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VISION

By 2019; Ombudsman Commission is seen as a vibrant, premier institution in pursuit of promoting good governance and quality leadership in Papua New Guinea.

MISSION

Promote and protect the integrity of leaders and to help improve the work of government bodies and investigate any complaints against them to ensure there is good governance, accountability, transparency and quality leadership in the public sector.

The Ombudsman Commission is committed to (8) fundamental values in all dealings with government bodies, the private sector, members of the public and the leaders.

The values upheld are;

- ◇ Unity
- ◇ Leadership
- ◇ Impartiality
- ◇ Integrity
- ◇ Independence
- ◇ Accountability
- ◇ Responsiveness
- ◇ Respect
- ◇ Transparency

OC warns leaders to honor their duties



Ombudsman Phoebe Sangetari and Chief Ombudsman Rigo Lua.

The Ombudsman Commission has cautioned leaders to honor their leadership duties and not allow their official or personal integrities to be called into question.

The Commission warned leaders to conduct themselves in such a way as not to place themselves in a position of conflict of interest or compromise when discharging their public or official duties.

“Violation of this obligation can amount to misconduct, which can result in prosecution in a Leadership Tribunal,” stated Chief Ombudsman Rigo Lua and Ombudsman Phoebe Sangetari in a joint statement released on 26 June 2014.

The Ombudsman Commission is extremely concerned with the recent turn of events, in

particular, the violation of a lawful Court Order, the disbanding of the Task For

ce Sweep Team, the appointment of the acting Police Commissioner, decommissioning of the Minister for Justice and Attorney-General Honourable Kerenga Kua, the suspensions of the Police Investigator Mr Thomas Eluh and the Deputy Police Commissioner Mr Simon Kauba.

The Commission stated that the above actions no doubt have caused voluminous doubts, fears and suspicions in the minds of many Papua New Guineas plus the International Community.

“Many are asking whether the actions are legitimate. For instance, was the due process followed in the appointment of the acting Police Commissioner? If so, who initiated it and what were the criteria applied? Who were the candidates proposed, and were they cleared of any pending investigations and or court cases? Were the integrity checks conducted? Did the acting Police Commissioner take Oath of

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PM referred to Public Prosecutor for alleged misconduct in office

The Ombudsman Commission has referred the Prime Minister and Member for Ialibu/Pangia Honourable Peter O'Neill to the Public Prosecutor for alleged misconduct in office.



*Hon. Prime Minister Peter O'Neill
(Picture courtesy of PNG Village Travel Blog)*

The Commission investigated the alleged misconduct in office by Hon. Peter O'Neill which arises from his failure in upholding his duties and responsibilities of office as required under Section 27 of the Constitution and the Organic Law on the Duties and Responsibilities of Leadership.

As a requirement under the Organic Law on Duties and Responsibilities of Leadership, the Commission notified Hon Peter O'Neill of its

intention to refer the matter to the Public Prosecutor.

After being satisfied that there is a prima facie case that the leader has been guilty of misconduct in office, the Commission decided to refer him to the Public Prosecutor for his independent deliberations.

The Public Prosecutor has the discretion to bring or decline to bring proceedings under the Leadership Code for alleged misconduct in office in accordance with Section 177(1) (b) of the Constitution.

Watchdog duty bound to scrutinize leaders' actions under Leadership Code

From page 1

Office? Was he sworn in before exercising the powers of the Police Commissioner culminating in the actions he took?"

The Commission is aware of the court actions taken by some of those who are aggrieved against the bodies which made the decisions. No doubt the courts will dispense justice accordingly.

However, as the actions are occasioned by leaders OC is duty bound to scrutinize their actions under the Leadership Code. Nothing should prevent OC from referring the leaders for prosecution in a Leadership Tribunal if it finds that they have misconducted in Office.

"Thus, we wish to remind leaders to exercise caution, remain hesitant and restrain yourselves from such actions as your participation can trigger further investigations by OC," said the Members of the Commission.

The Commission trusts leaders will take heed of the warning and do all they can, not to breach their Leadership Code responsibilities.

editorial

Hello readers,

Welcome to another edition of the *WasDok Nius*.

With OC's role of supervising and enforcing the Leadership Code on Duties and Responsibilities of Leadership, it referred the Honourable Prime Minister Peter O'Neill to the Public Prosecutor for alleged misconduct in office. The Public Prosecutor has the discretion to decline or set up a Leadership Tribunal based on the evidence provided by the Ombudsman Commission.

Amidst recent political turn over of events in the PNG Government, the Ombudsman Commission issued a warning on leaders to honor their duties and not allow their integrity to be called into question. Breaches of their leadership responsibilities will trigger the Ombudsman Commission to investigate them under the Leadership Code.

Meanwhile, OC continues to carry out Public Education Programs (PEP) on its roles and functions. In this edition you will read about PEPs conducted in New Ireland, Simbu and the Autonomous Region of Bougainville.

Cheers!

Publication Team



Vanimo PSC arrested and charged for official corruption

BY JOYCELYN WASAS

The Vanimo Police Station Commander (PSC) Senior Inspector Salvator Sombu Molkamul was arrested and charged for extortion, abuse of office and official corruption recently. The arrest was an outcome of a police investigation that was carried out by the Royal Papua New Guinea Constabulary's (RPNG) Internal Investigation Unit (IIU) and oversighted by the Ombudsman Commission.

Inspector Freda Woktamol and Sargent Mugua Kend from the IIU at the RPNG Headquarters in Port Moresby and OC Investigator Kualum Tande worked on the case.

The RPNG and OCPNG have a memorandum of agreement in which the Ombudsman Commission plays an oversight role in internal police investigations to ensure cases are properly dealt with and police officers are not compromised in their duties.

It was alleged that on December 2013, Vanimo PSC Senior Inspector Molkamul was on official duty when he received a complaint from a Lisa Kerry regarding credit money. He and his men acted on the complaint and proceeded to the suspect's residence at Dali just outside of Vanimo town.

The suspect, Jones Kromo was allegedly drunk at the time police went to apprehend him. When the PSC approached Mr Kromo, he resisted and punched him on his jaw. The policemen reorganised with additional manpower and apprehended Mr Kromo and he was detained at the Vanimo Police Station cells.

The investigations revealed that whilst Mr Kromo was in police custody, certain policemen including the PSC demanded a compensation payment of K20, 000 from the suspect.

In a letter written to Mr Kromo, the PSC out-

lined the charges as being for; assaulting a member of police, resisting arrest, obstructing arrest and stealing under false pretence.

The investigation further showed that Mr Kromo and his relatives were under extreme duress from the PSC and his men to meet the compensation demand on time thus putting unnecessary stress on him.

In fear of being re-arrested, Mr Kromo in his capacity as the Chairman of Amgrim Holdings Limited, a Resource Landowner Company to Amanab Block consented to meet the compensation demand. An initial payment of K10, 000 cheque was raised to Westpac Bank and the payment was made to PSC Senior Sargent Molkamul.

PSC Senior Sargent Molkamul has been suspended and awaiting his trial in court.

OC suffers another loss

BY JOYCELYN WASAS


Following the death of Ombudsman John Nero early this year, the Ombudsman Commission suffered yet another loss in the passing of one of its officers. Ms Judy Samasi passed away while on a two-month sick leave at the Nonga Base General Hospital in East New Britain Province on 24 July 2014 .

Ms Samasi worked in the Commission for more than ten years loyally serving as a Human Resource Officer. She was the acting CHRIS (Comprehensive Human Resource Information System) officer during her time of passing.

Colleagues and friends had different ways of describing Late Ms Samasi, but overall she was a very outgoing person who always put on a smile. One would never know if she was going through a difficult time because it was written off with a smile.


One of her colleagues and a close friend, Julie Menei described Ms Samasi as someone who had an infectious way of cheering people up with her jokes that made people mad at times but would eventually join in the laughter. "She was a kind hearted person," she said.

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Ombudsman Commission
of Papua New Guinea

Condolence Message



Late Judy Samasi

It is with great sadness that the Ombudsman Commission announces the passing of one of its officers, Ms Judy Samasi on Thursday 24/07/2014 at the Nonga Base Hospital in Kokopo, East New Britain Province.

Ms Samasi worked with the Ombudsman Commission for more than ten years as a Human Resource Officer.

On behalf of the Members of the Commission and its officers, we convey our heartfelt sympathy to her six (6) children, husband and immediate families.

May She Rest in Eternal Life

"The Lord gave and the Lord has taken away. Blessed be the name of the LORD" Job 1:21

Authorised by
Joseph Molita
Secretary to the Commission

OC Services

In this edition we'll look at the special role the Commission plays in fighting for good governance and against corruption.

What must Papua New Guineans expect of their Leaders?

Last time we started looking at the role of the Ombudsman Commission and focused on the traditional role of an ombudsman.

In addition to our traditional function, the founding fathers were wise men, they consulted the people of Papua New Guinea, they looked outside at the experiences of other countries and they recognised the critical importance of ensuring the quality of leadership in PNG.

"The success of a nation, we believe, depends ultimately on its people and their leaders. No amount of careful planning in governmental institutions or scientific disciplines will achieve liberation and fulfilment of the citizens of our country unless the leaders – those who hold official positions of power, authority or influence – have bold vision, hard work and are resolutely dedicated to the service of their people."

To this end they created the Leadership Code, which is dedicated to achieving those aims. And they gave responsibility for its supervision to the Ombudsman Commission. There are few other countries with such a Code. The Solomon Islands has such a Code and Vanuatu and Tuvalu have recently adopted something similar.

The Code applies to members of the National Parliament and the Autonomous Bougainville Government, provincial and local level governments, departmental heads, heads of statutory authorities, Constitutional office-holders and others. And of course, it applies to members of the Ombudsman Commission.

The Code is essentially a moral and ethical code for leaders. It obliges a leader not to place himself in a position in which he has or could have a conflict of interest, or might be compromised when discharging his official duties. He is not to demean his office, or diminish confidence in the integrity of the government in Papua New Guinea, or allow his public or his personal integrity to be called into question. A leader is not to use his office for personal gain, or engage in any activity that might be expected to give rise to doubt in the public mind as to whether he is carrying out his duties as a leader. A leader must also ensure that his spouse, children or associates do not conduct themselves in a way that might give rise to doubt in the public mind that he is carrying out his duties.

In the words of our late Chief Justice, it is the public perception of the leader which is the dominant theme.

We will continue discussing the Leadership Code in the next edition.

HR officer, Ms Samasi passes on

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She associated herself with almost everyone at work and each of them had a story to tell about her.

Ombudsman Phoebe Sangetari described Ms Samasi as the face behind the preparation of refreshments for almost all the events held in the Commission.

The body of Late Ms Samasi was flown over for burial to her home province in Morobe Province on Friday 2 August 2014.

Thirty-six year old Ms Samasi is survived by her husband and six children, all of which are boys. The eldest is in primary school.



OC officers and Late Judy Samasi's family paying last respect during her thanksgiving church service at Gerehu Stage 3b Lutheran Church.

People still unaware of the work of OCPNG

BY JOYCELYN WASAS

The Ombudsman Commission in its endeavour to educate the public of its roles and functions continue to carry out Public Education Programs (PEP) throughout the country.

Funny as it may sound, the Ombudsman Commission is as old as the country yet the populace is not aware of its work. Since its establishment, the Commission was only focused in administrative investigations and the enforcement of the Leadership Code however it has now shifted the way it conducts business by carrying out awareness programs with the aim of educating people of its roles and functions in order to increase the number of complaints received. PEP is an annual program that



Assistant Investigator Dorothy Tamo explaining OC's Administrative Investigations process .

has been introduced to carry out awareness throughout the country in accordance with the Commission's strategic and annual plans.

PEP is spearheaded by the Commission's External Relations Division which is inclusive of the three Regional Offices in Mt Hagen, Lae and Kokopo. This time the New Guinea Islands Regional office in Kokopo conducted PEP at Konos Local Level Government (LLG) in the Central New Ireland Electorate. Due to communication issues and other factors, the team was able to cover Wards 9, 11 and 12 only.

It was learnt during the visit that it was OC's first awareness program in the area. Hence when the time

came for questions and comments, some of the villagers stated that they did not know what to say as it was their first time to hear about the work of the Commission.

Some of the generic issues raised relate to police brutality, engagement of police by Asians and the involvement of ward members with logging companies. One of the ward members was alleged to perform the role of a public relations officer for a logging company in his area and he was not diligently performing his duties as the ward member.

Other issues highlighted were to do with unlawful detention of mainly youths and strong political party differences resulting in the uneven distribution of services in New Ireland Province. Like the other areas the Commission had visited, the people requested for the establishment of an OC office in the province. However, it is beyond OC's control due to lack of funding.

Meanwhile, with the recent publicity of issues of national interest in the media, one of the locals challenged the Ombudsman Commission to diligently perform its duties without fear or favour and promote and uphold good governance.

The people were very appreciative of the awareness program and requested the Commission take another trip to the LLG.

They have pledged to assist with prior arrangements so that the awareness is delivered to a wider population.

Human rights violation rife in PNG societies

BY JOYCELYN WASAS

Educating people about the government systems and the general laws of the land is very important to assist them stand up for what is right. Human rights violations and police brutality are rife in the PNG society and in order for people to speak up against these issues they have to be aware of the government systems in place and what assistance is available for them. There has to be awareness carried out by relevant government agencies to support them.

In a recent Public Education Program carried out at the Central New Ireland Electorate, it was obvious that the majority of the population in rural communities do not know their basic rights and freedom as specified under the Constitution. As a result they tend to think that police brutality and other human rights abuse is lawful. Even if they knew it was unlawful, they do not know what authorities to run to for assistance.

A good number of incidents involving the local police officers inflicting wounds on youths for allegedly taking drugs or causing disharmony in the community were pointed out. While police officers are seen to be performing their duties by ensuring peace and order in the communities, proper procedures are not being followed to detain the suspects.

Suspects have been brutally wounded and detained without being properly charged which is unlawful detention. Sadly, the people are not aware of the procedures in place and they do not



One of the villagers stressing a point during the PEP.

speak up against such actions.

Those present at the awareness raised incidents that involved the police after the OC team spoke on human rights violations and the police oversight function that the Commission performs. It was something new to them and they were pleased to learn that there are laws to protect them and also relevant authorities to seek assistance from regarding such matters.

Systemic failures in Simbu contradict media report

BY BARBARA SAKAIYA

Simbu remains top in terms of service delivery in the province after submitting its 2013 acquittal for the K30 million provincial service improvement grants to the Office of Implementation and Rural Development. This was reported in The National newspaper dated 1 July 2014.

Simbu was rated among the top five for implementing government projects and programmes with its motto 'Go Rural Go Long Ples' as reported.

A team of five officers from the Ombudsman Commission were in the province from 10th to the 16th of August 2014 educating public servants at the Provincial and District Administrations, schools, institutions and local people on the concept of promoting good governance and good leadership.

During a courtesy visit to the Provincial Administrator Mr Joe Kunda Naur's office, Mr Naur said the province was doing very well in terms of service delivery. He added that the Provincial Government ensures the annual Budget is launched and announced to the general public so that they are seen as transparent and the public is made aware. He added that the Governor Noah Kool has established a complaints desk for any complaint regarding the District Services Improvement Program (DSIP). He stressed that the provincial government has improved a lot in the areas of accountability, transparency and sustainability in terms of public service delivery and good governance.

Nevertheless, infrastructure and education being two of Chimbu's priority areas, it was obvious while on the ground that the roads and bridges in the Gembogl area and the Kup Sub-District required serious attention for maintenance. The airstrips have also been abandoned. Public Motor Vehicles (PMV) hardly go as far as Mt. Wilhelm Secondary School creating remoteness and teachers complaining for disadvantage allowances to be paid to them. Women and mothers complained that they have to walk long distances to catch a P.M.V. to Kundiawa town to sell their produce. We were also told that public servants of Gembogl District Administration are stationed at the Provincial Headquarters in Kundiawa and were not available at the time of our visit. The same for Kup Sub-District.

On the other hand you get to have a comfortable ride on the road leading to Kerowaghi District station. The station is bigger and more organised with institutional houses and a good set up of the District Administration. However, at the time of our visit the District Administrator was unavailable due to peace negotiation whilst other public servants were busy with DSIP and LLG Services Improvement Program (SIP) payouts.

The OC team addressed the crowd on the different types of funds they should know about; Provincial Services Improvement Program, District Services Improvement Program and LLG Services Improvement Program.

The team gathered that much of the population is still deprived from accessing better public services such as roads and bridges. There is alleged misapplication of DSIP and LLGSIP funds when awarding contracts which is not in accordance with the PSIP, DSIP and LLGSIP Guidelines. There is no tangible development especially with roads and bridges and a total lack of administrative leadership. District Administrations are inactive because public servants are often absent from work performing unofficial duties during official working hours.



Passengers lining up wooden flanks for a vehicle to follow at the Gembogl bridge from Mt Wilhelm.



A section of the bridge at Kup Sub-District in Simbu Province.

People urged to take ownership of restoration process...feature story

BY JOYCELYN WASAS

As part of the restoration process, government services are slowly picking up in the Autonomous Region of Bougainville's (ARoB) Southern District of Buin. Buin is a government established town inland from the coast and it is the Headquarter of the South Bougainville Electorate. It is a maritime district that shares the international border with Solomon Islands. It is about 5 hours drive from Kokopau and about two hours drive from Arawa town.

Buin is one of the areas in ARoB that has been worst affected during the height of the Bougainville crisis and has recently come out of post-conflict fighting within the area.

It is often referred to as 'cowboy town' by many because of the people's aggressiveness. However, one has to really see the place and be around the people to prove the negative tag on the place and its inhabitants.

A team of OC officers visited the area for the first time to carry out a Public Education Program and they had a different view of the place and its

people. Anthony Champanien, Acting Regional Manager – New Guinea Islands described the people as peace loving and not as violent as they say.

"As first timers, we don't see people as fierce and we haven't seen them carrying knives or weapons compared to other parts of the country," said Mr Champanien.

He discouraged the people from using negative tags such as cowboy or back-page to label the place but instead use positive words to paint a good picture of Buin. In fact it is a quiet and beautiful place to work and live.

There are buildings sprouting from all ends of the township, which is a good sign of the government's presence in the area. However, there are a good number of incomplete projects in town and in the surrounding communities. It was gathered that some of these incomplete funded projects have taken some while now and yet contractors come forward to ask for more funding. One such project is a health centre near Muguai Primary School. It received three sets of funding and three different contractors were engaged to work on it but sadly to this day the project remains incomplete.

A lot of people raised concerns regarding these projects which are a setback in restoring government services in the area. Local con-

tractors are not fully implementing projects awarded to them.

Mr Champanien when responding to some of the queries challenged those engaged in contract work to do their job with honesty. He told them to take ownership of the projects and provide services for a common good. "It has to be done with your heart to give meaning and life to the future generation."

The people were challenged to take ownership of the restoration process in preparation for referendum. All government agencies have to be seen to be functional at the district level for the region to say it is capable of self-governance. Economic development is an important factor that will determine if ARoB is ready for independence or remain as an autonomous region of PNG.

Hence; more awareness on the government processes and most importantly referendum is needed to educate the general public in order to make the best choice.

One other vital service that is lacking in the area is communication. Even though there are communication services like mobile phone technologies and a few private business owners have access to television, there is no radio frequency received in the area. Communication is a



A police officer standing at the site of her house that was pulled down for it to be reconstructed. It's been three months and no work has been made.

key player in development. While the media serves its primary role in keeping the general public informed of the events happening around them, information can also empower people to make decisions on issues affecting them. Nevertheless, it is relieving to hear that there is currently work underway to extend NBC radio broadcasting to Buin District.



A teacher making a comment that there has not been awareness conducted to educate the students or public on referendum.

Despite the slow progress in restoring government services in the district, Buin Secondary School has rapidly gained momentum in its academic performance and also in the maintenance of its facilities. There has been a recent makeover of the school that saw new teachers' houses and classrooms built. It is one of the biggest schools in the region with a population of almost a thousand students.



NGI Acting Regional Manager Mr Champanien talking to the people of Iumore in Buin District.

Work within the gov't laws to progress in development: Itanu

BY JOYCELYN WASAS

It is a matter of complying with the systems, processes, laws and regulations of our country to develop the district. These were the words of the Buin District Executive Manager Mr John Itanu to the public servants when giving an update on the progress of the district during a recent visit by the Ombudsman Commission to the area.

Buin is one of the districts on the Autonomous Region of Bougainville that has recently come out of fighting. There has been ongoing fights between the Konou and Wisai people of Buin. However, reconciliation has been done between the warring factions and there is normalcy in the district. But there are still law and order issues to be addressed.

"We don't want the police to compromise their duties and downplay or undermine the processes and the standards that we have as a government," said Mr Itanu. "Police have to step up in their duties and ensure peace and order in the community."

As part of the Bougainville Peace Agreement, the Bougainville Police officers are not allowed to



Senior Investigator Nick Penpagarea explaining the Leadership Code to the parishioners of Piano in Buin District.

use arms to discharge their duties.

He urged the police officers to attend to issues that cause disharmony in the community. He stressed that it is not time to use the crisis as an excuse because nobody will develop the place for them. The onus is on them to do things within the laws of the country and pick up on development.

Despite hiccups in law and order, people are now into peace and involving themselves in different means to make money. Some have ventured into alluvial mining while others are concentrating on cocoa farming.

Mr Anthony Champanien, Acting Regional Manager – New Guinea Islands when making his observation encouraged the public servants to work as a team with the Executive Manager and provide government services to the people.

Mr Champanien said attitudes of public servants are important for development. Simple things like dressing code, time management, and their code of conduct, amount to progress.

"Misuse of government time to do your private work is cor-

ruption. If simple rules can be followed we can progress," he said.

He also told them to get to understand the government concept of the Autonomous Bougainville Government (ABG) and Papua New Guinea as well so that they would be able to make awareness to the people in the transitional period.

It was gathered during the visit that there is lack of awareness on general government processes.

"One of the shortfalls of ABG is that there is no awareness on the concept and the progress towards referendum," said one of the public servants. "People are in the dark and we feel that ABG's priorities are distorted."

There has been very little emphasis on awareness and the people including public servants think that the responsible department in ABG is not doing enough to educate the general public on important issues.

A lot of people stressed the importance of information and the need for awareness because people who understand the processes or government systems can easily manipulate the decisions of the uninformed population when it comes to referendum.

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