Roland Rich, Ombudsmen from the Melanesia, other distinguished guests, ladies and gentlemen, I am very pleased to have been invited today to launch the first major activity undertaken by the Centre for Democratic Institutions by opening this workshop on the roles of Ombudsmen and leadership codes in Melanesia.

VISION FOR CDI

The establishment of CDI this year is an initiative of which I am particularly proud. My vision is that the CDI will give practical effect to the Government’s commitment to supporting good governance and human rights. It will promote common elements vital to the democratic process such as consent, transparency and accountability.

I find it particularly fitting that the CDI should provide early support to the countries of Melanesia, given the special importance of that sub-region to Australia.
In Australia we are blessed with a vigorous working democracy under the rule of law, a free press, energetic civil society organisations, and effective and independent specialist bodies like the Commonwealth and State Ombudsmen.

While the Australian model may not always be directly applicable, I would like to think our neighbours can draw on our experiences and ideas as a basis for their own efforts to strengthen systems of governance.

The CDI’s role is to harness the best features of Australia’s democratic experience and to provide a mechanism to contribute to the improvement of civil society in Asia and the Pacific.

It is most appropriate that the CDI deals with key issues such as transparency, accountability and leadership, as these are part of the basic foundations of well-functioning democracies. Future activities of the CDI will focus on parliamentary and judicial processes and specific anti-corruption measures.

The CDI is well placed to draw on the extensive expertise within the ANU in regard to the Asia Pacific region. This is only the third month of the CDI’s operation and I look forward to being involved in future CDI activities.

GOVERNANCE AND HUMAN RIGHTS

The CDI is just one example of the Government’s commitment to maintaining a governance and human rights focus as a high priority in Australia’s aid program. Increasingly both donors and recipients are recognising that the absence of effective governance can often undermine aid efforts in support of sustainable poverty reduction and economic growth.

Australia’s focus is on supporting the effective management of a country’s economic and social resources in a way that is open, transparent, accountable, equitable and responsive
to people’s needs. Good governance encompasses a broad agenda – effective government policies and administration, respect for the law, protection of human rights and an effective civil society.

Governance and human rights activities are attaining a higher profile within the aid program. These activities fall under two broad headings: economic governance projects, which are aimed at strengthening national economic management, and projects in support of civil and political rights.

One important activity in the latter area is the Human Rights Fund, which sponsors small scale innovative projects identified by Australian overseas missions. In 1998-99, $750,000 has been allocated to the Fund, which represents a five-fold increase on the 1997-98 allocation. This reflects the Government’s clear commitment to do more through the aid program to advance human rights.

Since 1996, the aid program has funded the Australian Human Rights and Equal Opportunity Commission in its role as the Secretariat for the Asia Pacific Forum of National Human Rights Institutions. The third annual meeting of the Forum, which took place in Jakarta this September, reaffirmed the Forum’s importance as a regional body able to deal with human rights in a constructive, practical and collegiate manner.

Some of the Governments represented here today were at the Forum. The Forum is attracting heightened interest from the UN Office of the High Commissioner for Human Rights, regional governments looking to establish their own national human rights institutions, and the NGO community.

Several countries announced their intention to establish a national institution by the end of the year, and there is a real prospect of a doubling of Forum members by the 1999 meeting in the Philippines.
GOVERNANCE ISSUES IN MELANESIA

Australia's assistance to the countries of the Pacific is geared towards meeting the region's own priorities as articulated, for example, in the Action Plan of the inaugural Forum Economic Ministers Meeting held in Cairns in 1997. Australia has provided increasing levels of support for national and regional initiatives to implement the Action Plan.

Australia's aid to the Pacific region is playing a growing role in supporting these institutions of accountability. This support is both in response to the wishes of partner governments and in fulfilment of the Australian Government's broad commitment to the promotion of good governance in the Asia-Pacific. It is complemented by support for the development of the region's media and for community consultation on national reform initiatives.

Much of this assistance has, as you would expect, been provided to central government agencies in order to strengthen their economic management capacity. However, we should not overlook the fact that a central plank of the regional reform agenda is an emphasis on improving the transparency and accountability of the processes of government decision-making.

And that is of course precisely the role of an Ombudsman's Office or Leadership Code Commission. That role is shared by a number of other institutions charged with ensuring that executive government is held accountable for its actions and omissions. Those institutions include parliaments, courts, public prosecutors, national audit offices and, in some circumstances, central banks.

The Ombudsmen’s offices in the Pacific countries have had a particularly significant role to play in the promotion of human rights and good governance, especially:
• in receiving and investigating citizens’ grievances about the actions of government; and

• in acting as a check against unreasonable, unjust or unduly delayed administrative decisions.

Ombudsmen have a dual function here. Like national human rights bodies, the office of Ombudsman plays both a role in helping to ensure power is used in accountable, effective and equitable ways and in providing a mechanism for channelling complaints and holding other arms of the state to account.

But we shouldn’t be naive about the difficulties inherent in the position. The office of Ombudsman facilitates public scrutiny of state policies and practices. But it is also part of the state, set up with the specific purpose of providing channels for representation and oversight.

This underlies the importance of providing legislation that protects the independence of the Ombudsman. But at least as critical is maintaining popular support for the position of Ombudsman. The public needs to understand the functions of the office. And it needs to be confident that the office is helping to protect its interests. Public communication and integrity are central.

One of the purposes of this workshop is to provide support from Australia for the Pacific Ombudsmen. The experience in the Pacific is that the Ombudsman has had to take up the slack where the companion institutions are not functioning as effectively as they might.

The office of Ombudsman is a crucial institution in ensuring both transparency and accountability of government decision making. It is also a cost-effective institution in that the Ombudsman has the flexibility to deal with matters informally.
In Papua New Guinea, the aid program funds practical assistance with the Ombudsman Commission Institutional Strengthening Project. The project aims to assist the Ombudsman Commission by upgrading the technical skills of its staff.

Potential benefits include strengthened case management and improved work planning, communication, training and financial management. The three-year project, at a cost of $2 million, commenced implementation in May 1998.

The PNG Ombudsman Commission has a wider role than most Ombudsman Commissions. In addition to the traditional function of examining and taking remedial action against unfair administrative practice and action by governmental bodies, the Commission also enforces the Leadership Code enshrined in the PNG Constitution.

The Ombudsman Commission therefore has a high profile role in working towards preventing bribery, corruption, abuse of power for personal gain, misappropriation of public funds and unethical conduct by leaders.

In the other countries of Melanesia, we are providing a great deal of support to closely allied institutions. In Fiji, Australia provided high-level legislative expertise to facilitate the drafting of the new constitution and related legislation such as the electoral bill.

We will be assisting the Fiji Electoral Office in the lead-up to the historic 1999 election, the first to be held under the provisions of the new Constitution Amendment Act of 1997. We will continue to work with the United Nations Development Programme in strengthening the capacity of Fiji's Parliamentary Secretariat.

In Vanuatu, Australia is supporting implementation of key elements of the government's Comprehensive Reform Program, including the drafting and implementation of a Leadership Code, a Public Service Act and an Ombudsman Act, as well as senior-level advisory support for Vanuatu's Public Prosecutor. Australia also contributed toward the cost of community consultations in the formulation phase of the reform program.
In the Solomon Islands, which has in the past year embarked on a wide-ranging program of public sector reform, Australia is working to improve the transparency and efficiency of a number of critical government agencies, including the customs service, the forestry department and the finance ministry.

There too we are seeking to improve the effectiveness of community consultation on reform initiatives through support for national planning and review processes.

One of the great benefits of a meeting such as this is that it gives due public recognition, and a higher regional profile, to the critical role played by Ombudsman's offices and allied institutions in protecting the interests of citizens from arbitrary or self-interested action by those in positions of public trust.

More than that, it helps to create a stronger network of institutions spanning the region, a network that will in many different ways help each of its members to fulfil its role more effectively.

CONCLUSION

In conclusion I would like to note that the Workshop is sponsored by three bodies from within the ANU:

- The State, Society and Governance in Melanesia Project,
- The Centre for Democratic Institutions, and
- The National Centre for Development Studies.

All three bodies in varying degrees are funded by the Australian aid program, demonstrating the role that aid can play in supporting both economic and political development. I particularly welcome and encourage the cooperation between these bodies in addressing the challenges of contemporary governance in the region.
I would also like to reaffirm that we need to get the basic institutions of government working well if society is to progress on a sure and sustainable footing and achieve better living standards.

In the Pacific, the Ombudsman has become one of the fundamental institutions of good governance. I welcome you all warmly here to Australia and I wish you all every success in your activities here in Canberra.