15:45-17:00	Board of Directors' Meeting(Peacock Suite, 36th Floor)
19:00	Welcoming Reception by Mr. Cho Young-Hoang, Chief Ombudsman of Korea (Belle-View Suite, 36th Floor)

Tuesday April 27

	Registration(Lobby of Crystal Ballroom, 2nd Floor)
10:00-10:50	Opening Ceremony(Crystal Ballroom, 2nd Floor) □ Moderator : Mr. Park Yeon-Soo, Director General of Investigation Bureau 2 of the Ombudsman of Korea Welcome Addresses □ Mr. Cho Young-Hoang, Chief Ombudsman, Korea Address in Response □ Mr. Imtiaz Ahmad Sahibzada, A.O.A. President, Ombudsman, Pakistan Congratulatory Address □ Mr. Clare Lewis, Q.C., I.O.I. President, Ombudsman for Ontario, Canada
10:50-11:05	Tea Break
11:05-11:45-	Keynote Addresses

- Federal Tax Ombudsman, Pakistan
- 10:15-10:30 Tea Break
- 10:30-12:00 Mr. Khobreh-Vali,
Deputy of General Inspection Organization, Iran
Mr. Ripusudan Dayal,
LOKAYUKT(Ombudsman), LOKAYUKT MADHYA PRADESH, India
Dr. Abdullah Abdullah Al-Sanafi
President of Central Organization for Control and Auditing, Yemen
Mr. Sardar Said Muhammad Khan,
Ombudsman of Azad Jammu&Kashmir, Pakistan
- 12:00 Lunch hosted by Mr. Yoo Keon, President of the Korea National Tourism
Organization
- 14:00-15:30 **Plenary Session 3 :**
"The Ombudsman and citizen participation"
(Emerald Room, 2nd Floor)
- Moderator : Mr. Cho Young-Hoang,
Chief Ombudsman, Korea
- Presenters :
- Mrs. Anna-Karin Lundin,
Parliamentary Ombudsman, Sweden
- Mr. Poobsup Piya-Anant,
Ombudsman, Thailand
- Mr. John Belgrave,
Chief Ombudsman, New Zealand
- Mr. Hiroyuki Hata,
Director of the Administrative Counselling Division, Administrative Evaluation
Bureau, Ministry of Public Management, Home Affairs, Post and Telecommunication,
Japan
- 15:30-15:45 Tea Break
- 15:45-17:30 Mr. Lee Ki-Wu
Department of Social Studies Education Professor of Inha University, Korea
Mr. Khalid bin HJ. Ibrahim
Deputy Director General of Public Complaints Bureau, Malaysia
Mr. Margarito P. Gervacio, Jr.
Over-All Deputy Ombudsman, Philippines
Mr. Sudhir Chandra Verma,
H.O.D., LOKAYUKTA(Ombudsman), India

Thursday April 29

- 09:00-09:45 General Assembly of AOA(Crystal Ballroom, 2nd Floor)
- Moderator : Mr. Imtiaz Ahmad Sahibzada,
A.O.A. President, Ombudsman, Pakistan
- 09:45-10:00 Tea Break
- 10:00-11:00 Closing Ceremony(Crystal Ballroom, 2nd Floor)
- Moderator : Mr. Park Yeon-Soo,
Director General of Investigation Bureau 2 of the Ombudsman of Korea

Closing Address

by Mr. Cho Young-Hoang, Chief Ombudsman, Korea

Address by former AOA president

Address by newly-elected AOA president

Address by the host of the 9th AOA conference

12:00 Lunch hosted by Mr. Goh Kun, the Acting President and Prime Minister at the Official Residence of Prime Minister(Each Head Delegation)

14:00 Return to Hotel

16:00 City Tour

19:00-22:00 Farewell Dinner hosted by Mr. Cho Young-Hoang, Chief Ombudsman of Korea and Korean Traditional Performance, at the Han River Dinner Cruiser

22:00 Return to Hotel

Friday April 30

Departure

**DRAFT AGENDA
FOR THE SESSION OF THE
GENERAL ASSEMBLY OF THE ASIAN OMBUDSMAN ASSOCIATION AT
SEOUL, REPUBLIC OF KOREA
ON 29TH APRIL, 2004**

1. Election of the new Board of Directors of the Asian Ombudsman Association (Resolution No.1/ Page-63-64).
2. Approval of the applications of Commissioner for Human Rights of the Republic of Azerbaijan; and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, for full membership of the AOA (Resolution No. 2/ Page-65).
3. Consideration of the proposals for holding 9th and 10th AOA Conferences (Resolution No. 3/ Page-66).
4. Approval of the financial statements of the A.O.A Accounts for the period from 16th May 2002 to 15th April 2004 (Resolution No. 4/ Page-67).
5. Vote of thanks and gratitude to the Republic of Korea and his Excellency Mr. Cho Young-Hoang, Chief Ombudsman, for hosting the 8th Conference of the Asian Ombudsman Association (Resolution No. 5/ Page-68).
6. Any other item, which the General Assembly may like to discuss.



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29-04-2004

DRAFT RESOLUTION NO. 1 OF 2004

ELECTING THE OFFICERS AND MEMBERS OF THE BOARD OF DIRECTORS

Whereas, under the provision of Bye-Law-7(2) of the Bye-Laws of the Asian Ombudsman Association, the term of office of the incumbent officers and Directors of the Association is to expire on 19th July 2004;

Whereas, the term of the present Board of Directors is ending on 19th July 2004 (vide Resolution No. 4 dated 24-05-2002, of the General Assembly of the Asian Ombudsman Association) and there may not be another possibility for the Board of Directors and the General Assembly to meet before this date;

Whereas, the term of office of the Board of Directors is of four years from the date of election and whereas, it will not be possible to hold the next election of the Board of Directors before 2007 or 2009, so as to avoid a coincidence of the General Assembly with meetings of the IOI;

Now, therefore, it is resolved that: -

- i. the election to the Board of Directors be held in this current session of the General Assembly being held on 29th April, 2004
- ii. the term of the Office holders and members of the Board as elected by the General Assembly in its meeting of 29th April, 2004 and indicated below be curtailed to three years i.e. up to 2007 -

President:

Vice President:

Secretary:

Treasurer:

Members:

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.

President (A.O.A.)

Attested:

Secretary (A.O.A.)



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29-04-2004

DRAFT RESOLUTION NO. 2 OF 2004

**APPROVAL OF THE APPLICATIONS OF COMMISSIONER FOR HUMAN
RIGHTS OF THE REPUBLIC OF AZERBAIJAN AND PROVINCIAL MOHTASIB
(OMBUDSMAN) BALOCHISTAN, PAKISTAN, FOR FULL MEMBERSHIP OF THE
A.O.A.**

Whereas, the Commissioner for Human Rights of the Republic of Azerbaijan and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, have applied for the Full Membership of the Asian Ombudsman Association (AOA) and their applications have been recommended for acceptance by the Board of Directors of the Association in its meeting of 21st October, 2003; and

Whereas, the applicants meet all the prescribed requirements for Full Membership under the provisions of Bye-Law 5(1) and Article-1 of the Code of Conduct of Business of the Association;

Now, therefore, the GENERAL ASSEMBLY of the Asian Ombudsman Association in the 8th AOA Conference hereby resolves to accord its approval to the Commissioner for Human Rights of the Republic of Azerbaijan and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, as Full Members of the Asian Ombudsman Association.

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.

PRESIDENT (AOA)

Attested:

SECRETARY (AOA)



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29-04-2004

DRAFT RESOLUTION NO. 3 OF 2004

Whereas, in terms of Bye-law 6(2) of the Bye-Laws, the _____ has offered to host the meeting of the Board and the General Assembly in 2005;

Now, therefore, it is hereby resolved by the GENERAL ASSEMBLY in the 8th A.O.A. Conference to accept the offer of the _____ for holding the Conference of the Association as well as the meeting of the Board of Directors in 2005.

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.

PRESIDENT (AOA)

Attested:

SECRETARY (AOA)



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29-04-2004

DRAFT RESOLUTION NO. 4 OF 2004

**APPROVAL OF THE FINANCIAL STATEMENTS OF THE
ASIAN OMBUDSMAN ASSOCIATION FOR THE PERIODS FROM
16TH MAY, 2002 TO 15TH OCTOBER, 2003 AND
16TH OCTOBER, 2003 TO 24TH APRIL, 2004**

Whereas, the financial statements of the Asian Ombudsman Association for the periods from 16th May, 2002 to 15th October, 2003 and 16th October, 2003 to 24th April, 2004, have been prepared and placed before the Board of Directors in its meetings of 21st October, 2003 and 26th April, 2004 respectively; and

Whereas, under bye-law 6(4)(f) these require the approval of the General Assembly;

Now, therefore, the GENERAL ASSEMBLY resolves to accord its approval to the annexed financial statements of the Asian Ombudsman Association as recommended by the Board of Directors in its meetings of 21st October, 2003, at Macao SAR and 26th April, 2004, at Seoul, Republic of Korea.

Adopted this 29th day of April 2004 at the City of Seoul, Republic of Korea.

PRESIDENT (AOA)

Attested:

SECRETARY (AOA)



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29-04-2004

DRAFT RESOLUTION NO. 5 OF 2004

**GRATITUDE TO THE REPUBLIC OF KOREA AND HIS EXCELLENCY
DR. LEE WUN-HYOUNG, CHIEF OMBUDSMAN, FOR HOSTING THE
8TH CONFERENCE OF THE ASIAN OMBUDSMAN ASSOCIATION**

Whereas, the success of the recently concluded 8th Asian Ombudsman Association Conference held at Seoul, Republic of Korea, from 26-29 April, 2004, could not be made possible without the whole hearted cooperation and support provided by the host country through the Chief Ombudsman of Republic of Korea, his deputies, staff and all ranks of the other departments of the Government; and

Whereas, the warm hospitality and generosity extended to the delegates and participants whose needs and comfort have been fully attended to, has made the Conference memorable and extremely enjoyable;

Now, therefore, it is hereby resolved by the GENERAL ASSEMBLY of the Asian Ombudsman Association to express its sincere appreciation and gratitude to His Excellency Mr. Cho Young-Hoang, Chief Ombudsman, his deputies, and members of the staff of the other departments of the Government, for the successful hosting of the 8th A.O.A. Conference held from 26-29 May 2004, Seoul, Republic of Korea.

Adopted this 29th day of April, 2004, at the City of Seoul, Republic of Korea.

PRESIDENT (AOA)

Attested:

SECRETARY (AOA)



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 29 APRIL 2004
RESOLUTION NO. 1 OF 2004**

AMENDMENT OF THE BYE-LAWS OF THE ASSOCIATION

Whereas the Board of Directors in its meeting of 26 April 2004 in Seoul, Republic of Korea, discussed the issue of Members who are in default of payment of their membership fees and in this context considered cancellation of Membership under Bye-law 5(7)(d), a view point was presented to the effect that, in the interest of retaining members and facilitating their payment of the arrears without having to seek membership afresh, it would be more appropriate to achieve the same objective through a suspension of their membership until such time when all arrears have been paid. Agreeing to this, the Board approved the submission of this proposal along with a draft new Bye-law to this effect;

NOW THEREFORE, it is PROPOSED that to give effect to this decision of the Board, the Bye-Laws be amended by incorporating a new Bye-law 5(11) to the following effect:

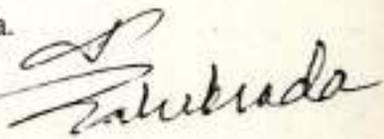
"(11) Suspension of Membership

Without prejudice to the generality of Bye-law 5(7)(d), the General Assembly shall be entitled to suspend the Membership by a simple majority in case of a member who has not cleared his membership fees by the stipulated date(s) after the issue of three written notices by the Secretariat of the Association to this effect.

Suspension means, in addition to the ineligibility under Bye-law 5(10), that the member concerned shall not be allowed to participate in the proceedings of the General Assembly and any other activity of the Association."

Now, therefore, the GENERAL ASSEMBLY hereby RESOLVES to amend the Bye-Laws of the Association by adding the proposed Bye-law 5(11) as indicated above.

Adopted this 29th day of April 2004 at the City of Seoul, Republic of Korea.


PRESIDENT

Attested:



SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 29 APRIL 2004
RESOLUTION NO. 2 OF 2004**

SUSPENSION OF MEMBERSHIP OF MALDIVES AND JORDAN

Whereas, the General Assembly in its session of 29 April 2004 in Seoul, Republic of Korea, has approved a resolution proposing to amend the Bye-Laws by providing for a provision to suspend the membership of Members who are in arrears of their membership fees;

Whereas, MALDIVES and JORDAN have not been paying their membership fees due and payable to the Association since years 2000 and 2002 respectively;

Whereas, written notices had been issued by the A.O.A. Secretariat to both MALDIVES and JORDAN on 21st November, 2003, 19th February, 2004 and 29th March, 2004, requesting them to pay their membership dues within the stipulated period and whereas their fees are still outstanding; and

Whereas, under Bye-law 5(11) of the Association, suspension of membership of the Association requires the approval of the GENERAL ASSEMBLY of the Association;

Now, therefore, in pursuance of Bye-law 5(11), the GENERAL ASSEMBLY of the Association hereby resolves to suspend the membership of MALDIVES and JORDAN until such time as their respective arrears have been paid.

Adopted this 29th day of April 2004 at the City of Seoul, Republic of Korea.

PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY
MEETING HELD ON 29 APRIL 2004
RESOLUTION NO. 3 OF 2004**

APPROVAL OF THE APPLICATIONS OF COMMISSIONER FOR HUMAN RIGHTS OF THE REPUBLIC OF AZERBAIJAN AND PROVINCIAL MOHTASIB (OMBUDSMAN) BALOCHISTAN, PAKISTAN FOR FULL MEMBERSHIP

Whereas, the Commissioner for Human Rights of the Republic of Azerbaijan and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, have applied for Full Membership of the Asian Ombudsman Association (AOA) and their applications have been recommended for acceptance by the Board of Directors in its meeting of 21st October, 2003; and

Whereas, the applicants meet all the prescribed requirements for Full Membership under the provisions of Bye-Law 5(1) and Article-1 of the Code of Conduct of Business of the Association;

Now, therefore, the GENERAL ASSEMBLY in the 8th AOA Conference hereby RESOLVES to accord its approval to the Commissioner for Human Rights of the Republic of Azerbaijan and Provincial Mohtasib (Ombudsman) Balochistan, Pakistan, as Full Members of the Asian Ombudsman Association.

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.

PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29 APRIL 2004

RESOLUTION NO. 4 OF 2004

**APPROVAL OF THE FINANCIAL STATEMENTS OF THE
ASIAN OMBUDSMAN ASSOCIATION FOR THE PERIODS FROM
16TH MAY, 2002 TO 15TH OCTOBER, 2003 AND
16TH OCTOBER, 2003 TO 24TH APRIL, 2004**

Whereas, the financial statements of the Asian Ombudsman Association for the periods from 16th May, 2002 to 15th October, 2003 and 16th October, 2003 to 24th April, 2004, have been prepared and placed before the Board of Directors in its meetings of 21st October, 2003 and 26th April, 2004 respectively; and

Whereas, under bye-law 6(4)(f) these require the approval of the General Assembly;

Now, therefore, the GENERAL ASSEMBLY hereby RESOLVES to accord its approval to the annexed financial statements of the Asian Ombudsman Association as recommended by the Board of Directors in its meetings of 21st October, 2003, at Macao SAR and 26th April, 2004, at Seoul, Republic of Korea.

Adopted this 29th day of April 2004 at the City of Seoul, Republic of Korea.

PRESIDENT

Attested:

SECRETARY

ASIAN OMBUDSMAN ASSOCIATION

**INCOME/EXPENDITURE STATEMENT
16-10-2003 TO 24-04-2004
IN PAK RUPEE (ACCOUNT NO. 5756-7)**

A.	<u>INCOME</u>	
	NIL	
	Total Receipts (Income)	NIL
	<u>EXPENDITURES</u>	
(i)	Payment of Web hosting charges to M/s COMSATS, ISP, for the year from Feb-2004 to Feb-2005	Rs. 5,100/-
(ii)	Payment of Web Domain Reg. charges to M/s COMSATS, ISP, for the year from Feb-2004 to Feb-2006	Rs. 2,000/-
(iii)	Payment of Telephone, Fax and Internet charges (Upto March., 2004)	Rs. 5,483/-
B.	<u>TOTAL EXPENDITURES</u>	Rs. 12,083/-
	Excess of expenditure over income (A - B)	Rs. 12,083/- (-)

**BALANCE SHEET
IN PAK RUPEE ACCOUNT NO. 5756-7
AS ON 24-04-2004**

(A)	<u>ASSETS</u>	
(i)	Cash with the Bank	Rs. 1,239,630/-
(ii)	Cash in hand	Rs. 8,067/-
(B)	<u>LIABILITIES</u>	NIL
	NET ASSETS	(A-B) <u>Rs. 1,247,697/-</u>

ASIAN OMBUDSMAN ASSOCIATION

**INCOME/EXPENDITURE STATEMENT
16-10-2003 TO 24-04-2004
IN US DOLLARS (ACCOUNT NO. NFC-98)**

OPENING BALANCE		US\$ 50,818.49
A. INCOME		
(i) Membership Fee Received (Details at Appendix-1)		US\$ 10,952.00
(ii) Profit earned on Deposit		US\$ 127.01
TOTAL INCOME		US\$ 11,079.01
B. EXPENDITURE		
(i) Collection charges on Demand Drafts/ Cheques/Remittances and Commission		US\$ 47.70
TOTAL EXPENDITURES		US\$ 47.70

**BALANCE SHEET
IN US DOLLARS (ACCOUNT NO. NFC-98)
AS ON 24-04-2004**

(A) <u>ASSETS</u>		
As on 24-04-2004		US\$ 61,849.80
Cash with the Bank		US\$ 61,849.80
(B) <u>LIABILITIES</u>		Nil
NET ASSETS (A-B)		US\$ 61,849.80

ASIAN OMBUDSMAN ASSOCIATION

INCOME/EXPENDITURE STATEMENT
16-05-2002 TO 15-10-2003
IN US DOLLARS (ACCOUNT NO. NFC-98)

OPENING BALANCE	US\$ 27,703.55
A. INCOME	
(i) Membership Fee Received (Details at Appendix-1)	US\$ 22,205.00
(ii) Membership Fee received	US\$ 490.00
(iii) Tax Refund	US\$ 18.49
(iv) Profit earned on Deposit	US\$ 505.12
TOTAL INCOME	US\$ 23,218.61
B. EXPENDITURE	
(i) Collection charges on Demand Drafts/ Cheques/Remittances and Commission	US\$ 55.00
(ii) Withholding Tax + other taxes	US\$ 48.67
TOTAL EXPENDITURES	US\$ 103.67
Excess of Income over Expenditure (A-B)	US\$ 23,114.94

BALANCE SHEET
IN US DOLLARS (ACCOUNT NO. NFC-98)
AS ON 15-10-2003

(A) ASSETS	
As on 15-05-2002	US\$ 27,703.55
Increase in assets	US\$ 23,114.94
Cash with the Bank	US\$ 50,818.49
(B) LIABILITIES	Nil
NET ASSETS AS ON 15-10-2003	(A-B) US\$ 50,818.49



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29 APRIL 2004

RESOLUTION NO. 5 OF 2004

Whereas, under Bye-law 6(2) and 6(4)(g) of the Bye-Laws, the Ombudsman of Hong Kong has offered to host the meeting of the Board and the General Assembly in 2005;

Now, therefore, the GENERAL ASSEMBLY hereby RESOLVES to accept the offer of the Ombudsman of Hong Kong to host the Board of Directors' meeting and the General Assembly in 2005.

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.

PRESIDENT

Attested:

SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29 APRIL 2004

RESOLUTION NO. 6 OF 2004

ELECTING THE OFFICERS AND MEMBERS OF THE BOARD OF DIRECTORS

Whereas, the term of the office of the incumbent officers and Directors of the Association is to expire on 19th July 2004 (vide Resolution No. 4 of 2002, of the General Assembly dated 24-05-2002) and there may not be another possibility for the Board of Directors and the General Assembly to meet before this date;

Whereas, the term of office of the Board of Directors is of four years from the date of election and whereas, it will not be possible to hold the next election of the Board of Directors before 2007 or 2009, so as to avoid a coincidence of the General Assembly with meetings of the IOI;

Now, therefore, it is resolved that: -

- i. the election to the Board of Directors be held in this current session of the General Assembly being held on 29th April, 2004; and
- ii. the term of the Office holders and members of the Board as elected by the General Assembly in its meeting of 29th April, 2004 and indicated below be curtailed to three years i.e. up to the holding of the next General Assembly in 2007 -

President:	Mr. Imtiaz Ahmad Sahibzada, Wafaqi Mohtasib (Ombudsman), Pakistan.
Vice President:	Mr. Simeon Macelo, National Ombudsman, Philippines.
Secretary:	Ms. TAI Yuen-ying, Alice, Ombudsman, Hong Kong, SAR, People's Republic of China.
Treasurer:	Mr. Cho Young-Hoang, Chief Ombudsman, South Korea.

Members:

Mr. Li Zhilun , Minister, Ministry of Supervision,
People's Republic of China.

Sayyid Ebrahim Ra'isee, Head, General Inspection
Organization, Islamic Republic of Iran.

Mr. Masashi Tamura, Director-General, Administrative
Evaluation Bureau, Ministry of Public Management, Home
Affairs, Posts & Telecommunications, Japan.

Mr. Cheong U, Commissioner Against Corruption, Macau,
SAR, People's Republic of China.

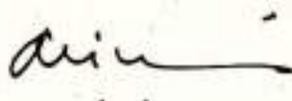
Datuk Haji Mahadi bin Haji Arshad, Director-General, Public
Complaints Bureau, Prime Minister's Department, Malaysia.

Adopted this 29th of April 2004, at the city of Seoul, Republic of Korea.



PRESIDENT

Attested:



SECRETARY



**ASIAN OMBUDSMAN ASSOCIATION
GENERAL ASSEMBLY**

MEETING HELD ON 29 APRIL 2004

RESOLUTION NO. 7 OF 2004

**GRATITUDE TO THE REPUBLIC OF KOREA AND HIS EXCELLENCY
MR. CHO YOUNG-HOANG, CHIEF OMBUDSMAN, FOR HOSTING THE
8TH CONFERENCE OF THE ASIAN OMBUDSMAN ASSOCIATION**

Whereas, the success of the recently concluded 8th Asian Ombudsman Association Conference held at Seoul, Republic of Korea, from 26-29 April, 2004, could not be made possible without the whole hearted cooperation and support provided by the host country through the Chief Ombudsman of Republic of Korea, his deputies, staff and all ranks of the other departments of the Government; and

Whereas, the warm hospitality and generosity extended to the delegates and participants whose needs and comfort have been fully attended to, has made the Conference memorable and extremely enjoyable;

Now, therefore, the GENERAL ASSEMBLY hereby RESOLVES to express its sincere appreciation and gratitude to His Excellency Mr. Cho Young-Hoang, Chief Ombudsman, his deputies, and members of the staff of the other departments of the Government, for the successful hosting of the 8th A.O.A. Conference held from 26-29 April 2004, Seoul, Republic of Korea.

Adopted this 29th day of April, 2004, at the City of Seoul, Republic of Korea.

PRESIDENT

Attested:

SECRETARY