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Ombudsman for Good Governances in Ethiopia: Assessing the Awareness and Perceptions of Civil Servants: Insight from South Wollo Zone Civil Servants

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Ombudsman for Good Governances in Ethiopia: Assessing the Awareness and Perceptions of Civil Servants: Insight from South Wollo Zone Civil Servants

Shimelis Hailu Dessie

Abstract- The existence of Ombudsman promotes good governance around the world by ensuring administrative accountability and transparency. The necessity for the office of Ombudsman has been felt in Ethiopia ever since 1991 and the 1995 FDRE Constitution makers incorporated provision for democratic institutions in Article 55 of the constitution. In 2000, the parliament in Ethiopia passed the Ombudsman Act in pursuance of Article 55 of the FDRE constitution. The objective of this paper is to provide an analytical overview of the awareness and perceptions of civil servants about Ethiopian Ombudsman institution as a mechanism of good governance by focusing on south wollo zone civil servants. To achieve this objective explanatory research approach was used. First quantitative data collected and followed by qualitative data. The quantitative data interpreted using SPSS version 20 and verified against qualitative data and existing literature. Using these researcher reach upon the following finding. Thus, the finding shows that although the importance of ombudsman as mechanism of promoting good governance is accepted as indispensable part of democratization process, the office, however, has not yet been reach grass root level and the provisions of the act have remained as dead letters. As a result, the local area people do not aware of the importance of this institution and have no good perception of it. Hence, this paper recommends that the concerned bodies should create awareness among local civil servants who have carried burdens of maladministration.

Keywords: ombudsman; good governance; perception of civil servants; awareness of civil servants.

I. Introduction

Recently, the issue of good governance has received wide attention from the policy makers, researchers and the international donor agencies. Many scholars argue that democratic government by itself does not guarantee good governance, unless it ensures accountability and transparency for its actions and policies to the people at large. Hence, good governance becomes indispensable part of democratization and development process (Alam and Md. Masud, 2010).

Furthermore, scholars argue that for democratic government to be capable of attaining the objective of good governance, a normal control, both political and legal, previously imposed on the functionaries of the government alone do not bring expected servants satisfaction in the globalization age (Obaidullah, 2001). Thus, the traditional mechanisms of political and legal control now have been inadequate to assert their control over the government functionaries to make them accountable and transparent. Hence, to keep up with the pace of citizens' demands and to ensure fair play and good administration, an extra-ordinary institution, ombudsman, emerged first in the Sweden in 1809 and later spread to other world countries.

Ombudsman institution is seen as an independent and non-partisan officer and often provided for in the constitution which supervises the public administration. It is widely recognized as an instrument of accountability and transparency in public administration which further good governance. The Ombudsman Institutions play important role in protecting citizens by addressing grievances arising from maladministration such as unnecessary delay, failure to follow proper procedures, negligence and improper service by public officials. Also, the Institution of Ombudsman raises the awareness and grievance of citizens against public authority's mistakes and misdeeds with effective costs and times.

In Ethiopia although an attempt to establish ombudsman institution going back to feudal regime, it is the 1995 FDRE Constitution which realize this attempt. The FDRE constitution under Article 55 mandated the legislative body to establish national human rights institutions which oversee the protection of human rights and investigate maladministration. To realize this mandate, the Ethiopian House of Peoples Representatives established Ethiopian National Human Rights Commission and Ethiopian Institution of Ombudsman through proclamation No.210/2000 and 211/2000 respectively (Muhammad, 2011).

The objective of the Ethiopian Institution of Ombudsman (EIO) as stated in Article 5 of the proclamation is ensuring the realization of an effective system of public administration rooted in the principles of rule of law and respect for the rights of individuals in

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the administration process. It envisages seeing good governance that is high quality, efficient and transparent and is based on the rule of law. Furthermore, EIO has the vision to strengthen good governance and ensuring efficient public service delivery, by investigating and redressing complaints of maladministration, raising the awareness of the public and the executive and overseeing the rules and administrative procedures of the executive (Proclamation No.211/2000).

In the same manner, the objective of EIO for local governments is to deal with corruption and maladministration in local governments. Ombudsman can conduct investigation and enquiring in respect of any action involving corruption or maladministration or irregularities in the discharges of administrative functions by local self-government institution or by institutions transferred to such local self-government (*Ibid*). However, there is no research done to evaluate the realization of the abovementioned objectives and visions of EIO in South Wollo Zone civil service. Most of the researches findings the researchers come across are about general human rights institutions which mainly focus on Human Rights commission. Also, it is nationwide which do not focus on the research area as well as most of these researches are focusing on identifying the gap in law in relation to Paris Principles.

Thus, the aim of this research is to assess whether the objectives of EIO are achieved in South Wollo Zone civil service or if not to identify the challenges it faces. Hence, the specific objectives of this paper are listed as follow;

a. To explore the awareness of South Wollo Zone Civil servants about the roles and functions of Ombudsman institution in promoting good governance.
b. To assess the perceptions of South Wollo Zone civil servants toward Ethiopian institution of Ombudsman
c. To identify the contribution of Ethiopian Institution of Ombudsman in redressing maladministration in south wollo zone civil service.
d. To identify the challenges of Ethiopian Institution of Ombudsman while promoting good governance in South Wollo Zone civil service.

$$n= \frac{N}{1+N(e)^2} = n= \frac{38{,}778}{1+38{,}778(0.05)^2} n= \frac{38{,}778}{1+38{,}778(0.0025)} = \frac{38{,}778}{97.945} =395$$

Accordingly from a total of 38,778 south wollo zone civil servants, 395 sample respondents would be selected. Simple random sampling techniques would be used to identify Woredas and individuals in Woredas. South Wollo Zone contains 24 Woredas and six Woredas would be selected as target group randomly using lottery methods. Accordingly, Kalu, Dessie Zuria, Mekaneselam, Saint, Kelela and Lega Ambo are identified as target population. 64 individual civil servants would be selected from each woredas as respondents using lottery methods.

II. Materials and Methods

a) Research Approach

The approach adopted to undertake this research is mixed. Mixed approach is a research design which involves both the qualitative and quantitative approaches in a single study. As Creswell explain, all methods have limitations and felt that biases inherent in a single method could neutralize or cancel the biases of other methods (Creswell, 2006). Therefore, the researcher select this approach based on the assumption that collecting diverse types of data best provides an understanding of a research problem and well work for this research. This would enable the researcher to provide interpretive, exploratory and explanatory tools to explore the perceptions and awareness of South Wollo Zone civil service on the roles of Ethiopian Institutions of Ombudsman in promoting good governance. The mixed approach contains different strategic model; from these the researcher select explanatory strategy, strategy in which the researcher first collect quantitative data followed and supported by qualitative data.

b) Population, Sample and Sampling Techniques

The population in this study comprises all civil servants in South Wollo Zone civil services, 38,778 as per the 2015 civil service office report. For this study Sample size was determined using Cochra's (1977) sample determination formula.

$$n= \frac{N}{1+N(e)^2}$$

Where

N= designated total numbers of households or population
n= Designated the sample size for the research
e= designates maximum variability or margins of error-5% (0.05)

Hence, for this research since the numbers of total population is fixed, the sample size calculated as follow;

c) Sources and Method of Data Collection

i. *Sources of Data*

This study used both primary and secondary data useful to the study. Regarding literature written on the topic under study, the researcher collected information related to the topic from written documents such as books, newspapers, official reports, research

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findings, journal articles, documents of Ethiopian Institution of Ombudsman in head office and documents of Ethiopian Institution of Ombudsman in Bahir Dar sub-branch. Concerning primary sources first hand information was collected from target population using interviews, FGD and questionnaires.

ii. *Methods of Data Collections*

As far as techniques of Data collection is concerned the researcher used the following tools of collecting primacy sources; interviews, Focus Group Discussions (FGD) and Questionnaires.

iii. *Interviews*

An interview is one of the data collection techniques apparent in social science research. It is used to generate primary information from individuals who have experienced on events or who have some knowledge or information. The researchers conducted face to face, in-depth interviews with informants to collect qualitative information about the awareness and perceptions of civil servants on the roles of Ethiopian Institution of Ombudsman (EIO) in promoting good governance. Before conducting the interviews, the items included in interview questions would be tested through conducting pilot interviews in order to get feedback on questions relevance. Therefore, in-depth interviews would be used to collect qualitative data in this study.

iv. *Focus Group Discussions (FGD)*

According to Robson (2000) a focus group Discussion is effectively a type of semi-structured interviews carried out in a group setting. A list of about a dozen topics is selected and turned into question form. The benefit of FGD is the possibility of additional insight being gained through the interaction of ideas and suggestion from the group. Thus, the method of FGD would be employed by the researcher to obtain information useful to the study. FGD would be also used to collect qualitative data in this study. For this purpose 160 respondents participated under 20 groups.

v. *Questionnaires*

Questionnaire is a very convenient way of collecting useful and comparable data from a large numbers of individuals. It is a well established tool within social science research for acquiring information on participant social characteristics, present and past behaviors, standards of behaviors and their believes and reasons for actions with respect to the topic under investigation (Bird. D.K, 2009). The researcher conducted face to face questionnaires to collect information about the roles and challenges of Ethiopian Institution of Ombudsman (EIO) in handling maladministration in South Wollo Zone civil service. It would be used to collect quantitative data. Before conducting questionnaires, the items included in questionnaires would be tested through conducting pilot survey in order to get feedback on questions relevance. For this purpose 366 respondents participated.

d) Data presentation, Analysis and Interpretation

The quantitative data is analyzed using descriptive analysis. A descriptive method is mainly used to condense data into more informative and meaningful manner. SPSS version 20 and Simple statistical techniques like means, percentages and tables would be used for this purpose. While qualitative data is analyzed by arranging and portraying the data collected through interviews and FGD in a way that help to detect patterns or problems, explore associations that exist in the data. In this analysis reiteration and elaborations of key concepts and suggestions were made on the findings that fit with the existing literature under investigation. In doing so the researcher would identify dissimilarities while comparing the findings secured against literature reviews. Finally the quantitative and qualitative data integrated together.

III. Results and Discussions

a) Civil Servants Awareness and Perceptions about Ombudsman Institution

The realization of ombudsman's roles in promoting good governance in civil services depend up on the awareness and perceptions of civil servants toward the roles of ombudsman institution. In this sub-section of the paper an attempt was made to assess the level of awareness of south wollo zone civil servants about ombudsman on the one hand and their perception on the other hand. For this purpose eight both close and open ended questionnaires was prepared and first hand information was collected from 366 civil servants in south wollo zone. To substantiate and verify quantitative data collected using questionnaires in-depth interviews held with government officials and elders of the zone. To prove the debate focus group discussion was held with civil servants randomly selected in all six sample woreda. Finally both the quantitative and qualitative data presented and interpreted in order as follow;

Table 1: Civil Servants Awareness about Ombudsman Institution

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	98	26.8	31.0	31.0
	Yes	218	59.6	69.0	100.0
	Total	316	86.3	100.0	
Missing	System	50	13.7		
Total		366	100.0		

Source: own survey (2016)

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Societal awareness of public institution is helpful to provide appropriate services for stakeholders. In case of ombudsman institution the awareness of civil servants about ombudsman institution simplified the work of the institution and help civil servants to submit their grievances easily. To measure the awareness of south wollo zone civil servants about ombudsman institution respondents are asked, "Do you know about institution of ombudsman? Please if you know explain anything you know about ombudsman institution in Ethiopia". As the above table shows majority of the respondents (69%) responded as they are aware of ombudsman institution while around 98 respondents (31%) of the sampled population responded as they are not familiar with the institution of ombudsman. To further examine the level of the civil servants awareness about ombudsman institution the researcher continuously asked subjective question which request the participants to explain what they know about the ombudsman institutions. The subjective answers show that, although majority of the respondents (69%) responded as they are aware of ombudsman institution, but they do not differentiate ombudsman from human rights commission or other administrative institutions.

Majority of the respondents respond as ombudsman is institution of human rights while some others write as it is institution established to investigate maladministration. In support of this the respondents participating in focus group discussion explain as civil servants are not consider ombudsman institution as institution standing for investigating maladministration in government office by saying that 'we hear about ombudsman institution some times on media' but it do not reach local areas. Adding the participants told the researcher as they have no information whether it has branch office in Amhara regional state or not. The officials from FDRE ombudsman institution in head office and Bahir Dar branch admitted this idea by saying that the main challenge of ombudsman institution is its inability to reach grass root level citing media, human resources and budget as constraint factors.

The researcher observed as the south wollo Zone civil servants have no full awareness about ombudsman institution. Some individuals who have access to media are aware about the institution a little bit while majority of the civil servants have no awareness of the institution. Also there is problem of clearly understanding and differentiating ombudsman from other federal institutions like election board, human rights commission and anti-corruption commission.

The FDRE ombudsman institution Bahir Dar branch office investigation report prove this lack of clear understanding on the scope of application of ombudsman institution. The branch office public relation and communication affairs directorate director said that people bring all problems to the ombudsman institution and there is lack of differentiating the scope of ombudsman from other institutions. For example the ombudsman institution Bahir Dar branch office 2014 annual report showed that out of 273 cases submitted to the branch office, only 67 (24.4%) are legible under the jurisdiction of ombudsman institution while 206 (75.45%) of the applications were either out of the scope of application of the institution or had basic application error. Furthermore, the 2015 ombudsman institution Bahir Dar branch office report of four year showed that out of 967 cases submitted to the institution 761 (78.7%) are cases which are out of the spheres of application of ombudsman institution while only 206 cases are in the jurisdiction of the ombudsman institution.

In support of this the FDRE ombudsman institution public relations and communication affairs directorate director explains that the main challenge to the working of ombudsman institution is applicants' lack of ombudsman jurisdiction. People brings to the institution all their grievances said the director. In general the above data shows that the local people in general and south wollo zone civil servants in particular have no clear awareness about ombudsman institution.

Table 2: Roles of Ombudsman Institution in Promoting Accountability and Transparency

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	N0	117	32.0	54.2	54.2
	Yes	97	26.5	44.9	99.1
	2.00	1	.3	.5	99.5
	3.00	1	.3	.5	100.0
	Total	216	59.0	100.0	
Missing	System	150	41.0		
Total		366	100.0		

Source: own survey (2016)

As explained before one of the main pillar objective of ombudsman institution establishment is promoting good governance. Accountability and transparency are on the other way the two core elements of good governance. Hence, promoting good governance means promoting the prevalence of government accountability and transparency. Accountability is defined as the process by which actors

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provide reasons for their actions under the pain of sanctions. It may be administrative, financial, legal and political accountability. It can also divide as vertical and horizontal accountability. Vertical accountability is public officials answer to the general public and they are voted out of office for violating their duties. Horizontal accountability on the other hand refers to the capability of state institutions to check abuses by other public agencies and branches of government. In this case EIO is institution of horizontal accountability.

In similar vein transparency may be defined as public access to knowledge of the policies and strategies of government. It is the free flow of information which can be enhanced through the improvement of democratic process. In Ethiopia ombudsman institution is empowered to ensure horizontal accountability of executives by impartially investigating conducts of public administration and recommending remedies in cases of maladministration. As well as the ombudsman institution is entrusted with the power of realizing transparency through requesting administrative authorities to provide information and in helping individuals in their search for it. In this respect the respondents of this study are asked the question, "Do you think Ethiopian institution of ombudsman contribute for the improvement of government accountability and transparency?"

As the above Table depicted majority of the respondents (54.2%) believe that the Ethiopian Institution of ombudsman cannot contribute in promoting government accountability and transparency while 44.9% of the respondents express their believe that the institution can play great role in promoting government accountability and transparency in the country. Respondents who answer 'No' further asked to explain why they are reluctant to believe that the Ethiopian ombudsman institution has play role in promoting government accountability and transparency. The respondents are forwarded their own reasons and the main reasons outlined by many respondents are the institutional capacity, executives reluctant to accept the ombudsman recommendation, professional related issues and political alignment.

Many respondents explain as the ombudsman institution has no enough man power specially professionals who investigate the complex maladministration. The FDRE ombudsman institution Public relations and communication affairs directorate director admitted this view by saying that the institution is challenged by lack of manpower. Since the salary scale of the office is below other government sectors always experienced professionals leave the office in search of better salary. Furthermore, the FDRE ombudsman institution report shows that one challenge of the institution is executives reluctant to receive recommendation positively and give response on time.

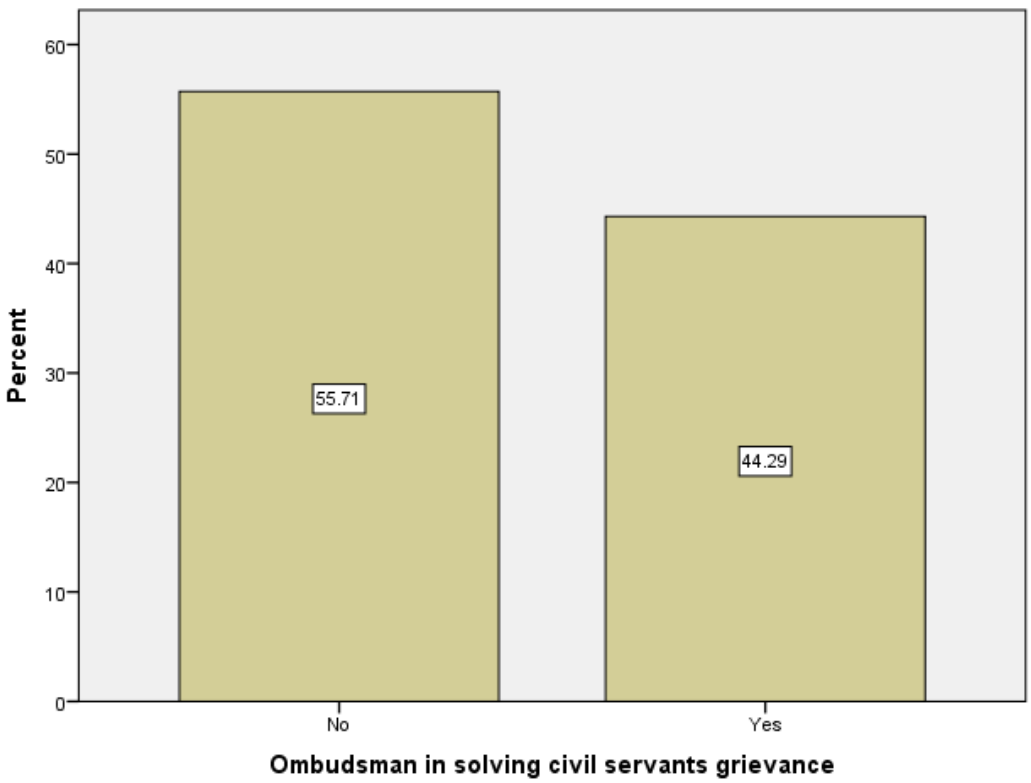

Figure 1: Ombudsman in Solving Civil Servants Grievance

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The purpose of this study is to investigate the awareness and perceptions of civil servants toward the ombudsman institution in solving civil servants grievances. In south wollo Zone as seen above most of the ordinary civil servants are not aware of the functions of ombudsman institutions (Table 1). In order to check the perception of civil servants who responded as they are aware about the institution respondents are asked question of 'Do you believe that Ethiopian Institution of ombudsman solve civil servants grievances?' and as seen above majority of the respondents (55.71%) believe that it does not solve civil servants grievance citing political alignment, organizational problem, lack of punishing power and lack of professional workers as major reasons why they believe that the ombudsman institution does not bring the solution for civil servants grievances.

Furthermore, the respondents participating in interviews and focus group discussion explain that ombudsman institution is a symbolic institution which is directly owned by political appointees. 'If you submitted grievances on any appointees it is not your issue which is seen rather the accused appointees who is the friends of chief ombudsman can win you', said the discussants. Adding the respondents' ombudsman is a toothless dog showing the reluctance of the executive to receive the recommendation of the ombudsman. In support of this the FDRE Ombudsman institution public relations and communication affairs directorate director ascertain that the other challenge of ombudsman institution is some executives are reluctant to response to the office recommendation. In general the finding of this research concerning the capacity of Ethiopian Institution of Ombudsman in solving civil servants grievance is still at low level. As seen above civil servants lack of clear understanding about jurisdiction of ombudsman institution accompanied with the office lack of enough man power, executives reluctant to accept the office recommendation and lack of enough budget limited the application of ombudsman institution.

Table 3: Perception on Ombudsman Capacity to Solve Civil Servants Grievance

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Has no punishing power	56	15.3	35.2	35.2
	Politically alleged	55	15.0	34.6	69.8
	Loosely organized	46	12.6	28.9	98.7
	Others	2	.5	1.3	100.0
	Total	159	43.4	100.0	
Missing	System	207	56.6		
Total		366	100.0		

Source: own survey (2016)

As the above table shows majority of the respondents (35.2%) believe that ombudsman institution cannot solve civil servants grievance because of it has no punishing power. One participants of the focus group discussion in support of this describe ombudsman institution as 'toothless dog'. The second reason the respondents outline is that their perception of the institution is politically alleged. Participants of interviews and focus group discussion express their fear that the Ethiopian institution obmudsman is indirectly under the control of the politics. Said one of the interviewees, the appointments of the chief ombudsman is based on political loyalty not based on meritocracy.

Concerning political alignment and punishing power the two officials (public relations and Communication affairs directorate Directors of ombudsman at federal level and Bahir Dar branch office) have different views from the respondents. The officials said that their office is independent of the influence of the political appointees by citing as the institution is established based on Art.55 of the FDRE constitution by the HPR and responsible to the HPR. Moreover, the officials said that the institution has the power to punish but it use first a win-win solution. However, if the executives are reluctant to accept the win-win solution, the institution has the power to submit the case to the HPR who has the highest government authority in Ethiopia and the HPR take corrective measures, said the officials. In the views of the officials the saying of ombudsman has no punishing power is traditional connotation and lack of well understanding the sphere of authority of the institution.

The other factor the participants cited is organizational problem. Participants of focus group discussion explain that the Ethiopian ombudsman institution is loosely organized institution which is incapable of investigating the huge grievances of Ethiopian civil servants. The FDRE ombudsman institution public relations and communication affairs directorate director admits this view by saying that the EIO do not strong enough to reach each corner of the country. In addition to this according to the federal ombudsman institution public relation and communication affair directorate director, workers turnout is cited as other challenging factor in the day to day activities of the institution. The official said that since the institution's salary scale is below almost all government institutions experienced workers always move to other office for the need of better salary.

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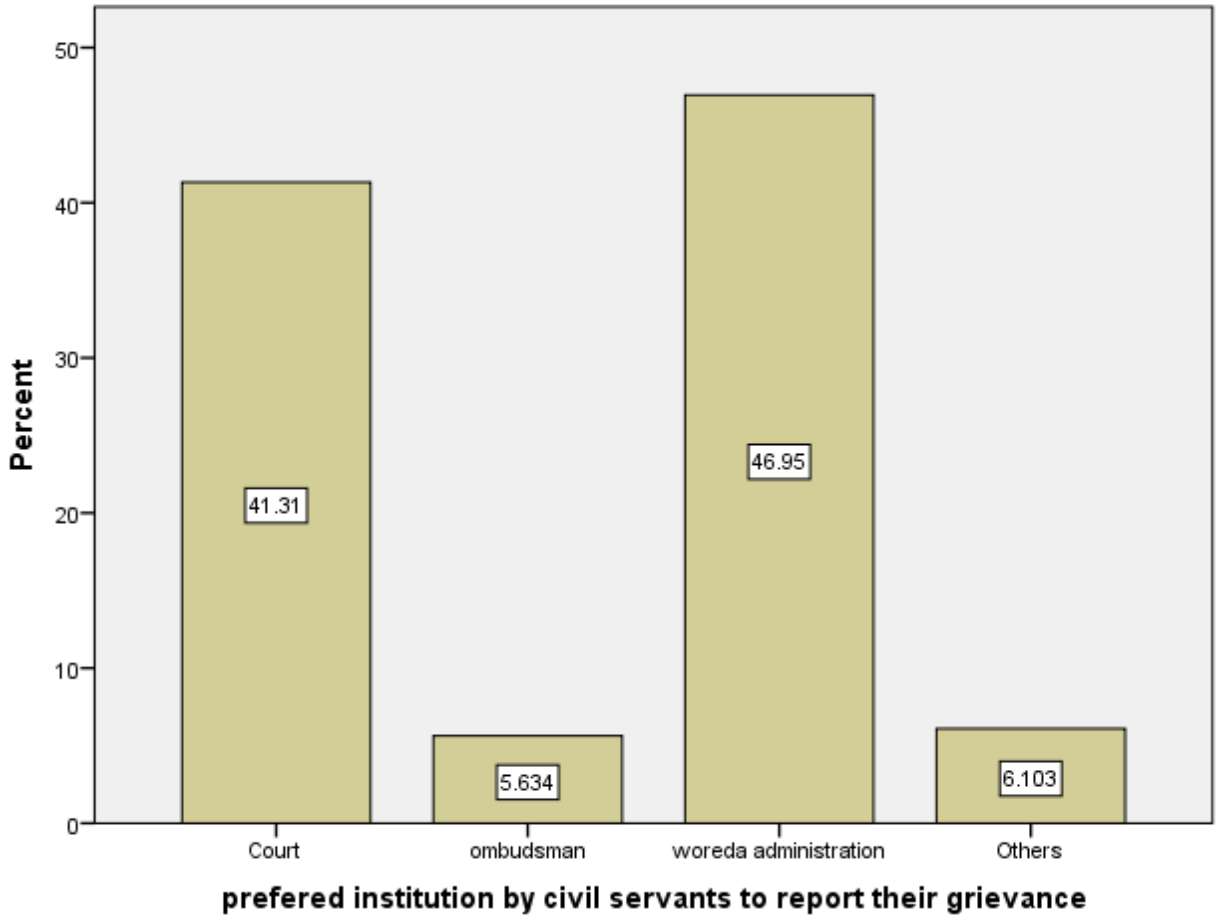

Figure 2: Preferred Institution by Civil Servants to Report their Grievances

Furthermore, to verify more the level of awareness of civil servants about ombudsman institutions respondents are asked question 'which institution do you prefer to submit your grievances if there is maladministration in your work place?' and as the above bar-chart shows majority of the respondents prefer to go woreda administration (46.95%) followed by those preferring to go to court (41.31%). Next to woreda administration and court civil servants preferred to go to civil service courts, grievance handling office and nearby head office like for teachers' director office. According to the respondents the least preferred institution is ombudsman institution.

Only 12 respondents (5.6%) out of 213 respondents show their preference to go to ombudsman office to report their grievances. The above data shows that civil servants still depend up on the usual formal zero sum game institutions let alone the current democratic and win-win solution based institutions like ombudsman. The above data shows that although currently ombudsman institution is introduced to reduce revenges by solving civil servants grievance through win-win solution still people prefer the old formal institutions like administration and courts. This in other way shows the civil servants lack of clear awareness of ombudsman institution.

Table 4: knowledge of Submitting Grievance to Ombudsman from far Area

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	125	34.2	59.8	59.8
	Yes	84	23.0	40.2	100.0
	Total	209	57.1	100.0	
Missing	System	157	42.9		
Total		366	100.0		

Source: own survey (2016)

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The Ethiopian Ombudsman Institution establishing proclamation ascertains that any individuals who face maladministration or see the prevalence of maladministration can submit his/her grievances to the ombudsman institution face to face orally or in writing. The proclamation also proclaim that individuals can submit maladministration to the ombudsman institution using any methods appropriate for them like E-mail, postal service, telephone and other appropriate methods. To check the awareness of south wollo zone civil servants on the methods of summiting grievance to ombudsman institution from far area, the researcher asked the question, "Do you know any methods of submitting maladministration to ombudsman institution from far area?"

As seen in the table above majority of the respondents (59.9%) does not know as the modern way of communication like postal service, E-mail and telephone are considered as formal means of exposing maladministration before ombudsman institutions. Whereas some other respondents (40.2%) of the respondents are aware of the possibility of submitting maladministration to ombudsman institution from far area using modern communication tools like E-mail, postal service and Telephone.

IV. Conclusions and Recommendations

This paper has examined the awareness and perceptions of civil servants about the roles of ombudsman in promoting good governance by focusing on the south wollo zone civil servants. The finding shows that south wollo zone civil servants have no clear awareness about FDRE ombudsman institution which in turn constraint their trust toward ombudsman institution. As the finding of the data shows many civil servants specially those in rural woreda have no awareness of ombudsman institution while civil servants exposed to media and different government workshops and conferences are aware of the existence of ombudsman institution.

But these groups of respondents by itself do not clearly identify the jurisdiction of ombudsman institution. Specially, civil servants have problem in clearly differentiating the jurisdictional differences among federal institutions like ombudsman, human rights commission and anti-corruption commission. From this concerning awareness it is possible to conclude that the south wollo zone civil servants have no clear awareness about ombudsman institution.

Due to lack of clear understanding about the EIO the perception or trust of civil servants toward ombudsman institution is low. Majority of the respondents explain their fear that FDRE ombudsman institution cannot realize government accountability and transparency in Ethiopia. The data also shown as civil servants are reluctant to trust ombudsman institution as agent of solving civil servants grievances. Among others lack of punishing powers, political alignment, organizational weakness and lack of professional investigators are cited as factors hindering the institution to solve civil servants grievances.

In general, the finding of this paper show that the South wollo zone civil servants have no clear awareness about jurisdiction of ombudsman institution, way of submitting complaints and methods of submitting complaints from far area to ombudsman institution. This lack of awareness in turn constrains the civil servants trust on ombudsman institution as agent of good governance. Thus, the well functioning of institution begins from creating awareness and having trust from the target groups. Hence, the finding of this paper implies that much works expected from government in general and ombudsman institution in particular in terms of creating awareness and building institutional trusts among civil servants.

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