

**Report of the GGC on National Assembly's Resolution No. 14(G) concerning
the Feasibility of the Establishment of an Ombudsman's Office.**

1. The need for an ombudsman's office was articulated by the ACC in its Annual Report 2016. The proposal was discussed by the GGC and its recommendations submitted to the National Assembly on 19th May, 2017. The Assembly endorsed the proposal and directed the GGC and the ACC to look into the feasibility of such an office.
2. The GGC and the ACC met and discussed the issue at great length and came to the following consensus:
 - i. A great deal of the time and effort of the ACC is consumed by complaints of administrative nature, leaving little time for it to deal with serious corruption cases. The dealing of such cases through an Ombudsman's office would enable the ACC to concentrate on its core mandate.
 - ii. The ACC, in order to manage the overwhelming number of cases streaming in, had to establish a screening process thereby reduce the number of actual investigation cases. After screening them, those not warranting investigations are referred to the respective administrative agencies for necessary actions at the end. Such referrals are however subject to serious "conflict of interest" situations as the cases are sent to the very agencies against which complaints are made in the first place, while also burdening the agencies.

- iii. As to the feasibility of the establishment of office, the GGC and ACC considered it from the points of view of the financial cost, the human resources (manpower) and the overall national institutional optimality. The GGC and the ACC felt that it is feasible to establish, as follows:
- a) To begin with, it would not be a large office. It could be staffed with the bare minimum number of people along with an Ombudsman appointed by the Government in consultation with the ACC and the RCSC.
 - b) With a bare minimum of staff, the financial costs will not be exorbitantly high, while the benefits to the system will be far-reaching.
 - c) An additional institutional office would not add hugely to the overall national institutional framework given that it would be satisfying a very important need for equity and justice in the delivery of services.
- iv) However, the establishment can be carried out in a phased manner. It could first be maintained as a distinct unit within the ACC for a year or two. After this nucleus gains sufficient experience, the unit can be detached and instituted as an independent organization with the necessary legal instruments. This will allow time for examining the issues and tailoring the system to the Bhutanese needs. It will also provide opportunity for proper training and qualifications of officials to handle such cases while also learning of the experiences of other countries through study tours.

- v) The RCSC will have to however provide some additional manpower to the ACC to staff this nucleus. In this respect, the ACC will have to assess the requirements (bare minimum) and requisition it from the RCSC along with supplementary budget from the Department of the National Budget.

The GGC
21st November 2017

Abbreviations:

1. GGC: The Good Governance Committee of the National Assembly;
2. ACC: The Anti-corruption Commission;
3. RCSC: The Royal Civil Service Commission.
