



OFFICE OF THE PUBLIC INDEPENDENT CONCILIATOR, NORTH-WEST REGION STATEMENT OF ACTIVITIES 2021

Introduction

Within the framework of Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities, particularly Articles 367 to 371 establishing the Public Independent Conciliators for the North-West and South-West Regions, and following Presidential Decree No.2020/773 to lay down conditions for the discharge of the duties of the Public Independent Conciliator, the pioneer Public Independent Conciliator of the North-West Region was appointed on 10 June 2021 and sworn-in on 8 July 2021, marking the official take-off of activities.

Article 25 (3) of the decree cited requires that the Public Independent Conciliator publishes its annual report within days of transmitting it to the President of the Republic. It is in respect of this legal provision that we are gathered here.

However, since it is a new concept in the political landscape of the country for the North-West Region, the Public Independent Conciliator identified as primary objectives at the beginning of its mandate to:

- have a functional Office of the Public Independent Conciliator set up, equipped and rendered operational,
- make the new institution known to stakeholders across the region and visited by users and beneficiaries of regional and council services;
- address their preoccupations.

The Office of the Public Independent Conciliator has accomplished these expectations to a large extent, thanks to the funds accorded to it from the 2021 State budget to kick-start its operations.



STATEMENT OF ACTIVITIES

The Public Independent Conciliator exists to among many things

- examine and settle amicably disputes between users on the one hand, and regional, city and local council authorities on the other hand;
- defend and protect rights and freedoms of citizens with regard to their relationship with their regional, city and council administrations;
- prevent direct and indirect abuses and discrimination so as to build sustainable channels of local governance for durable peace within communities; and
- ensure that regional, city and council administrations comply with ethical obligations;
- also act as a vessel for the initiation and/or amendments of legislation within its domain of competence.

This Statement we are presenting highlights the activities of the Public Independent Conciliator of the North-West Region from appointment in June 2021 to 31st December 2021. It also highlights some major challenges and difficulties encountered and concludes with key recommendations on ways and means of enhancing the functioning of the Office of the Public Independent Conciliator going forward.

1. Preparatory works for the take-off of activities of the Office of the Public Independent Conciliator of the North-West Region

These are activities linked to the planning and organisation of work to render the Office of the Public Independent Conciliator operational, and included concertation meetings with authorities and key institutions, consultation of key stakeholders of the North-West Region particularly the administration, security and defence entities, elites and ensured follow-up of these activities.

The Public Independent Conciliator also granted wide audiences to the active forces and dynamic population of the North-West Region who in their different capacities shared their views and expectations with the Public Independent Conciliator for the effective running of its office.



2. Acquisition of Office Space and Residence for the Public Independent Conciliator

To be able to serve the people and respond to their growing expectations since the creation of a Special Status for the North-West and South-West regions, securing a functional office space was an urgent need for action to be seen on the ground.

Supported by the Governor of the North-West Region, a privately-owned building was hired and subsequently approved by the Head of State to host the Office of the Public Independent Conciliator. This building comprises three floors hosting 18 offices, two meeting rooms and a conference hall at the basement.

3. Functioning

The functioning of the Public Independent Conciliator during the period under consideration was marked by three key activities namely, the preparations towards the official launch of activities of the Public Independent Conciliator, organisation of an information Seminar for key stakeholders, and thirdly, the reception and treatment of complaints.

The general objectives pursued by these activities were to:

1. Inform the population of the existence and missions of the Public Independent Conciliator;
2. Clarify the understanding of key stakeholders on the role and functioning of the Public Independent Conciliator and to identify common grounds for collaboration;
3. Set up consultation and concertation platforms with stakeholders;
4. Raise awareness of stakeholders on norms and standards and acceptable ethical conduct expected to guide their relationship with users and beneficiary population within the dispensation of decentralisation.



5. Kick start the mechanism for the reception and treatment of complaints and the amicable settlement of disputes.

a. Activity Launching

The setting up of the Office of the Public Independent Conciliator quickly witnessed an influx of visitors desiring to know more about its mission and functioning, and those seeking information on how to lodge complaints. To address these concerns and the need to make the new office known to the public, the Public Independent Conciliator engaged preparations for the official launching of its activities.

b. Information Seminar

In line with clarifying roles and responsibilities to create an enabling working environment, the Public Independent Conciliator planned as part of activities to officially kick-start its functioning, an information and education seminar for Mayors and their supervisory authorities who are the Senior Divisional Officers of the Region. The idea was in consideration of the central role they are called to play in the work of the Public Independent Conciliator which focuses mainly on overseeing the relationship between councils and their users in terms of enforcing the respect of rights and freedoms, as well as the amicable settlement of disputes.

c. Complaint Management

The Public Independent Conciliator received over two dozen complaints as at December 31, 2021, over 80% concerning land, chieftaincy and work related matters falling within the competence of administrative and judicial institutions. Though not within our mission, this indicated the people's acceptance of the Office of the Public Independent Conciliator as one capable of providing them with remedies to their long-standing issues.

GENERAL APPRAISAL

Challenges and difficulties

The realisation of the activities was with considerable challenges and difficulties encountered in the process amongst which are the following:



1. *Clearing the suspicions and doubts in the minds of the people on the sincerity of the State in the creation of the Office of the Public Independent Conciliator:* Created within the context of the Special Status, some portion of the population is still hesitant to believe the trustworthiness of the Public Independent Conciliator as an institution capable of addressing their issues.
2. *Defending the independence and autonomous character of the Public Independent Conciliator:* Public credibility, especially amongst government functionaries of the Public Independent Conciliator as an independent and autonomous institution is an issue that demands constant attention.

The above challenges are apparently more of perception than real. The appropriate response would be for the Public Independent Conciliator to function in a manner that will permit the institution not only to be felt but also be seen as independent and credible, even as the successes of the institution would also depend on effective collaboration with other state services and stakeholders.

Proactively, the Public Independent Conciliator is determined to focus on preventing violations and conflicts before they occur to pre-empt and reduce the number of issues to settle. It shall prone working with stakeholders to align with the law and respect for human rights and the freedom of persons to participate in a democratic context without discrimination. This reduces friction and dissipates tempers which are often the underlying causes of conflict.

Recommendations

Considering the aforementioned challenges and difficulties encountered, we recommend the following:

1. Provide the Public Independent Conciliator with adequate resources (funds and material) consistent with its missions and programmes given the volume of work it is called to execute for the start.
2. Carry over and re-budget in 2022, expenditures budgeted in 2021 and not realised due to the late release of funds.



3. The state should invest in enhancing the Public Independent Conciliator's credibility in the eyes of the public by asserting its independence and financial autonomy in practice.

The desire of the Public Independent Conciliator's actions during its first seven months in office was to get set to serve the expectant population of the North-West Region. This, we can say, was done and the office is ready for action.

In perspective, the Public Independent Conciliator has laid out an ambitious programme of action for 2022 that will emphasise more on reaching out to the remote parts of the region and consolidating the information and education of the masses via

- Information and education of the masses;
- Building collaboration and synergy with credible partners;
- Developing capacities of stakeholders to enhance their response to issues and disputes.

However, reaching the populations will be very challenging no doubt, given the current state of insecurity reigning in the region. The strategy will entail more collaboration with local partners and community leaders to relay information to their populations.

The enthusiasm with which the population has embraced the creation of the Office of the Public Independent Conciliator, and the difficulty in reaching the Divisions and Subdivisions compel us to envisage the eventual creation of Divisional and Sub-divisional representations in hard to reach areas to better serve a greater portion of the population of the North-West Region.

DONE IN BAMEKENDI, THIS THURSDAY 14TH APRIL, 2022



Samfi Simon Fai

THE PUBLIC INDEPENDENT CONCILIATOR, NORTH-WEST REGION