



# **Future Directions and Advocacy for Ombudsman Institutions**

**Promoting the Roles of the Ombudsman-Increasing  
Awareness and Recognition of the Institution's Importance  
Webinar**

**Tuesday, October 8, 2024**



# Presentation Outline

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- **Introduction and Background**
- **Key Advocacy Areas**
- **Advocacy Methodologies**
- **Key success factors for effective Advocacy**
- **Future Trends**
- **Conclusion**



# Introduction and Background

- The Ombudsman Institutions are historically and primarily, complaints handling entities as per their Scandinavian origins.

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- Originally, the Institutions dealt with common peoples interests against powerful persons in societies through complaints handling. They acted as “*representative of people*” or “*ear to the people*”.
- In terms of advocacy which simply means “advancing a certain idea, practice or conduct”, the classical Ombudsman Institutions advocate for the interests of the powerless through handling of complaints.
- Overtime, the establishment of the Ombudsman Institutions in other regions has introduced varying mandates in terms of what can be handled, how to handle complaint, the remedies available and how the remedies can be enforced.
- Resultantly, what the Ombudsman Institution advocate for, means and scope depend on the mandate of a particular Ombudsman Institution.

# Key Advocacy Areas

Mandate	Advocacy Areas
Maladministration	Good administrative practices and procedures including policy reforms, reasonableness, fairness, responsiveness and service delivery
Human Rights Violation	Human Rights, Accountability, Responsiveness and Rule of Law
Access to information	Transparency, Accountability and access to information
Injustice	Fairness, rule of law, justice, accountability



# Advocacy Methodologies

- Adaptation of appropriate complaint resolution method, Tripartite Meetings, Dialogue, where Ombudsman plays more of a Mediator Role. Example use of Alternative Disputes Resolution Mechanism for a complaint where win-win use is acceptable. E.g. the Malawi Defense Force Terminal Benefit complaint
- Thorough and professional investigations of complaints provide platform better understanding principles under which the Ombudsman Institutions discharge their mandate
- Well crafted recommendations/directions/determinations grounded on comprehensive analysis aid easy acceptance of the Ombudsman Resolutions
- Well written investigation reports
- Strategic dissemination of investigation reports including tactical responses to questions related to investigation findings and reports
- Targeting issues of public interest for the Ombudsman Institutions with mandate to carry out own-motion investigations focusing on Public Interest Systemic Investigations



# Advocacy Means conti...

- Properly prepared advisory opinions for those with mandate to provide the opinion, this is provided for under the Ombudsman Act for Malawi
- Well designed public awareness interventions including well prepared communication and education materials, communication strategy, well defined public awareness activities, excellent execution of the activities and adequately monitoring mechanisms for the activities
- Good working relationship with stakeholder particularly parliament, Civil Society Organizations and other oversight institution
- Engagements with public entity and officials on functions and implementation of the Ombudsman Institutions' recommendations/directions/determinations
- Publication of administrative justice/justice/accountability/governance status report
- Utilization of Information Communication and Technology (ICT)



# Key success factors for effective Advocacy

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- Discharging the mandate in accordance to the key principles of independence, impartiality, fairness, objectivity and transparency
- Due diligence in investigations and crafting recommendations/directions/determinations
- Quality and readable investigation reports/advisory opinions/status reports
- Well designed, prepared, executed and monitored outreach/public awareness activities



# Future Trends

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- Leveraging classical persuasion in recommendations/directions
- More Ombudsman Institutions with public awareness mandate
- Strong working relationships with the stakeholders including media and Civil Societies
- Adequately structured public awareness functions within Ombudsman Institutions
- Maximum utilization of technology in advocacy
- Continuance improvements in advocacy through monitoring and learning





# Conclusion

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- The Ombudsman Institutions advocacy is well grounded on the mandates of the Institutions and depend so much effective persuasion and provision of enforceable directives and recommendations.
- This needs to be complimented with robust public awareness activities and intensive civic and stakeholder engagement.
- Effective advocacy rests on the independence, impartiality, fairness, objectivity and transparency as well as effective programming and implementation of both the investigation and public awareness or outreach activities.