



منظمة الموفقين والوسطاء والرقابيين الأفارقة  
African Ombudsman and Mediators Association  
Association des Ombudsman et Mediateurs Africains  
Associação dos Ombudsman e Mediadores Africanos

# African Ombudsman *today*

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Dr Nkosazana Dlamini Zuma

### ***Appointment of Dr Nkosazana Dlamini Zuma as African Union (AU) Commission Chairperson***

**AFRICAN UNION (AU)** Commission Chairperson, Dr. Nkosazana Dlamini Zuma says she is going to focus on strengthening the organization, the commission and being better at what they do.

Dr Nkosazana Dlamini-Zuma, a veteran of the fight against apartheid who has served in the cabinet of every South African President since Nelson Mandela, now takes the top African Union job. Elected by the 54-member pan-African bloc in Ethiopia, she becomes the first woman to head the AU Commission.

Born 27 January 1949 in KwaZulu-Natal, Dlamini-Zuma took up politics in high school. In the 1970s she went into exile, and studied in Britain at the universities of Bristol and Liverpool, while helping organise the anti-apartheid movement overseas.

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When the ban on the African National Congress was lifted in 1990, she returned home. After the first democratic elections she was tapped by Mandela to transform the country's segregated health system. She is remembered for introducing legislation that overhauled the highly unequal system and gave the poor access to free basic care.

An experienced diplomat, Dlamini-Zuma, 63, is known for her competent management and stern personality. A doctor by training, she was health minister when Mandela became the country's first black leader.

She went on to be foreign minister for a decade, earning praise for her diplomacy to end the war in the Democratic Republic of Congo. President Jacob Zuma then named her Home Affairs Minister. Dr Dlamini-Zuma won plaudits for turning around a ministry mired in gross mismanagement, to achieve the first clean audit in 16 years.

In her campaign to win the pan-African bloc's top job, Dr Dlamini-Zuma vowed to work at making it "a more efficient and effective organisation". And while she may have defeated the incumbent, French-speaker Jean Ping of Gabon, she has refused to be labelled as an English-speaking candidate. "I am not Anglophone, I'm Zulu," she said. Once she got to work in the post, she added, she would be "implementing programmes... agreed upon by everybody" rather than "consulting the Anglophone and the Francophone". Dlamini-Zuma has the backing of the predominantly English-speaking southern African region and is the first person from the region to hold the top Commission job since the AU was created a decade ago.

The appointment of Dr Nkosazana Dlamini-Zuma as Chairperson of the African Union Commission (AUC) at the Summit in Addis Ababa on 15 July 2012 has been greeted with enthusiasm in many quarters. We are sure that it will herald a period of new and decisive leadership with a reformist agenda. This also highlights the promotion of gender equality and thus will impact throughout the African continent.

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# Editorial comment

**WELCOME TO THIS** the fourth edition of the African Ombudsman Today, published in what is turning out to be quite a rollercoaster year for many Ombudsman Offices. We hope you have had a chance to take a mid-year break. In this issue we reflect on the outcomes of some important meetings, such as the AOMA meeting with the African Union Commission held in Luanda, the East Africa Regional Meeting held in Dar-es-Salaam, the AORC Board Meetings held in Durban and Windhoek, and the AOMA EXCO Meeting held in Windhoek.

The importance of the ombudsman institution in safeguarding democracy and the interests of the people was underscored when a call to the people of Mali, whose Government was victim of a coup d'état, was supported by all AOMA members. It was very reassuring to realise that united front AOMA presented in the face of human rights violations.

As mentioned in our last edition, this year 2012 is a year for consolidation of our initiatives. The African Ombudsman Research Centre can only be as strong as the members of the Association let it become through co-operation and constant interaction with its officials. I take this opportunity as Chairperson of the AORC Board, to welcome Adv. Ishara Bodasing to the position of Acting Director for the AORC. Through the assistance of GIZ and the Public Protector South Africa, the AORC has developed a draft five-year Strategic Plan, so that come 2014, we will be making a major evaluation of how the objectives, mission and vision of the AORC have been entrenched.

It is with great pleasure that I advise that the AORC presented its inaugural course which appropriately, was an accredited course on Ombudsman practice. In this



Adv. Thuli Madonsela

regard AORC has made history towards the professionalism of ombudsman investigation practitioners. We hope to have other courses soon. It was with honored gratitude that we host HE Ms Julia Joyner, the previous AU Commissioner for Political Affairs, as guest speaker at the launch of the training course.

We are also proud and honored to announce that the South African Government, through the African Renaissance Fund, managed by the Department of International Relations and Co-operation (DIRCO), has granted AORC R23 million over the next 3 years.

You will recall that the year 2012 was earmarked in 2010 for a General Assembly and Conference. Sadly the coup and unrest in Mali have made it impossible to hold the meeting in Mali. Kenya stepped in, but its capacity is still being assessed. We will announce shortly on the way forward.

We welcome the newly appointed Ombudsman colleagues in Libya, Botswana, Mozambique, South Sudan and Uganda to AOMA. AOMA also congratulates Dr Nkosazana Dlamini Zuma on her well-deserved appointment as AU Commission Chairperson. Based on her track record we have no doubt that she will take the AU and the continent to greater heights. Her appointment on the eve of the African Renaissance year is timely, and AOMA looks forward to forging continued collaboration with the AU on issues of strengthening good governance and democracy in Africa.

As always, the Secretariat is eager to receive your thoughts and comments on the issues in this edition, so please get in touch.

**ADV. THULI MADONSELA**  
EXECUTIVE SECRETARY - AOMA  
PUBLIC PROTECTOR SOUTH AFRICA

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# Word from AOMA President



Dr. Paulo Tjipilica

**AS WE BEGIN** the second half of year 2012, AOMA can pride herself on the tremendous progress we have made since the current Executives were elected in Luanda – Angola, during our 3rd General Assembly Meeting.

Faithful to the Luanda Declaration, AOMA's Executive Committee has recorded positive strides, both at a technical level and at a political and institutional level.

On the one side, AOMA is one of the very few, if not the only one, international organizations of its kind, endowed with a fully-fledged organ for Information, Coordination, Training, Advocacy and Research, namely the African Ombudsman Research Centre (AORC).

The AORC was a dream shared by the entire community of African Ombudsman before even AOMA was created as a Pan African Organization. Today, the center is up and running, thanks to the inestimable support of the South African Government under the African Renaissance Fund of the Department of International Relations and Cooperation, as well as that of the German Cooperation under the GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit). It is of course worth noting that the current success and any other expectations we might have from the AORC and its team will remain conditioned by the involvement of every stakeholder, most especially members of AOMA. From our individual contributions to our swift and cooperative responses to the AORC's queries, every member of AOMA can make the work of the center a lot more efficient and productive.

Our contribution can be done both through the means of subscription obligations as AOMA Members and through any other individual contribution towards strengthening the AORC's capacity. This would ensure that the burden of making the AORC a sustainable venture does not rest solely on the shoulders of the host country and those of our development partners.

The manner through which we show ourselves as responsive and fully committed stakeholders whenever we receive any query from the AORC team is also key to ensuring a long lasting success to this dearly held dream that finally became reality. Angola, both as a member of AOMA and as the current President of AOMA is ever willing to put whatever means available to the assistance of the AORC as we have strived to do in the past.

The AORC, as it was always expected, is indeed the ultimate engine

that can drive us to the achievement of our goals to technically strengthen the capacity of our member offices. Further, through research and advocacy, the AORC is the spearhead of our policy to encourage the creation of Ombudsman institutions across the entire African continent.

On the other hand, AOMA has also recorded victories on the institutional and political front.

Two months after AOMA's promotional and advocacy mission in Mozambique, His Excellency Dr. José Ibraimo Abudo, a former Minister of Justice and University Lecturer of Law was elected as the 1st Provedor de Justiça (National Ombudsman) of the Republic of Mozambique. Not only AOMA had successfully played its role in advocating the nomination of the Ombudsman but also earned herself a place in the arena of regional politics whereby we had assisted an African State in resolving the deadlock they faced in establishing a functioning institution for the safeguard of their democracy.

Mozambique was not the only front we won. Since 2010, AOMA's General Assembly made it clear that the formalization of AU/AOMA relations was long overdue. Today, AOMA prides herself not only as an accredited permanent observer within the African Union, but also, and most especially as one of the most dynamic and lively partnerships between the AU Commission and other international organizations, judging by the words of the outgoing AU Commissioner for Political Affairs, H. E. Mrs. Julia Dolly Joiner, in her opening remarks of the Coordination Meeting between the AU Commission and AOMA held in Luanda – Angola on the 21st and 22nd days of June 2012. The Joint Communiqué and the Operational Framework for the Implementation of the MOU signed between AOMA and the AU Commission that resulted from this Meeting shall be recorded as another positive stride on the political and institutional front.

AOMA is indeed earning herself a dignified place among the Pan African Organizations, a platform that we can use to induce the change and political atmosphere that we need in order to achieve AOMA's goals at a continental scale.

While we can rejoice on these achievements, a lot still needs to be done. It is in our hands and within our reach. Time does not stop nor wait for us. All of us, Ombudsman as well as officials from our respective offices who directly work on AOMA projects, are privileged to be part of a particularly special episode of Africa's history. Efforts and sacrifices we make today will determine and influence the lives of Africa's future generations. Democracy, Good Governance, Human Rights and Administrative Justice are the dreams we share for Africa, dreams we can make reality or at least help make a reality if we all put in our efforts every single day we are given. As we always say, *seria serie tractanda sunt*, the question is, how serious are we about Africa?

**DR PAULO TJIPILICA**  
**PRESIDENT OF AOMA**  
**PROVEDOR DE JUSTIÇA, ANGOLA**





## ***AOMA and AUC meet on implementation of MOU***

**THE AFRICAN UNION** Commission met with representatives of AOMA from 20 to 22 June 2012 in Luanda, and achieved another milestone in pursuit of their partnership in the pursuit of good governance in Africa. The coordination meeting, which was attended by high level delegations from the Commission and AOMA, follows on the accreditation of AOMA as an observer body with a permanent representative in the AU.

The delegation of the AUC was led by the African Union Commissioner for Political Affairs, H.E. Mrs Julia Dolly JOINER and included the African Union Legal Counsel, H.E. Dr Ben KIOKO.

The delegation of AOMA was led by the President of the Association, who is also Provedor de Justiça of the Republic of Angola, H. E. Paulo TJIPILICA and included:

The Second Vice-President of AOMA, H.E. Dr Diango CIS-SOKO, who is also the Mediator of the Republic of Mali;

The Executive Secretary of AOMA, H.E. Adv Thulisile MADONSELA, who is also the Public Protector of the Republic

of South Africa;

The Permanent Representative of AOMA at the AUC, H.E. Honourable Judge Mohammed Abuzeid AHMED, who is also the President of the Public Grievances and Corrections Board of Sudan;

The Regional Coordinator for AOMA's Southern African Region, H.E. Mrs. Caroline SOKONI, who is also the Investigator General of Zambia;

The Regional Coordinator for AOMA's Eastern African Region, H.E. Mrs Foziya AMIN, who is also the Chairperson of AOMA's Constitutional Sub-committee and Chief Ombudsman of Ethiopia; and

The Regional Coordinator for AOMA's Indian Ocean Region, H.E. Adv Soleman HATTEEA, who is also the Ombudsman of Mauritius.

As a special guest, the newly elected Provedor de Justiça of the Republic of Mozambique, Dr José Ibraimo ABUDO, was



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also invited to participate in the discussions.

The coordination meeting concluded with a draft Joint Operational implementation Framework for the MOU, which regulates the relationship between the Commission and the continental Ombudsman and Mediators body. covers seven strategic objectives, namely

- The establishment and strengthening of Ombudsman Institutions in all member states of the African Union;
- The popularisation of the African Union Shared Values Legal Instruments within the AU member states and the public;
- The ratification of the AU Shared Values Legal Instruments;
- The domestication and implementation of the AU Shared Values Legal Instruments;
- Monitoring the implementation of the AU Shared Values Legal Instruments including through the Peer Review Mechanism at the level of the African Governance Platform;
- The creation of synergy between the African Ombudsman and Mediators Association and other African Institutions; and
- Efficient management of the cooperation between the two parties.

Among the specific provisions of the Joint implementation Framework, is a commitment regarding the recognition of AOMA as a Pan African institution dedicated to the promotion of good governance.

The agreement envisages AOMA playing a role in the dis-



semination and entrenchment of AU shared values, particularly those dealing with governance in Africa. AOMA and its technical engine, the African Ombudsman Research Centre (AORC) based in Durban, South Africa, are also set to play a meaningful role in peace and stability initiatives in the continent, including conflict resolution and election monitoring.

A central provision of the Joint Operational Implementation Framework is the entrenchment and enhancement of the Ombudsman institution as a central pillar of good governance in Africa. Both parties expressed a belief in a positive relationship between good governance and the pursuit of peace and development in the African continent. It was also agreed that:

- The two parties will meet at least twice a year in order to monitor the implementation of the seven strategic

objectives.

- The two parties commit themselves to organising regular bilateral conferences on issues of common interest.
- The AUC shall invite AOMA to participate in the African Union Elections Observation Missions.
- AOMA shall assist the African Union in preventing and resolving conflicts in collaboration with the African Union's Panel of the Wise.
- The two parties shall jointly hold a conference with their respective development partners in order to efficiently use their resources, raise funds for their joint activities and avoid duplication of efforts and resources.

## REPORT BACK ON AORC AND AOMA MEETINGS

# Windhoek hosts AOMA EXCO

**THE AOMA EXECUTIVE** Committee met at the Windhoek country club and resort, in Namibia from 25 – 27 April 2012. The President's Report, the Executive Secretary's Report and the AOMA Financial Statements were discussed. Some of the decisions taken include the following:

- The AOMA Logo needs to be reconsidered to reflect the desired image of AOMA, the wording and consistence with AOMA resolutions
- The AOMA Constitution to be finalised by the AOMA Constitution sub-committee which will be assisted by

the Secretariat

- The Executive Secretary said that she had decided to take all AOMA functions from the AORC back to Pretoria, a decision made during the AORC Board meeting of 14 February 2012 to ensure tight and closer management of AOMA functions.
- The General Assembly host requires to be decided on soon. A team involving the President and Executive Secretary must visit Kenya urgently to discuss the General Assembly for immediate

## Training (GIZ/QMU initiative) update

**ONE OF THE** key objectives of AOMA is to encourage the establishment, development and promotion of African Ombudsman institutions through mutual support, co-operation and joint activities through information sharing, training, and development of Ombudsman and staff.

In line with the above objective, the African Ombuds-

man Research Centre (AORC), with the assistance of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, is offered a training course for investigators in ombudsman offices. Requests for Proposals were put out and six responses were received. Based on expertise and skills, the Queen Margaret University (Edinburgh), in partnership with Public Administration International (London), was





the successful bidder.

According to the Terms of Reference for the project, two (2) officials from ten (10) selected English-speaking AOMA member countries, were invited to participate in the pilot training. These were: Botswana, Lesotho, Ghana, Malawi, Namibia, Sierra Leone, Tanzania, Uganda, Zambia and Zimbabwe. At a later stage, and on request of the OPP, 2 officials from South Africa also participated in the training course. Training covered the following main topics:

1. Background, History and Context of the Ombudsman Institution
2. Complaint Diagnosis and Planning
3. Investigation Skills.
4. Reaching Decisions and Reporting
5. Remedial Action and Learning from Complaints

In light of the fact that this was a debut project for the AORC, on 8 July 2012 the event was officially launched and received some exposure.

The launch of the pilot Training project was a combination of a media briefing, registration of the participants and a reception dinner. The venue for the launch was the Coastlands Hotel, where the participants were being accommodated, and which is situated in close proximity to the Howard College Campus of UKZN.

The reception dinner was given an opening address by Vice-Chancellor, UKZN, Professor Makgoba. His introductory remarks focussed on the role of UKZN

in the training of African Ombudsman staff. The Public Protector of South Africa, Adv Thulisile Madonsela delivered the key note address on the importance of developing and empowering Ombudsman Offices in Africa.

H.E. Mrs Julia Dolly JOINER, Commissioner for the African Union Commission for Political Affairs was a guest speaker. She expressed her deep conviction of the added value that the AORC and its parent institution, AOMA, can bring specifically to the continental programme on Shared Values, one of the four pillars of the Strategic Plan of the Commission.

The Deputy Director General: Corporate Services in the Department of International Relations and Co-operation, Mr Moodley addressed the guests on the South African vision in empowering institutions supporting democracy and good governance in Africa. He explained the purpose of the African Renaissance Fund, which was the main source of funds for the establishment of the AORC.

Dr Angela Paul of GIZ closed the ceremony with a vote of thanks.

The pilot training took place from 9 – 13 July 2012 in the Boardroom of the UKZN Law Faculty, Durban. Nominated officials were required to attend the whole course and complete the assessment in order to obtain a certificate for the course. 99% of those who attended, passed the assessment and received an Award in Ombudsman Practice.



## REGIONAL REPORTS

# East Africa Regional Meeting



**ON 30-31 MARCH 2012** the Tanzanian Commission on Human Rights and Good Governance hosted the first and historic AOMA East African Regional Meeting in Dar-es-Salaam. Ombudsman institutions from Tanzania, Djibouti, Sudan, Uganda, Burundi and Kenya participated. The meeting was also graced by the President of AOMA, Dr. Paulo Tijiplica, the Executive Secretary represented by CEO of Public Protector, Mr. Themba Mthethwa, and AORC represented by Dr. Blessing Karumbidza, who all contributed to the success of the meeting.

The Kenyan Commission on Administrative Justice and the Burundian Ombudsman were welcomed to the Association; and the meeting acknowledged the newly appointed Mediator of Djibouti H.E Mr. Souleiman Ali.

In terms of regional co-operation and to have a better understanding of the mandate and activities of each member institution, presentations were made on the core mandates, activities and achievements of the respective Ombudsman institutions since their establishment. This paved the way for an enlightening discourse and deeper understanding of the similarities and challenges of Ombudsman and Hu-

man rights institutions in region. Moreover, the meeting was used as an occasion to network and forge closer ties with colleagues from the region, building the consensus to hold similar meetings for an enhanced regional cooperation and a regional program of action.

The East African regional members joined the AOMA President and Executive Secretary to unanimously condemn the coup-d'état and expressed their solidarity with the people of Mali.

Comments on the AOMA Code of Conduct and the History Book were shared with the Secretariat, while comments on the Constitutional Amendments were to be communicated in writing to the Secretariat. The meeting also raised the issue of weak and slow communication with member countries, citing challenges and difficulties in receiving prompt responses. Members agreed to assign an AOMA focal person who will handle and communicate AOMA related activities in the future. The meeting further resolved to hold regional meeting once a year and also agreed to elect a regional deputy coordinator in the next regional meeting.

## West Africa Regional meeting



**ON 9 AUGUST 2012** the West Africa Region of AOMA met for the first time in Abidjan to deliberate on a regional programme of action and discuss matters of common interest. This meeting made West Africa the fourth region that has responded to the Addis Resolutions. The meeting was historical and significant considering that as AOMA we see the strengthening of regions as the basis for building a strong

association. One of the outcomes of the meeting will be the establishment of a regional structure that will ensure that the West Africa region remains engaged in daily activities to advocate for the Association's frontline space in fighting for democracy and good governance. The meeting was hosted by the Regional Coordinator, Mr Ngoulo Coulibay (Médiateur de la République Cote d'Ivoire).

## AORC Board Meetings

**THE AORC BOARD MEETING** held from 14 – 15 February 2012 at the Howard College Campus, UKZN, Durban deliberated on the following matters:

- AORC Registration (the Memorandum of Incorporation needs to be revised)
- MOU between AOMA and UKZN (Discussions initiated between the parties for a revised MOU to be signed).
- AOMA Website (A service provider must be appointed to assist with populating it)
- AORC Strategic Plan (GIZ offered support in the form of a Facilitator to assist with the Strategic Planning exercise)

The AORC Board met again on 25 April 2012 at the Wind-



hoek Country Club and Resort Hotel, Namibia. The main foci of discussion at this meeting was the position of the then AORC Director, and the training project for investigators.



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## REPORT ON AOMA OUTREACH AND ADVOCACY

# AOMA's Advocacy Mission in Mozambique

**LAST YEAR**, during the August 2011 Summit of the SADC in Luanda – Angola, the President of AOMA met for the first time with President Armando Guebouza of the Republic of Mozambique.

For over three years, Mozambique was endowed with the legislation required for the creation of the office of the Provedor de Justiça, equivalent of the National Ombudsman in most Lusophone countries. However, the lack of consensus between the main political forces represented at parliament had made it impossible for the 80% minimum required for the election of the Ombudsman to be met. President Guebouza therefore invited the President of AOMA to undertake an official trip to Mozambique where he was to engage into an advocacy and mediation process in order to assist reaching the consensus on the matter.

It was in March 2012 that finally a delegation led by the President of AOMA undertook the trip to Mozambique where they met with all the political parties represented

at Parliament, in addition to several other political authorities of the country such as the President of the Republic, the Speaker of Parliament, the Ministers of Foreign Affairs and Justice, the President of the Supreme Court, the Attorney General and the Panel of Judges of the Constitutional Court. They all agreed that each one was to play their role in ensuring that the required consensus be met.

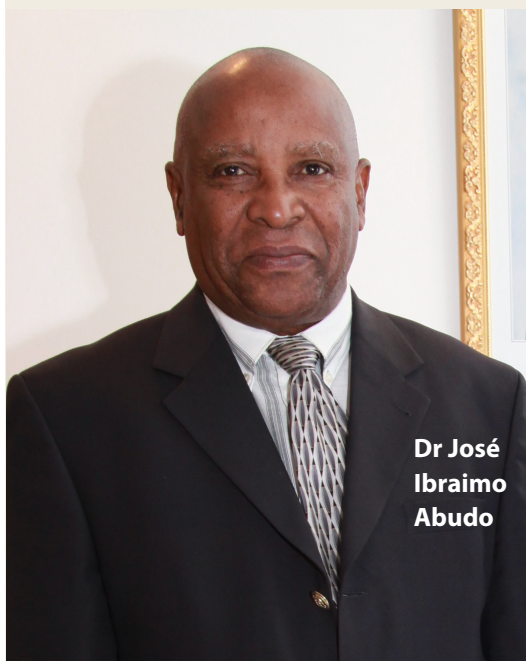
Within less than two months, the Parliament, known as the Assembly of the Republic in Mozambique, voted in its big majority for the nomination of H.E. Dr. José Ibraimo Abudo as the 1st Provedor de Justiça of the Republic of Mozambique.

Dr. José Ibraimo Abudo is a former Minister of Justice and a University Lecturer of Law. He has represented Mozam-



**AOMA President shares with President Guebouza a copy of AOMA**

bique at several international forums as the Minister of Justice. His contribution for advancing AOMA's objectives is expected to be of a great value, especially among the Portuguese Speaking countries of Africa.



**Dr José Ibraimo Abudo**

## Executive Secretary meeting with Libyan Ombudsman

**ON 12 APRIL 2012**, the new Ombudsman of Libya Dr Ibrahim Falkir, who is also the Auditor General, visited Public Protector of South Africa. Dr Falkir committed to follow up on the issues of the AOMA money in Libya and report back. The Libyan Ombudsman also indicated that he had been contacted by our colleague, the Honorable Judge Abuzeid on this matter and on the General Assembly. We can therefore record that Libya is coming back to the fold and we are hopeful that the financial issue will also be resolved in due course.



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## REPORT ON AORC PROJECTS

# AORC Strategic Plan

**THE AORC STRATEGIC** Plan was developed from the AOMA Strategic Plan and the Needs Assessment Report by AOMA EXCO to position the research centre as the centre of excellence in ombudsman research and training as well as strengthening the African ombudsman institution in Africa within a rapidly changing environment.

The strategic planning process afforded the AORC Board and AORC Secretariat an opportunity to reflect on the state of the Centre, the challenges ahead and the sources of support available. The development of AORC Strategic Plan seeks to bring to life the aspirations of the African Ombudsman and Mediators Association (AOMA) in our endeavour to strengthen the Ombudsman Institutions in Africa and become among the best in the world. This Strategic Plan indicates a commitment to improve the operation of the AORC and guide its delivery in the identified strategic areas. In order to fulfil this mandate we formulated and incorporated strategic objectives which outline our aspirations and the impact we wish to make in the long term.

Some key features of the AORC Strategy are:

Long term-

- Design of research programme, training programme, and
- Design programme to engage new democracies, and programmes to support newly established ombudsman office and develop their capacity
- Support and training for ombudsman institutions

Short term-

- Improve internal capacity
- Establish working groups on ombudsmanship and course development
- Establish strategic partnerships and sign MOUs with carefully and purposefully selected partners.

A programme for monitoring and evaluating the progress in meeting these objectives has been put in place to allow for a strategic review of the delivery process on a continual basis. Once again, GIZ is appreciated for their role in securing the services of a contractor to facilitate the process and develop the Strategic Plan.

## South African Ombudsman for Banking Services First Associate Member of AOMA

**IN JULY 2012** the Ombudsman for Banking Services South Africa became the first Associate Member of AOMA, in terms of Article 5(1)(b) of its Constituion.

The Ombudsman for Banking Services (OBSSA) exists to provide individual and small business bank customers with a fair, quick and effective dispute resolution process. Our service is free. The OBS provides an informal, easily accessible alternative to other remedies, such as court proceedings.

The mandate of the (OBSSA) is to adjudicate disputes between bank customers and their banks. This is done in an independent, impartial, confidential and speedy manner. They deal with all manner of complaints including internet banking fraud, credit card fraud, current accounts, ATM fraud, savings accounts, mortgage finance, personal loans, motor vehicle finance etc.

The OBSSA is a section 21 (non-profit) company with a board comprising of four independent directors that are not associated with the banking industry, three directors that represent the banks and an independent non-executive chairman. The composition of the board assists in assuring that the scheme is and remains independent. The board is responsible for the appointing of the Ombudsman.

The Ombudsman acts independently and objectively in resolving disputes and is not influenced by anybody in making his decisions. The Ombudsman enjoys security of tenure and can only be dismissed on the grounds of incompetence, gross misconduct or an inability to effectively carry out his duties.

The Ombudsman may not be dismissed for being unpopular with the banks or consumer groupings. The indepen-



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**Clive Pillay**  
**Ombudsman**  
**for Banking**  
**Services,**  
**South Africa**

dence of the Ombudsman is further assured by the fact that the Ombudsman and the employees of the Ombudsman for Banking Services are:-

1. Entirely responsible for the handling and determination of complaints
2. Accountable only to the board
3. Adequately resourced to carry out their respective functions

Adv CLIVE PILLAY was appointed to the position of Ombudsman for Banking Services in 2007. He is a lawyer by training and was admitted to practice in 1976. He holds 4 law degrees including two Masters' degrees; one in Constitutional Law and one in International Law, respectively. He also holds Post Graduate Diplomas in Advanced Banking Law, Alternative Dispute Resolution (cum laude) and Compliance Management (cum laude). In 2007, Adv Pillay completed the International Ombudsman training course in Philadelphia, USA.

During the period of 1999 to 2001, he served as a Judge of the High Court of South Africa on numerous occasions. He has been to the United States of America as an exchange student on a Comparative Law Program.

In 2008 Adv Pillay received the African Bankers prestigious "Banking Adjudicator of the year" award, held in Washington DC, for facilitating effective dispute resolution for the South African banking public and for promoting banking industry professionalism. In October 2009 he attended the World Bank and International Monetary Fund general meetings in Istanbul, Turkey as an accredited representative.

In August 2010 Adv Pillay received the prestigious International Star Quality Award, in the Gold category in recognition of his efforts in promoting high standards in the workplace through excellence and innovation. The ceremony was held in Geneva.

## GENERAL NOTICES

# General Assembly

**THE GENERAL ASSEMBLY** is very important on the calendar of the AOMA. Mali accepted the responsibility for hosting the next General Assembly and EXCO confirmed Bamako as the location for the GA which was meant to be held from 22 – 27 October 2012. During our recent EXCO meeting in Windhoek, it was also resolved that due to the unstable political climate in Mali, this may no longer be feasible.

The Ombudsman for Kenya, Honorable Amollo Otiende, as well as the President of AOMA, Dr Paulo Tjipilica, both committed to stand by as alternative hosts of the GA in the event that AOMA decides to move the GA from Mali. Hon. Otiende has indicated that he has already secured funding for the event. The last EXCO decided to go with the offer from our colleague in Kenya, and the Secretariat proposed that a team immediately visits Kenya to view the amenities, meet the relevant government officials and sign an MOU on the GA between AOMA and Government at that high level, and then assist the host institution with putting together a business plan.

## IOI World Conference, 12 to 16 November 2012 Wellington, New Zealand

**THE 10TH INTERNATIONAL** Ombudsman Conference will be held in Wellington, New Zealand from 12 to 16 November 2012. "It is a forum for Ombudsmen or their equivalent from around the world to meet, to share their experience and expertise. Such an opportunity is particularly important at this time when public entities' governance and administra-



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tion arrangements worldwide are undergoing fundamental change," states IOI President and Chief Ombudsman of New Zealand Beverley A. Wakem, DNZM, CBE.

At the 10th IOI World Conference held in Wellington, New Zealand in November 2012, institutional members in good standing will be requested to vote on these revised draft By-laws after a thorough and final debate.

The registration can easily be completed on the Conference website ([www.confer.co.nz/wcioi](http://www.confer.co.nz/wcioi)) and IOI Members who register for the conference no later than 29th June 2012 will benefit from an early booking rate. Details on the conference programme, pre-conference workshops or the conference speakers are also accessible via the conference website: [http://www.confer.co.nz/wcioi/conference\\_programme.htm](http://www.confer.co.nz/wcioi/conference_programme.htm)

## New Ombudsman for Uganda



**Her Lordship, Lady Justice  
Irene Mulyagonja Kakooza**

**IT IS WITH** great pleasure that AOMA welcome into its fold the a new Ombudsman for Uganda. The Inspectorate of Government, Uganda has got a new Inspector General of Government (IGG) Her Lordship, Lady Justice Irene Mulyagonja Kakooza. Lady Justice Mulyagonja has been a Judge with the Commercial Division of the High Court, and becomes the 4th substantive IGG of the Institution. Mr Raphael Baku Obudra who has been Acting IGG is now the Deputy IGG.

**Ombudsman  
Mrs Bakwena**



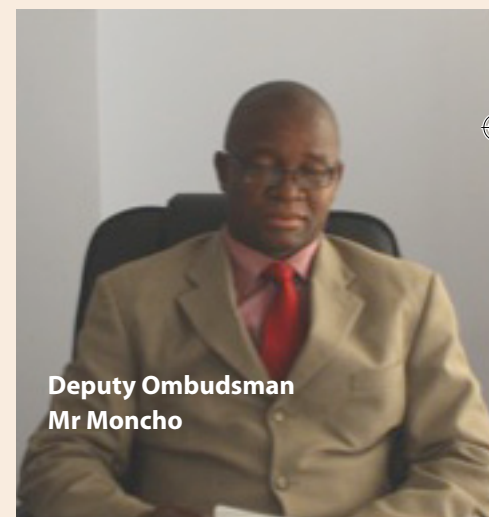
**Her Lordship, Lady Justice  
Irene Mulyagonja Kakooza**

## New Ombudsman for Botswana

**WE INTRODUCE BOTSWANA'S** new Ombudsman Mrs Festina S. Bakwena to the African Ombudsman & Mediators Association (AOMA). Mrs Bakwena assumed office on 2 May 2012, having formerly served in various Executive Leadership roles within the Botswana Public Service.

Prior to becoming Ombudsman, Mrs Bakwena was most recently Director - Directorate of Public Service Management.

In addition to Mrs Bakwena, the Botswana Ombudsman Office has another new appointee, Mr William S. K. Moncho who comes in as Deputy Ombudsman. Mr Moncho was formerly Registrar of the Industrial Court and shortly before his transfer to the Office of the Ombudsman in February 2011, where he was Acting Judge of the same court.



**Deputy Ombudsman  
Mr Moncho**



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ASSOCIATION DES OMBUDSMAN ET MEDIEATEURS AFRICAINS  
AFRICAN OMBUDSMAN AND MEDIATORS ASSOCIATION  
ASSOCIAÇÃO DOS OMBUDSMAN E MEDIADORES AFRICANOS

# African Ombudsman *today*

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