

Ethiopian Ombudsman Institution and its challenges

The Ethiopian Institution of the Ombudsman (EIO) is one of the established democratic institutions that have been given the responsibility to contribute their contribution in the process of establishing good governance in the country.

EIO was established in the year 1999 by Article 55 Sub-Article 1 and 15 Constitution of Federal Democratic Republic of Ethiopia in Decree No. 211/1999. It is accountable to the House of People's Representatives.

The institution did not start operations by the time it was established due to a lack of manpower, material, budget, and other resources. Evidences suggest that it began its full operations five years after its establishment.

The main purpose of the establishment of the institution is to ensure that the rights and interests of people stipulated by law are respected by the executive bodies, and to ensure that good government administration with quality, efficiency and transparency based on the rule of law prevails.

The powers and functions of the EIO entail overseeing regulations, administrative directives, and decisions issued by executive organs to ensure they align with citizens' constitutional rights and legal frameworks. The EIO conducts investigations into maladministration based on complaints or proactively initiates inquiries into crucial matters. It recommends suitable remedies when instances of maladministration are identified and supervises the executive to ensure compliance with the law and prevent malpractice. The EIO conducts studies to address maladministration issues, providing actionable recommendations for improvement. Additionally, it makes suggestions for revising existing laws and practices, as well as formulating new policies to enhance good governance. The EIO offers advice to the government on good governance matters, raises awareness about good governance and administrative justice, and engages in international events related to governance. It also oversees the implementation of access to information law, along with carrying out other necessary activities to achieve its objectives.

Although it has been authorized by decree to carry out many activities based on the purpose of its establishment, it does not have the authority to see or investigate the following four issues—decisions made by elected councils in their legislative role, decisions rendered or cases in progress in courts of law or quasi-judicial bodies, decisions made or cases under review by the Federal or Regional Office of the Auditor-General, and decisions made by police forces or defense forces concerning national security or defense matters.

Various theories indicate that when an institution is established, it should define its own mission, vision, and values. The EIO likewise has established its own mission, vision, and values.

The institution's mission is twofold: preventing administrative abuses and promoting good governance. This is achieved through various measures such as overseeing that executive directives align with the constitution and laws, receiving and investigating complaints, conducting research on good governance, making recommendations, advocating for legal amendments and new laws, offering advisory services to

the government on governance matters, raising public awareness, and monitoring the implementation of the Freedom of Information Act.

The vision is to become a dependable ombudsman institution for the Ethiopian people by establishing fair and accountable good governance by the year 2029.

In order to achieve the purpose of its establishment, to fulfill its mission and to realize its vision, it is an institution that carries out its activities by wearing its four values: Independence, Impartiality, Integrity and Informality.

Upon confirming administrative abuse through investigation, the institution can employ enforcement strategies such as offering advice through negotiation, presenting a special report to the House of Representatives, publicizing the findings in the media (naming and shaming), and initiating legal proceedings by filing a lawsuit.

The institution can accept complaints through diverse channels including in-person submissions, mail, telephone (both online and toll-free call center), and email. Furthermore, it will verify the source and validity of complaints received through the institution's social platforms and work towards finding resolutions.

While the institution's main office is located in Addis City, it has expanded its reach through eight branch offices (Bahr Dar Office, Oromia Office, Asosa Office, Semera Office, Hawasa Office, Bet, Dredawa District Office, Gambella District Office, and Mekele District Office), offering services to the public utilizing the powers and functions granted by the decree.

The institution is tasked with reviewing the initial establishment decree to pinpoint accessibility and other deficiencies, and subsequently revise Decree No. 211/1992 with Proclamations 1142/2018 and 1307/2024, which are currently enforceable. Proclamation No. 1142/2018 expanded the institution's scope to investigate administrative abuses within government entities, while Proclamation No. 1307/2024 extended this authority to cover administrative abuses within private organizations.

Regarding administrative abuse, the institution holds significant responsibilities in aiding the people of Ethiopia and fostering good governance within the nation. It faces challenges such as non-cooperation, failure to implement recommendations from executive bodies, limited societal awareness about the mandate of the institution, insufficient manpower because of high turn-over, budget constraints and absence of a permanent and own office.

In conclusion, it is advised that all stakeholders participate actively across all levels to empower the institution in effectively tackling current challenges and addressing public grievances through the acceptance and investigation of complaints from the public.