Centre for Democratic Institutions

Evaluation
of the
Accountability and Corruption in Melanesia Workshop

The following is an evaluation, conducted by CDI and Tony Regan of the State Society and Governance in Melanesia Project, of the four-day workshop (6-7, 9-10 November). The evaluation is made from our joint observations of the presentations by participants, as well as our record of the participants’ own assessment of the workshop.

Our Observations

Generally, the workshop saw some impressive networking occurring between all the participants. People were very open and felt at home with each other about, at times, extremely sensitive issues. Some participants who, at the outset, expressed reservations about their involvement in the workshop found themselves interacting and contributing energetically to the sessions.

Participants were provided with the opportunity to discuss issues crucial to their role. For example, the experiences of PNG, Fiji, and Vanuatu raised the question of whether the anti-corruption and leadership code functions actually detracted from the traditional role of Ombudsmen of handling mal-administration. Whereas, the Ombudsman Office in these three countries combined all these functions, in the Solomon Islands the Leadership Code Commission was a completely separate entity from the Ombudsman and therefore avoided the confusion of mixing jurisdictions experienced by the other countries.

Nonetheless, the general perception was that, especially in the case of Vanuatu and Fiji, there was no other body capable of doing the anti-corruption function so that, even though their traditional function was suffering, the Ombudsmen were having a significant impact. Although they could not eliminate corruption, they were reducing what otherwise would have been a far worse problem.

The workshop revealed that one of the areas that needed strengthening was the expertise and knowledge of technical and legal officers. This was particularly so with the Ombudsman Office and the Leadership Code Commission of the Solomon Islands and the Ombudsman Offices in Fiji and Samoa. Their technical resources were simply too limited.
The workshop was therefore particularly useful for the technical and legal officers, especially for the two Solomon Islands participants who subsequently will be attending the one-week corruption and anti-corruption course jointly run by ICAC and NCDS.

**Participants’ responses**

On the whole, Ombudsmen and heads of the Leadership Code Commissions, and their technical and legal officers regarded the workshop as making a very positive contribution to their work as guardians of government accountability.

They noted that the workshop was significant in that it had given them their first opportunity to look at broader roles of Ombudsman Offices, including their Leadership Code and anti-corruption roles. Hitherto, at meetings between Ombudsman Offices from Melanesian countries, the participants had talked only about traditional Ombudsman' functions of dealing with mal-administration. It was also the first time, remarkably, that they had come together as members of the Pacific and discussed their roles specific to the cultural, economic, and political systems of the South Pacific (Melanesia). The workshop was therefore unique and very valuable in bringing together leaders of these Melanesian institutions into a new kind of forum.

They said that the workshop had raised many issues that they had not thought about such as the impact of globalisation and public sector reform on the work of Ombudsman Offices and Leadership Code Commissions. They recognised the need to discuss whether there was need for reform to re-define their role and how much of their role, for example, could possibly be privatised. They expressed some concern that their roles could be phased out under globalising and reform pressures.

The participants found the afternoon session (9 November) with the Commonwealth Ombudsman and HREOC as extremely useful, as there was a good cross-flow of ideas. In particular, they showed a great deal of interest in the Commonwealth Ombudsman’s computer system, Ombis.

**Follow up actions**

The Chief Ombudsman of Papua New Guinea, Simon Pentanu, said he wants to hold a further meeting as a follow up to the workshop, at which Ombudsman Offices and Leadership Code Commissions would make a check-list of commonalities among the institutions of Melanesian countries. At the meeting, they would seek to work out some of the basic ways with which they should operate and approach their similar tasks.

The workshop sharpened the awareness and concern of participants from the Solomon Islands about the weaknesses of their own institutions. Consequently, they are considering the idea of requesting AusAID to assess the weaknesses of their institutions.
Participants saw that there was a future possibility of holding workshops that focused on the technical needs of officers. Tony Regan also mentioned that it probably would be more effective to give assistance to these institutions in-country.

**Handbook**

The State Society and Governance in Melanesia Project is committed to producing a publication of papers presented at the workshop. SSGM is currently trying to identify people who can do in-country studies of the individual institutions as a background to the broader discussions of the workshop. The SSGM is going to develop a broad template as a framework for the studies that it wants and then will identify the scholars that can contribute to the publication.

**Addressing CDI’s objectives**

The workshop has gone some way to addressing CDI’s four stated objectives for this program activity, as outlined in its annual report (1998/1999).

**Objective 1:** “To assist Ombudsmen and Technical Officers to consider technical problems in the conduct of Ombudsmen’s’ affairs and to identify solutions to the problems of corruption and mal-administration.”

The second half of the workshop (the two-day technical seminar) focused on technical problems and sought to identify solutions. The strength of the technical seminar was that some Ombudsman Offices, especially the PNG, were well placed to advise other Ombudsman Offices and Leadership Code Commissions on how to overcome certain technical and legal hurdles and points of law confronting them. The weaker institutions could learn from the stronger ones and sometimes vice versa.

The choice of Professor Victor Ayeni from the Commonwealth Secretariat as a participant to the workshop proved to be well founded as he was extremely useful in putting some of the technical problems into a broader context, thereby offering possible approaches and solutions to the technical problems discussed.

**Objective 2:** “To focus on the relationship of the Ombudsman Office to other aspects of institutions for encouraging national integrity such as the Public Prosecutor, Police, and Auditor General with an overall view to strengthening government institutions and mechanisms of accountability.”

Session 7 of the workshop specifically addressed the inter-relatedness of the Ombudsman Office to other institutions under the heading, “The Systemic Context: relationships with other parts of the National Integrity System”. The afternoon meeting with the Commonwealth Ombudsman was also particularly useful in this respect. That is, the Acting Director of Research of the Administrative Review Council and the Director of Asia-Pacific Forum on National Human Rights Institutions demonstrated the importance of their institutions for encouraging national integrity, complementary to that of the Commonwealth Ombudsman. An official from the Commonwealth Ombudsman Office also demonstrated the importance of the office’s police complaints function.
Objective 3: “To look at future directions and future needs of Ombudsman Offices in Melanesian countries, including approaches to institutional strengthening and renewal.”

Session 15 of the workshop addressed this objective under the heading: “Future Directions and Challenges for Pacific Ombudsmen and Leadership Codes”.

Objective 4: “To build links with counterpart Australian institutions.”

The afternoon session at the Commonwealth Ombudsman Office went some way to meeting this objective, as it presented a great networking opportunity between the Australian Office and its counterpart institutions in the countries of Melanesia. It was an ideal forum for mutual learning dynamics, as the senior officials exchanged their knowledge and experiences.