



Government of the Federal Democratic Republic of Ethiopia

Ethiopian Institution of the Ombudsman

United Nations Development Programme

Four-Year Capacity Building Programme: Strengthening the Capacity of the Ethiopian Institution of the Ombudsman

Brief Description

This is a sub programme provided under the Democratic Institutions Programme (DIP), a five-year, USD 50 million multi-donor program in support of the PASDEP's theme goal to develop "... a fully operational democratic, accountable and responsive constitutional federalism, ensuring citizens' empowerment and participation".

This sub-programme will support the Ethiopian Institution of the Ombudsman (EIO) through a four-year programme valued at \$6 million (USD). It is fully aligned with the EIO's own strategic plan, and seeks the outcome of "An Ethiopian Institution of the Ombudsman with enhanced capacity to receive, investigate, and follow up on administrative complaints enhanced, resulting in improved promotion, claiming and enforcement of citizen's rights".

The sub programme supports the EIO in achieving the following outputs:

Output 1: Ethiopian Institution of the Ombudsman (EIO) with enhanced core management and technical capacity to take forward its mandate

Output 2: EIO with enhanced capacities and procedures in complaint investigation and systemic analysis

Output 3: EIO raises awareness of maladministration issues and is engaged in enhanced consultation processes with citizens, civil society and other stakeholders

Output 4: EIO better capacitated to serve the needs of women and children, as well as other vulnerable groups

Output 5: EIO which is more accessible to citizens and better able to have an impact in a decentralised governance structure

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Strengthening the Capacity of the Ethiopian Institution of the Ombudsman

I. Background

Introduction

1. Governance (the way in which a country governs itself, consults and makes decisions about its policies, manages its resources, consults, resolves and mitigates risk of conflicts and enables a relationship between the state and its citizens) is an important determining factor in whether or not human development can be enhanced and poverty eliminated.
2. One of the key features of good governance is institutional performance – particularly in the executive and State organisations. Institutional performance that shows an executive to be accountable, respectful of the rule of law, predictable and objective in its dealings with citizens helps to ensure that rights are protected and promoted, and that policy-making is inclusive. It is also becoming clear that such performance has sustained and long-term impacts on economic growth, itself vital for the elimination of poverty.
3. These issues are fully recognised by the Federal Democratic Republic of Ethiopia. Its Constitution (1995) states that ‘human rights and freedoms, emanating from the nature of mankind, are inviolable and inalienable’¹ and sets out in detail the key rights, which the constitution upholds. At the same time the constitution sets out the principles determining the conduct and accountability of government, setting out the requirement of government to be transparent and its officials (and elected representatives) accountable².
4. Ensuring that government administrations work within the law, respect the rights of all citizens, carry out their duties with due care and absence of omission is never easy, and in some democracies independent officers of oversight, known as an ombudsman, have been appointed to receive and, where appropriate investigate the complaints of citizens.

The Establishment of the Institution of the Ombudsman in Ethiopia

5. In Ethiopia (and in line with good practice for parliamentary democracies) the establishment of the institution of the Ombudsman falls under the auspices of

¹ Article 10 (1)

² Article 12

parliament (the House of Peoples' Representatives) under Article 55(15) of the constitution. In 2000 secondary legislation (Proclamation 211/2000) was passed, detailing the establishment, powers, duties and responsibilities of the office. Article 6 gives the Ethiopian Institution of the Ombudsman (EIO) the powers and duties to:

- i. Supervise that administrative decrees issued, and decisions made, by executive organs and the practices thereof do not contravene the Constitutional Rights of the citizens, as well as the law.
 - ii. Receive and investigate complaints in respect of maladministration.
 - iii. Conduct supervision with a view to ensuring that the executive carries out its functions in accordance with the law so as to preventing maladministration.
 - iv. Seek remedies in case where it believes that maladministration has occurred.
 - v. Undertake studies and research ways and means of curbing maladministration.
 - vi. Make recommendations for the revision of existing laws, practices or directives, and for the enactment of new laws and the formulation of policies, with a view to bringing about better governance.
 - vii. Perform such other functions as are related to its objective.
6. After some delay, an Ombudsman was appointed in 2004. Subsequently a Deputy and an Ombudsman for Women and Children were also appointed. In December of 2006 the institution published its first strategic plan, covering the periods 2006/07-2010/11.
7. The importance of the institution is reflected in the Plan for Accelerated and Sustained Development to End Poverty (PASDEP), the Government of Ethiopia's second-generation PRSP, a document which, *inter alia*, recognises the importance of governance and institutional performance in the fight against poverty. The PASDEP document states that "...the Ombudsman's Office will ... be strengthened as part of PASDEP, with the establishment of systems and procedures, and capacity-building and increased gender sensitivity". The accompanying matrix identifies undertakings to ensure that an organisational structure is approved and in place during 2006/07, that the institution is staffed (two commitments that have already been met), that working systems (such as case management systems) be designed and implemented, and that awareness of citizens in the work of the EIO is increased.

The response of the international community

8. The international community shares the Government of Ethiopia's concern to ensure that 'Citizens' rights as enshrined in the constitution & penal code are promoted, claimed and enforced', and in the Governance Strategy document of

- the Development Assistance Group (DAG) Governance Technical Working Group, a document which responds to the PASDEP, development partners commit to helping the Government of Ethiopia to make the EIO fully functional and credible.
9. As a means of operationalising parts of the Governance Strategy the DAG has now designed the Democratic Institutions Programme (DIP), a harmonised programme of support to a number of organisations under one umbrella programme managed by UNDP.
 10. The EIO is one organisation now identified for support through this programme, via its own sub-programme, which this document identifies. The outcome that the programme seeks is “An Ethiopian Institution of the Ombudsman with enhanced capacity EIO to receive, investigate, and follow up on administrative complaints enhanced, resulting in improved promotion, claiming and enforcement of citizen’s rights”. Allocation from the fund will be \$6 million (US dollars) over four years, with contributions coming from a donor pooled fund. The technical lead will come from the multi-donor DIP Technical Committee. Support will be given to the EIO through the DIP Coordination Unit.

Situation Analysis

11. Recent progress with the development of the EIO has been steadily impressive. An organisational structure has now been developed and approved by the House of Peoples’ Representatives (HoPR), along with a budget, which covers establishment salaries and some core activities or programming of the EIO. Staff recruitment has now taken place.
12. Under a small programme of early support from UNDP the EIO has also undertake a business planning exercise. The output from this is a five-year plan, covering the period 2006/2007-2010/2011 with accompanying analysis around organisational strengths and weaknesses, some stakeholder analysis and the like.
13. The Five-year plan identifies the following four strategic goals of the organisation:

N.B summarising the mandate of the EIO under the establishment proclamation

- Goal 1: To promote a comprehensive and mutually supportive system to prevent and rectify maladministration.
- Goal 2: To cause a culture shift at all levels so that maladministration is not tolerated.
- Goal 3: To ensure that the EIO has the capacity to and successfully deliver(s) programmes to prevent and rectify maladministration.

Goal 4: To ensure the EIO serves the needs of women and children, as well as other vulnerable groups, as these relate to maladministration and that these groups use the services of the EIO.

14. Below each of these goals a number of objectives is set out, and, in the strategic plan, the relevant strategic objectives are converted into sub-programme outputs with a number of indicative activities.
15. This strategic plan is now the roadmap for the development of the EIO, and as such forms the basis of support to the organisation.

II. Challenges to be addressed

16. The EIO faces a number of challenges. Some of them relate to the context in which the organisation is working. Some relate to the inevitable shortfalls in capacity that a new organisation of this kind inevitably faces.
17. In terms of the context, the situation is relatively complex.

Maladministration in the Ethiopian context

18. A survey was carried out in 9 regions in addition to Addis Ababa as part of the process leading to the formulation of the Strategic plan. The survey revealed the need to develop an efficient system to handle complaints relating to administrative and other maladministration disputes. Furthermore, the survey reaffirmed the need to work more on enhancing the implementation of the civil service reform programme to render efficient and effective public service for citizens. The role and mandate of EIO should also publicize to the public and the stakeholders. So that, Citizens can complain with respect to inefficient service by the executive organs to EIO.

19 Decentralisation may actually be a complicating factor here. Government has developed policies of decentralisation, to bring governance closer to the people and to make government more accountable. This explains why much of the primary service delivery is now made at wereda or district level. At the same time and due to the fact that many of the local structures are relatively new and are yet to carry out their mandates and/or deliver services at the desired level. Furthermore, there are issues such as conflict of jurisdiction between federal and local entities that can both be highlighted and resolved over time (i.e. following periods of cumulative practice). Since the mandate of the EIO entail oversight over administrative arrangements and activities at various levels, the work of the EIO will expand proportionately with the process of decentralisation. It is to be noted here that the Proclamation creating the EIO anticipates the creation of branch offices.³

³ Article 9

20 Ethiopia faces various socio economic problems due to lack of responsive and accountable government structure towards the needs of citizen's in previous regimes. Current government policies are therefore in a very real sense revolutionary – they go against the grain of Ethiopian culture and history especially in relation to notions of accountability and oversight on administrative matters. The move to a more democratic, accountable and responsive state thus represents an enormous shift in culture (to borrow terminology from the EIO's second goal). It is unlikely that this will be realised in anything outside of the long term.

21. To compound this, there are particular issues around the protection of rights and the even-handedness of service with regard to women and children. Women's rights are often less respected in rural communities in Ethiopia. The EIO Consultative workshop of 2006 created a forum for a number of issues to be discussed, including the high incidence of sexual harassment, the low implementation of affirmative action, and maladministration of property/land entitlement matters involving women. An overall conclusion that can be drawn is that women are more likely to suffer at the hands of poor administration than men, and that women with the civil service are more likely to be on the receiving end of unfair treatment. The same forum discussed ways in which maladministration impacts on children's rights, including the treatment of school children, children in detention and in health centres. It is safe to conclude, then, that issues around the protection, promotion and claiming of women and children's rights are more acute than those for men.

22 There are similar issues that face disabled people in Ethiopian society, issues which have also emerged in discussion fora.

23. To make the challenges more acute, the EIO is mandated to conduct its business country-wide, across the nation. This presents huge challenges of outreach, as the country is vast and its people diverse. For the EIO to be genuinely effective, in particular with regard to hearing the voices of the poorest (which, in Ethiopia, means the voices of those living in remote, rural communities) it needs to address issues of how it promulgates its message and institutionalises its presence at grass roots. Some of these challenges might apparently be met by enhancements of infrastructure and equipment (offices, vehicles, and staff). Another way in which outreach might be enhanced is by the formation of strategic alliances with civil society, and use linkages to help promote certain messages through already existing national networks. In reality, however, the issue of outreach will remain a long-term challenge for some time.

24. Observers also point to particular current features of the civil service as presenting challenges. The fact that there is high staff turnover and a shortage of professional staff serves to exacerbate this situation. The work of the EIO will also contribute positively to strengthening professional ethics, notions of accountability and rights of those working in the public sector, especially at the local/decentralised levels.

25. One final ‘contextual’ challenge relates to the legal framework. Experts have pointed to the absence of a properly codified administrative law as a problem, meaning that sometimes issues around maladministration lack legal clarity. This is something that may soon be remedied, but it, combined with a lack of knowledge and limited access to information/resolution measures undoubtedly places strain on the EIO. Knowledge of possible remedies in the face of alleged maladministration is often scarce, and the EIO, which should be seen as a measure of last resort, may potentially be brought into maladministration cases far too early, as a result of failing complaint procedures, and poor levels of awareness amongst both the public service and citizens.

Capacity Challenges

26. In terms of the specific challenges around capacity faced by the EIO as an organisation, these are both numerous and readily understandable.

27. By the very nature of the organisation all staff members are relatively new. Whilst some may have an understanding of human rights and accountability issues, others may not, and the need for on-the-job training, formal training (perhaps outside of the country) and exposure to similar offices in other countries are all issues that are more pressing for the EIO than for more established organisations in Ethiopia. This is perhaps most pressing at the senior levels of the organisation, where technical leadership is, at present, somewhat limited. But as the EIO attempts to extend its outreach these problems will cascade down through the organisation.

28. There are significant issues around administration and the conduct of day-to-day business, including:

- Poor codification of duties and structures;
- Absence of some procedures;
- Poor business planning, financial management and budgeting;
- Underdeveloped systems of ICT;
- Poor communications infrastructure;
- The inaccessibility of the current office accommodation of the EIO in Addis Ababa;
- A lack of a regional presence of the EIO nationally; and
- A lack of vehicles (a serious impediment to the organisations outreach).

29. There are also issues around the premises currently occupied by the EIO. It has offices in perhaps the plushiest shopping plaza in Addis Ababa, which is heavily guarded by security guards who search all entering the building. This is hardly the sort of environment where poor people can, in an unobtrusive way, come to seek advice about their rights, and the Ombudsman is aware that some other facility (perhaps purpose-built and shared with similar organisations, e.g. the Human Rights Commission) needs to be secured.

III. Sub-programme Strategies and Beneficiaries

30. The sub-programme seeks the outcome of “An Ethiopian Institution of the Ombudsman with enhanced capacity to receive, investigate, and follow up on administrative complaints enhanced, resulting in improved promotion, claiming and enforcement of citizen’s rights”.

31. It seeks five outputs (based mainly on the strategic objectives of the EIO), namely:

- Output 1: Ethiopian Institution of the Ombudsman (EIO) with enhanced core management and technical capacity to take forward its mandate
- Output 2: EIO with enhanced capacities and procedures in complaint investigation and systemic analysis
- Output 3: EIO raises awareness of maladministration issues and is engaged in enhanced consultation processes with citizens, civil society and other stakeholders
- Output 4: EIO better capacitated to serve the needs of women and children, as well as other vulnerable groups
- Output 5: EIO which is more accessible to citizens and better able to have an impact in a decentralised governance structure

32. Support under DIP will attempt to meet a number of the institutional challenges set out above. In line with donor good practice principles of alignment the lead is taken from the EIO’s strategic plan. Several areas of support pick up and address areas identified in the organisation’s SWOT analysis (includes as part of the strategic plan). It is argued that without giving due attention to addressing these weaknesses the capacity for implementing what is in the strategic plan will be greatly impaired, and thus these measures need to be seen as ones which underpin the plan. By contrast, other areas of support directly align behind activities set out in the strategy’s work plan.

33. As to aligning behind the goals, objectives and activities of the strategic plan, the DIP sub-programme will support a variety of activities, relating to each of the goals and a selection of the plan’s objectives.

34. With regard to the first goal, **the promotion of a comprehensive and mutually supportive system to prevent and rectify maladministration**, the DIP will support the objective of establishing regular consultations with civil society. Specifically, activities around the organisation of an annual workshop will be funded.

35. All eight of the objectives under goal 2 (**to cause a culture shift at all levels so that maladministration is not tolerated**) will be supported, via some of the activities identified in the strategic plan, namely:

- The sensitisation of nationally and regionally elected officials across all levels of government in the role of the EIO, as a means of brokering support. Occasional workshops with parliamentarians and annual meetings with elected officials will be organised, and one-to-one meetings with Ministers held as a means of attempting to secure the mainstreaming of EIO messages across their ministries, and some officials will be given training of trainer (ToT) training, with particular emphasis on gender, disabled and children's issues;
- The development and implementation of sensitisation programmes to government officials regarding maladministration (its prevention and cure, legal obligations, etc.), through training modules, the cascading of training through use of ToT methodology, and through experience-sharing;
- The development and implementation of sensitisation programmes to quasi-government officials through programmes of experience-sharing;
- The development and implementation of sensitisation programmes to key professional groups (police, media, lawyers, public prosecutors, judges) through delivery of ToT programmes via professional associations and targeted training to key stakeholders;
- The development and implementation of sensitisation programmes to the general public, especially in relation to gender, disabled and children, through 'town hall' meeting programmes and ToT programmes (through local NGOs);
- The development and implementation of a publications programme, including a template for an Annual Report (to include a section on women, disabled and children), a production schedule, six core publications per year on matters relating to maladministration, and promotional work via the Telephone Directory of the Ethiopian Telecommunications Company;
- The development and implementation of a media campaign to raise public awareness of EIO, including newspaper inserts, a monthly radio series (including plays) and advertisements on television and radio; and
- The development and implementation of primary and secondary school programmes reflecting principles of good governance and rights (with EHCR and EEAC), including use of ToT to selected teachers, development of materials, etc.

Issues relating to women, children, the disabled and other vulnerable will be mainstreamed throughout all of these above activities.

The capacity of the EIO to carry out outreach and awareness programmes will greatly be enhanced through the provision of transportation means within the appropriate and governmental funding regulations.

36. Ten of the Strategic objectives under the third goal of EIO Strategic Plan aim at ensuring that **the EIO has the capacity to and successfully deliver(s) programmes to prevent and rectify maladministration** will be supported, namely:

- The development and implementation of strategic and corporate planning process, through the provision of training and opportunities for work exchanges with other Ombudsman Offices to relevant staff;
- The development and implementation of monitoring and evaluation systems to ensure programme effectiveness. Assistance will be sought to conduct a baseline survey;
- The development of a programme to increase EIO's capacity to manage and deliver its programme, through the services of various professionals (as outline in the management arrangements of this sub-programme document). ;
- Guidance for the development of a comprehensive internal training programme through the execution of a training needs assessment;
- The development and implementation of training programmes for investigation staff, including the development of core training programmes and manuals and the securing of work placements;
- The development and implementation of training for systemic investigations, including manuals and work placements;
- The development and implementation of a systemic investigation programme, resulting from 2008, in one systemic investigation per year;
- Support and supervise the Civil Service Proclamation requirement to establish internal preventative and remedial mechanisms and similar requirements in the Labour Code through staff training;
- The development and implementation of a programme to research good practice in governance and fighting maladministration, through contracted-in research, in-house research and stakeholder workshops; and
- The development and implementation of a programme to ensure that members of education, advocacy and PR staff have the knowledge and skills required to carry out their responsibilities, through development of core training modules and placements.

The programme will also look to provide equipment to be used for staff training which will include the purchase of a heavy duty offset printer, video camera equipment, 50 desktop computers and printers, ten photocopiers, two colour printer/scanners and furniture and fixtures for the ten regional offices.

37. And finally, objectives under the fourth goal of ensuring that **the EIO serves the needs of women and children, as well as other vulnerable groups**, (including the disabled) are to be supported, namely:

- Engagement with representatives of women's and children's groups (and representatives of other vulnerable groups, such as the disabled) to assess how the EIO and the executive can improve its programming to become more responsive to specific needs of these groups with regard to maladministration

issues, through formal annual and informal quarterly meetings with such groups (so as to inform planning processes), creating staff focal points that formally report to senior management of the EIO quarterly, and through including of representatives of women's and children's groups in EIO training programmes.

- The development and implementation of mechanisms to ensure that planning, programming and evaluation incorporates a proper gender, child, disabled person and vulnerable group focus, through empowering the Ombudsman for Women and Children to sign off on all EIO programming initiatives, ensuring membership of Women's and Children's divisions in EIO planning groups, sensitisation of staff, incorporating a focus on women, children, those with HIV and victims of harmful traditional practices in performance monitoring, and mainstreaming issues relevant to HIV/AIDS, and annual evaluation of EIO programme activities to ensure that specific needs of women and children have been addressed through all activities; and
- The development and implementation of programmes designed to respond to the specific needs of women, children and the disabled, especially in vulnerable groups, and in relation to maladministration, through seminars, the development of core publications and media campaigns, the conduct of at least one systemic investigation (over the programme period) and one research programme (per year) targeting issues relevant to women, children or other vulnerable groups, and the incremental development (following the Konso model) of Children's parliaments nationwide with a view to establishing a Children's Forum at national level..

38. The sub-programme will also look to support issues that enhance the EIO's accessibility to citizens and its ability to operate in a decentralised governance structure. In terms of the EIO's Addis Ababa headquarters, the situation needs to be improved, as the current facility is not readily accessible for many citizens. EIO is now exploring the possibility of sharing a suitable facility with the Ethiopian Human Rights Commission, on land provided by the Government of Ethiopia. The sub-programme will cover design costs of this building.

39. And in terms of enabling EIO's outreach in a decentralised environment, the sub-programme will seek to align behind some realignment processes which are now underway. These are initiatives that have been identified and commenced since the development of the EIO's strategic plan. The thinking behind these initiatives has been influenced by a visit undertaken by the Ombudsman to his counterpart in Rwanda, where he was able to discuss how an Ombudsman, in a decentralised environment, structures and aligns his message so that outreach is achieved at the grass roots of communities. The EIO now wishes to consider launching activities will target the dissemination of the core messages at *kebele* level.

40. Consideration is being given to a number of initiatives, including setting up more regional offices, and conducting core work with the Ethiopian Human Rights

Commission (EHRC). While some activities under this sub-programme will provide soft support to regional offices, some related activities might be presented to the DIP TC at a latter stage and following a functional assessment of established regional offices.

41. Taken together this package of measures, aligning as it does behind the EIO strategic plan, will play a critical role in enabling EIO to reach the four strategic plan goals.

42. In addition to support under this sub-programme, the EIO also received support from other sources, namely:

- Through the government's Public Sector Capacity Building Programme (PSCAP) support is to be given in the Ethiopian financial year 2000 (2007/08) to Strengthening skills and professional capacity of EIO staff (through case handling, investigation, systemic investigation, planning, performance and change management, overseas training, distance education), strengthening working methods of the EIO (through IT manuals, procurement of computers, systemic investigations consultancy, documentation systems) and helping to minimise maladministration and strengthening good governance (through awareness creation training);
- Through a programme funded by UNDP in the sum of \$145k (USD) (January 2007- June 2008) support will be given to an exercise to resolve lack of clarity in EIO's mandate compared to those of other organisations of good governance, staff training, a feasibility study for establishing country-wide regional presence, establishment of the new Administrative law, training for regional and wereda council members, workshops related to good governance/maladministration and the effect of maladministration on women, disabled and children, the establishment of children's parliaments in two weredas in two regions, and sensitisation of the media. This support will be phased out and integrated into the overall DIP programme once the EIO sub-programme gets underway; and
- Through a programme provided by Save the Children (Finland) support will be given during 2007 to the Children's parliament of Konso (in the sum of 251k Ethiopian Birr)

43. It will be the responsibility of the sub-programme Steering Committee within the EIO to ensure synergies between these programmes and DIP support. However, some of these key synergies will be noted in regular narrative reporting.

44. In terms of beneficiaries there will be a number. The primary outcome to be secured is one which other components of the DIP programme share, namely building the capacity of organizations of good governance working within an effective institutional framework, and establishing the centrality of good governance in poverty

elimination and the development of a modern, responsive, accountable and enabling state. Specifically for the EIO this means holding the executive to account, and promoting and protecting the rights of citizens in their interactions with the state.

45. Immediate and direct beneficiaries of the programme will be the EIO itself, as it will be in receipt of training support, institutional and infrastructural support and technical assistance.

46. The indirect beneficiaries will also be scattered through the institutional framework, as politicians and elected officials, media, civil society organizations and arms of regional and federal administrations benefit from sensitisation, consultation and advice.

47. The Ultimate beneficiaries are potentially the poor of Ethiopia at grass roots level (including women and children, the disabled and other vulnerable groups) as a culture of being able to hold the administration accountable for maladministration, and being able to claim one's rights takes hold.

IV. Expected Results

48. The overall sub-programme outcome is to enhance capacity of EIO to receive, investigate, and follow up on administrative complaints enhanced, resulting in improved promotion, claiming and enforcement of citizen's rights. The activities that make up this programme are directly supportive of this end, aiming, as they do, to build some core systems – and human capacities around them – to allow the EIO to take forward its constitutional mandate effectively.

49. The expected results of the sub-programme will be at least partial achievement of the Strategic Goals of the EIO. Partial because these goals are rightly very strategic in nature, and to be fully and unequivocally achieved will undoubtedly need a longer timeframe than the five years of the DIP. The second goal in particular, the causing of a culture shift at all levels so that maladministration is not tolerated is unlikely to be achieved outside of an extended timeframe; the achievement of such a goal really would represent a very radical change in Ethiopian culture, which cannot be achievable overnight.

50. However, for the EIO to reach even near-completion of its goals considerable efforts will be needed (especially given the newness of the organisation) but this series of interventions, coming at a critical time, will help to ensure that the EIO can exert some institutional impact.

V. Partnership

51. The programme will involve several key partners.
52. Firstly, given the relative complexity of the institutional framework the EIO will be working with other institutions of good governance (which are also supported by DIP). There are some possible overlapping mandates.
53. Given the closeness of the concepts of ‘maladministration’ and ‘corruption’ some work with the Federal Ethics and Anti-Corruption Commission (FEACC) will be needed; institutional links will be strengthened to ensure appropriate synergies.
54. Given the high profile of a ‘rights approach’ to the work of administrative oversight for the EIO, there are perhaps closest links with the Ethiopian Human Rights Commission (EHRC), and the partnership envisaged for the two organisations manifests itself in a number of ways, from a shared building resource to sharing the duties of sensitising rural communities together.
55. Partnerships with elected officials will also be critical. The Ombudsman is an officer of parliament, and the effectiveness of his work will depend in large measure on the extent to which Parliament is able to receive, consider, act upon and enforce his messages. The EIO will also depend on an awareness of its work in political circles, be it Ministers demonstrating this by ensuring that their ministries comply with the requirements of the public administration’s regulatory framework, or elected members at sub-national level supporting the EIO in the execution of its duties.
56. The relationship with administrations at all levels of Ethiopia’s governance structure will also be important. In particular the activities of ombudsman with regard to sensitising the public service, conduct investigation, and enforce particular rulings need a collaborative work with the concerned organs of the government.
57. Finally, a critical partner will be civil society organizations and the media. We have already acknowledged that the EIO will face significant challenges regarding outreach. Effective partnerships with civil society, however, will be critical in overcoming these constraints. It is equally important to note here the complementary nature of ongoing initiatives (e.g. DAG Civil Society Support Programme and other bilateral support programmes) to support civil society especially in areas of relevant to the work of EIO
58. The programme tacitly acknowledges all of these partnerships, and there are initiatives to help cement each one.

VI. Risks and Mitigation

59. There are a number of risks to the programme. Firstly, the programme is undoubtedly optimistic, and given the relative newness of the EIO it remains to be seen whether there is the implementation capacity to fully realise the benefits of the programme. EIO, the technical Committee (through DIP) and the donor community will mitigate this problem.

60. If the institutional capacity of the EIO is to improve it goes without saying that staff trained and exposed to international good practice under the programme need to be retained. Issues of retention and turn-over thus need to be addressed. Given the fact the EIO is a newly created institution, its credibility is linked to its ability to function as an independent institution. Manifestations of this independence can be illustrated by carrying out some of the functions articulated in the Proclamation creating the EIO. The first function relates to the ability of the EIO to receive and handle complaints relating to maladministration. These complaints will be handled by the EIO in a professional and neutral manner. The second function relates to the ability of the EIO to assume the role of a neutral mediator between complainants and official institutions.

61. Since Good Governance is one of the major agenda of the Government, Government will do at its most effort to strengthen the implementation capacity of the EIO beside the donor support programme. The provision of adequate public resources will further strengthen the independence of the EIO as well as allowing the EIO to strengthen its capacity to pursue sustainable and long term goals.

62. The issue of overlapping mandates of the various organisations of good governance presents both risks and opportunities. There are risks in that there will be uneven coverage and duplication of effort (organisations either doing the same things more than once between them, or not doing them at all, believing that another organisation is covering them). But similarly there are opportunities for joint working (in particular with the EHRC), and synergies need to be explored. The management architecture around this programme (the Coordination Unit and the Technical Committee) may provide suitable fora for discussions around these issues.

63. Finally, expansion to sub-national level, particularly to kebele level, represents a rapid one, and if not managed carefully might prove to be 'too much too soon'. This is another development kept in view by EIO, and reported on to stakeholders.

VII. Sub-programme Management

64. The sub-programme will be managed as part of the Democratic Institutions Programme (DIP), an umbrella programme managed by UNDP using the National Execution Modality (NEX). Support to the EIO effectively comprises a sub-programme, with the national implementing partner being the EIO itself, working in close collaboration with the Programme Coordination Unit in UNDP (which may

provide technical support to the EIO for the development of plans, reporting, etc.) and the Technical Committee.

65. A National Sub-Programme Coordinator (NPC) will be nominated by the EIO. The NPC will be responsible for the management of the entire Sub-programme implementation team which comprises:

- a) Institutional development Advisor (International – short term)
- b) Good Governance Officer (International ALD)
- c) Investigation and ADR (national expert)
- d) Finance Officer (NUNV)
- e) ICT specialist (NUNV)
- f) Gender and Women's Rights Specialist (NUNV)
- g) Children Rights Specialist (NUNV)
- h) Disability Issues Specialist (NUNV)
- i) Research Specialist (NUNV)

While TORs will be developed for each of the foregoing positions, the sub-programme team will be collectively responsible for the day-to-day implementation of the sub-programme including, but not limited to, the followings responsibilities:

- a. Coordination of the implementation of sub-programme activities with all the relevant EIO departments;
- b. Preparation of the annual work plan, periodic sub-programme implementation reports;
- c. Liaison with the Multilateral Department of MoFED, UNDP, donor partners, National Steering, Technical and Sub-programme steering committees;
- d. Facilitation of use of sub-programme budget, procurement, local and overseas training based on approved annual work plan.
- e. The sub-programme coordinator/manager will also report to an internal sub-programme steering committee established and chaired by the Chief Ombudsman, which shall monitor the progress of sub-programme implementation through periodic meetings.

66. Quarterly reports will be submitted by the EIO to the Multilateral Section of MoFED (in its role as chair of the Technical Committee) for consolidation into a report for the DIP Coordination Unit (in UNDP). An annual work plan, developed in consultation with the Programme Manager of the DIP Coordination Unit will also be produced.

67. More detailed twice-yearly reports will be produced, which will include full details of financial activities. These will be distributed to DIP donor partners through the Technical Committee, and may be used as triggers to allow donor partner disbursement of funds to the DIP.

68. An annual work plan, developed in consultation with the Programme Manager of the DIP Coordination Unit will also be produced.

69. An annual review to discuss progress in the implementation of the sub-programme activities will be chaired by the Chief Ombudsman.

70. An external NEX audit will also be conducted by the Office of the Federal Auditor General at least once during the life of the programme, and a UN internal audit will be conducted on the financial aspects of the programme annually.

VIII. Monitoring & Evaluation

71. The Sub-programme Coordinator will, in collaboration with the departments of the EIO produce quarterly reports to the EIO Steering Committee and external stakeholders (MoFED/UNDP/DIP Coordination Unit).

72. As the sub-programme progresses, the EIO will itself want to monitor the impact of its activities, and it should consider the development of indicators in the medium term to help assess the rate and trajectory of institutional reform, with particular emphasis on impacts and outcomes. The same will be reflected upon revising the results framework within six months of the implementation of the sub program.

73. As Part of the UNDP National Execution (NEX) sub-programme an independent external evaluation will be conducted to assess the progress and impact of the sub-programme. The evaluation will be conducted twice; a mid-term evaluation will be carried out at the second year with the view of examining the progress of the programme and making recommendations. A final evaluation will be conducted at the end of the final programme year to evaluate the results achieved. These activities will all be closely coordinated and adjusted to the M and E schemes developed at the level of the DIP umbrella programme.

IX. Legal Context

This programme document shall be the instrument referred to as such in the Standard Basic Assistance Agreement signed between the Government of Ethiopia and the United Nations Development Programme.

Results framework								
Intended DIP outcome: Enhanced capacity of EIO to receive, investigate, and follow-up on administrative complaints enhanced, resulting in improved promotion, claiming and enforcement of Citizens' rights.								
PASDEP Governance Matrix outcome: Citizens' rights as enshrined in the constitution & penal code are promoted, claimed and enforced								
Partnership Strategy: The sub-programme is being implemented by the EIO (using UNDP NEX modality) and in close partnership with donor partners. Partnerships will also be sought with civil society organizations, national, regional and international NGOs in the implementation of some of the activities.								
Sub-programme Title and number: <i>Strengthening the Capacity of the Ethiopian Institution of the Ombudsman</i>								
Sub-programme number- 00057667								
Duration: 4 years from the date of the signature of this sub-programme document								
Intended Out Puts	Activities	Description	Budget (US\$)	Y1	Y2	Y3	Y4	Remarks
Output 1: Ethiopian Institution of the Ombudsman with enhanced core management and	1.1. Professional Training on: 1. Strategic and corporate planning	Training inputs, Study visit costs, overseas subsistence costs, consultancy costs, procurement costs	797,099	434,746	311,924	30,092	20,337	Activities 3.4.1, 3.8.4, 3.22.2, 3.22.3 of the EIO strategic Plan

<p>technical capacity to take forward its mandate</p> <p>Baseline: The EIO is a newly created institution with limited capacity to effectively accomplish its mandate</p> <p>Indicators: A well capacitated and functional EIO with trained staffs and all necessary qualified staffs in place</p>	<p>2. Long term distance education for MA /LLM</p> <p>3. Short term local training on advocacy skills and the concept of Ombudsman offices</p> <p>4. Study tours to investigate benchmarking techniques</p> <p>5. Work placements in established Ombudsman Institutions</p> <p>6. Training and on processes, policies, procedures, systems and tools.</p>							
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	7. An experience-sharing programme to gain experience in management, administrative and operational issues							
	1.2. Sub-programme management	Technical Assistance	568,000	232,000	112,000	112,000	112,000	Activities 3.8.1, 3.8.2, 3.8.3, 3.20.3, of the EIO strategic plan
	1. Institutional Development Advisor (International) 2. Finance officer (UNV) 3. ICT officer (UNV) 4. Investigation/ADR officer 5. Good Governance Officer 6. Child rights Officer (UNV)							

	<p>7. Gender and Women's right Officer (UNV)</p> <p>8. Disabled people rights officer (UNV)</p> <p>9. Research Expert (UNV)</p>							
	<p>1.3. Researches and workshops:</p> <p>1. Develop and conduct a base line study to support subsequent evaluations of the success of EIO programming.</p> <p>2. Training needs assessment</p> <p>3. In-house research into programme areas when this is needed to support activities</p>	<p>Survey costs, Research costs, data collection costs, Event costs, programme development costs</p>	<p>116,816</p>	<p>52,559</p>	<p>21,393</p>	<p>17,230</p>	<p>25,634</p>	<p>Activities 3.5.1, 3.9.1, 3.20.4, 3.20.5, 3.22.1 of the EIO strategic plan</p>

	4. Develop and implement workshops to gather research into key issues 5. Develop training programmes and manuals							
Sub Total			1,401,915	639,305	445,317	159,322	157,971	
Output 2: EIO with enhanced capacities and procedures in complaint investigation and systemic analysis	2.1. Develop training programmes and manuals and provide core training in:	Programme development costs, training costs	334,209	98,090	81,483	77,339	77,297	Activities 3.10.1, 3.10.3, 3.14.1, 3.14.3, 3.17.1 of the EIO strategic plan
	1. “Investigation and the Office of Ombudsman”; “Investigations Techniques”; “Verifying and Assessing Evidence” “ADR Techniques”; Settlement Negotiations”;							

<p>Baseline: Lack of necessary knowledge, Inadequacy of skills and absence of established system in conducting complaint investigations and systemic analysis</p>	<p>2. Processes, policies, procedures, systems and tools.</p>							
<p>Indicators: Well trained staff that is more capable and skilled</p>	<p>3. Core training in “Undertaking Systemic investigations”</p> <p>4. Training to staff on professional ‘good practice’ in this area</p>							

	2.2. Identify systemic maladministration issues that warrant systemic investigation and select the most appropriate approach to take (women and property matters; banks and foreclosures; vehicle transfer; etc.)	Programme development costs	100,000	50,000	25,000	25,000		Activity 3.16.1
	2.3 Work attachments in established Ombudsman Institutions	Costs of placements	97,614.68	32,538	21,692.68	21,692	21,692	Activities 3.10.2, 3.14.2

	2.4. Conduct researches in collaboration with law faculties of 5 universities(AAU, Bahir dar, Jimma, Mekelle, Awassa) on issues of maladministration and on the number and types of complaints handled by EIO	Cost of study, cost of conference, publication costs	80,000	20,000	20,000	20,000	20,000	
Sub Total			611,823.68	200,628	148,175.68	144,031	118,989	
Output 3: EIO conducts activities to raise awareness of maladministration issues and is engaged in enhanced consultation processes with citizens, civil society and other stakeholders	3.1. Conducting meetings with:	Organization of consultancies/meetings, inputs into designs of pilots and programmes	89,509	31,504	19,335	19,335	19,335	Activities 1.6.1, 2.1.1, 2.1.3, 2.5.1, 2.5.2

<p>Baseline: The issue of maladministration and the possibility of bringing a case are fairly new in Ethiopia.</p> <p>Indicators:</p> <p>1. Improved understanding of the public of misadministration and the measures they can take</p> <p>2. Complaints handled speedily and efficiently</p>	<p>1. Representatives of civil society and National and Regional elected officials on annual basis</p> <p>2. Hold one-on-one meetings with Ministers</p> <p>3. General public ‘Town hall’ meeting focusing on maladministration</p>							
	<p>3.2. Develop and implement a TOT for Core elected members at regional, zonal and wereda council level; Civil service trainers, professional associations and regional NGO’s on the role of the EIO and maladministration</p>	<p>Development of package, roll out of training, training design inputs</p>	120,712	30,178	30,178	30,178	30,178	<p>Activities 2.1.4, 2.2.2, 2.4.1</p>

	<p>3.3. Organize national workshops, and conduct trainings on:</p> <p>1. Skills upgrading and management training for government employees</p> <p>2. Obligations of government officials with reference to appropriate administration and cooperation with EIO</p> <p>3. Obligations of quasi government officials with reference to appropriate administration and cooperation with EIO</p>	<p>Duplication and dissemination of materials, training design inputs</p>	<p>185,681</p>	<p>41,846</p>	<p>43,047</p>	<p>43,140</p>	<p>57,648</p>	<p>Activities 2.1.5, 2.2.1, 2.2.3, 2.3.2, 2.4.2</p>
	<p>3.4. Publication and promotional work on:</p>	<p>Development of templates, publishing costs, program</p>	<p>754,360</p>	<p>190,971</p>	<p>184,463</p>	<p>194,463</p>	<p>184,463</p>	<p>Activities 2.6.1, 2.6.3,</p>

	<p>1. Core publications on maladministration and role of EIO</p> <p>2. Promotional work to introduce vision, mission, and core values</p> <p>3. Publication of newsletters/updates</p> <p>4. Radio series and Air spot announcement on radio and television</p> <p>5. Development of a template for annual report</p>	development costs, promotion costs, production costs						2.7.2, 2.7.3, 2.7.4 3.4.1 will be closely consulted with activity 2.4
	<p>3.5. Revision of primary and secondary school curriculum</p> <p>1. Curriculum development on good governance</p> <p>2. TOT program to train teachers</p>	Curriculum development costs, programme and material development costs	138,440	25,092	28,948	30,321	54,079	Activities 2.8.1, 2.8.2, 2.8.3, 2.8.3, 2.8.4

	3. Development of teaching materials to support the revised curriculum							
	3.6. Conduct researches and organize workshop 1. The existing administrative laws of the country and possible areas of reform 2. Study on the complaints of judicial handling of cases and organising workshop to discuss the results and recommendations prior to publication		160,000	40,000	40,000	40,000	40,000	
	3.7. Procurement of 5 Toyota double cabin pick-up vehicles		200,000	120,000	80,000			
Sub Total			1,798,702	569,591	485,971	357,437	385,703	

<p>Output 4: EIO better capacitated to serve the needs of women and children, as well as other disadvantaged groups</p> <p>Baseline: While there are general difficulties relating to maladministration as with many parts of the society women and children bear a bigger burden</p>	<p>4.1. Integrate issues pertaining to women, children and disabled people in all activities of EIO</p> <p>1. Include in all performance monitoring activity a review of the degree to which activities relevant to women, children, HIV/AIDS sufferers, the disabled have progressed.</p>	<p>Development of monitoring and evaluation tools, forum meeting costs, monitoring and evaluation costs</p>	<p>744,140</p>	<p>204,604</p>	<p>174,084</p>	<p>189,606</p>	<p>175,846</p>	<p>Activities 4.1.2, 4.1.3, 4.2.4, 4.2.6, 4.3.3., 4.3.4, 4.3.6</p>
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<p>Indicator: Enhanced understanding of the relation between gender, rights of women and children issues and accordingly adequate service to these groups of the society</p>	<p>2. Conduct annual internal evaluation of programme activities to assess degree to which specific needs of women, disabled, children and other vulnerable groups with regard to maladministration have been responded.</p> <p>3. Develop and implement a media campaign specifically addressing the issue of women and children, or other vulnerable groups</p>							
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	<p>4 Conduct systemic investigation targeting issue of relevance to women, children or other vulnerable groups</p> <p>5. Using Konso model incrementally facilitate and support establishment of Children's Parliaments across the country and establishment of National Children's Forum</p>							
	<p>4.2. Research, training and publication</p> <p>1. Inclusion of representatives of women, children, disabled and other vulnerable groups in EIO training</p>	<p>Monitoring and evaluation filed work, training costs, programme development costs, workshop and documentation costs</p>	<p>260,896</p>	<p>80,974</p>	<p>65,974</p>	<p>56,974</p>	<p>56,974</p>	<p>Activities 4.1.1, 4.1.4, 4.2.3, 4.2.5, 4.3.1, 4.3.2, 4.3.5</p>

	<p>2. Training on gender sensitivity, disabled, /HIV/vulnerability/ Children's issues and environmental issues to all EIO staff.</p> <p>3. Mainstream issues of HIV/AIDS, gender, disabled and child rights in all trainings</p> <p>4. Prepare TOR after conducting needs assessment to meet representatives of groups supporting women, children and the disabled on an annual basis</p>							
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	<p>5. Seminars/ workshops to specifically examine issues relevant to women, disabled, and children, or other vulnerable groups.</p> <p>6. Core publications that address the issue of women disabled, and children, and, where appropriate, issues affecting these vulnerable groups</p>							
Sub Total			1,085,036	305,578	260,058	266,580	252,820	
Output 5: EIO which is more accessible to citizens and better able to have an impact in a decentralised governance structure	5.1. Design costs of Addis Ababa premises, shared with the Ethiopian Human Rights Commission and build on land provided by Government	Design costs of head office	110,000	20,000	90,000			

<p>Baseline: The service of the ombudsman is one that should be much closer to the society so that they can easily make use of it. In order to be so the place where the office is situated and the number of branches it has both at federal and regional level matters.</p> <p>Indicator: Well equipped EIO with more branch offices which are much closer to the society</p>	<p>5.2. Refurbishment of branch offices and capacitating staffs</p> <p>1. Provision of ICT equipments</p> <p>2. Provision of necessary office equipments</p> <p>3. Training of staffs on appropriate issues</p>	<p>Procurement of equipments</p>	<p>600,000</p>	<p>400,000</p>	<p>100,000</p>	<p>50,000</p>	<p>50,000</p>	
<p>Sub Total</p>			<p>710,000</p>	<p>420,000</p>	<p>190,000</p>	<p>50,000</p>	<p>50,000</p>	
<p>GRAND TOTAL</p>			<p>5,607,476.68</p>	<p>2,135,102</p>	<p>1,529,521</p>	<p>977,370</p>	<p>965,483</p>	

X. Budget

This overall budget of the sub-programme is broken down by year. The 7% GMS is included within all of the amounts indicated below.

	Year 1	Year 2	Year 3	Year 4	Total
	\$	\$	\$	\$	\$
Output 1	639305	445317	159322	157971	1401915
Output 2	200628	148175.64	144031	118989	611823.64
Output 3	569591	485971	357437	385703	1798702
Output 4	305578	260058	266580	252820	1085036
Output 5	420000	190000	50000	50000	710000
GMS	149,457.14	107,066.51	68,415.90	67583.81	392,523.36
Total	2,284,559.14	1,636,588.15	1,045,785.90	1,033,066.81	6,000,000.00