

Office of the Ombudsman
National Human Rights Institution
Samoa

STRATEGIC PLAN

FY2021/22-2024/25



OMBUDSMAN
— NHRI SAMOA



Office of the Ombudsman National Human Rights Institution Samoa Strategic Plan

FY 2021/2022 - 2024/25

30 June 2021



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1. Foreword

I am pleased to present the Office of the Ombudsman and National Human Rights Institution of Samoa's Strategic Plan for FY 2021/22-2024/25.

The Plan provides a roadmap that guides our key activities over the coming four year period building on the results achieved and lessons learned from our very first Strategic Plan FY 2016/17-2019/20. The key activities aim to ensure that our Office continues to be responsive in implementing our core functions and delivering meaningful impact.

The Plan is consistent with our legal mandate as an independent constitutional entity under the Constitution as well as the *Ombudsman (Komesina o Sulufaiga) Act 2013*.

As 'One Ombudsman', we seek to exemplify our values in order to deliver our functions efficiently, effectively and economically. We also strive to deliver exceptional services to the public.

During these evolving and challenging times marred especially by the COVID-19 pandemic, there is an increased expectation of our

citizens, especially our vulnerable populations and communities, that we are inclusive, adaptive and responsive to changes through people centred approaches. At the same time, we must continue the critical role of safeguarding the core principles of fairness, the rule of law, respect for human rights, and the independence and integrity of the Office of the Ombudsman as an institution.

Inclusive and empowered communities, transparent and accountable government and the realisation of fundamental rights and freedoms, are necessary conditions to form an enabling environment for sustainable development.

Ultimately, the Plan aims to clarify our strategies to ensure integrity in governance and respect for human rights in Samoa.



Luamanuvao Katalaina Sapolu
OMBUDSMAN

2. Introduction

The Ombudsman, as an officer of Parliament is a critical actor in having a privileged interaction with citizens and is a key guardian of citizen rights. The Office performs as both a mediator and expert in promoting transparency, accountability and integrity in public administration; and the promotion of a culture of respect for human rights as the foundation of a fair, just and peaceful society.

As advances in technology, climate change and gender-based violence continue to impact the rights of Samoans and our development, the need to increase and build capacity of staff as well as optimizing services and influence through a coordinated approach was highly needed.

Following a capacity assessment in 2018, the Office established the Engagement and Communications Unit to ensure effective coordination and coherency in programme work and activities through the ‘One-Ombudsman’ approach. Furthermore, staff expertise was and continues to be enhanced through continuing education. The review of the Advisory Council membership and functions ensures effective and meaningful support to our human rights mandate.

The above changes places us in a good position over the next four years to fully realize the benefits of greater efficiency and investment in our operations and staff.

To meet the expectations inherent in the *Ombudsman (Komesina o Sulufaiga) Act 2013*, we will continue to execute our functions effectively by being:

- **Mandate focused** - to be clear what high level outcomes we want to focus

on while maintaining alignment to our mandate, Pathway for the Development of Samoa FY 2021/22-FY2025/26 (PDS) and Sustainable Development Goals (SDGs) 5 and 16 of the 2030 Agenda for Sustainable Development.

- **Outcomes and Results focused** – being an Office that delivers and operates in a responsive way while enhancing key outcomes and showing measurable impact
- **Service focused** – our services are of high quality, continuously improving, fair and efficient
- **Partnership focused**– actively engaging and working collaboratively at both operational and strategic levels with our partners and stakeholders resulting in a coordinated and integrated approach; and enhanced performance across all key outcome areas
- **Sustainability focused** – embed financial accountability and performance in terms of maximizing value for money and planning for the future and managing risks well and focusing on opportunities
- **People focused** – building an Office of capable, adaptable and engaged people so as to ensure every person that engages with the office feels highly satisfied
- **Leadership focused** – building leaders at every level creating and driving the work programs of the Office and improving communication and relationship management.

3. About the Office

The Office of the Ombudsman also Samoa's National Human Rights Institution operates under the *Ombudsman (Komesina o Sulufaiga) Act 2013* as well as the Constitution.

Our operations are determined independently of the government and we report directly to Parliament.

Our role is to ensure the **integrity in governance and respect for human rights** in Samoa – investigating and finding practical and just solutions to issues of concern, promoting compliance with international standards on human rights, good governance and rule of law, advocating for systemic change and raising awareness across all sectors of the community.

Our work is both at the policy and operational level – engaging with government, the public,

civil society and the media to ensure the realization of fundamental human rights and compliance with good governance principles. Our work also involves cooperation and partnerships with international bodies and agencies to share experiences and best practices relating to human rights work, investigations and good governance.

From addressing individual complaints on maladministration including the misuse of authority by prescribed disciplinary forces, to engaging with government on policy issues relating to human rights, the Office is tasked to ensure the effective promotion and protection of human rights as well as build transparent, accountable and inclusive institutions at all levels.

4. Our Vision, Mission & Values

In delivering our work we are guided by the common purpose, values and principles held within our vision and mission statements.

VISION: Integrity in governance and respect for human rights

MISSION: To lead in strengthening transparent and accountable public institutions and the promotion and protection of human rights by:

- providing effective, timely and independent complaints resolution services on matters of maladministration and misuse of authority by prescribed disciplinary forces
- empowering all people to understand and exercise their human rights and responsibilities
- holding government accountable to good governance and human rights standards and obligations
- building and strengthening partnerships that encourages action on good governance and human rights

VALUES AND PRINCIPLES: Our work will be constantly guided by our core values and principles including **respect**, **fairness**, **professionalism**, **independence** and upholding the **rule of law** – all of which helps foster **integrity** in governance and encourage respect for **human dignity** and our Fa'asamoa.

5. Context: Challenges & Opportunities

We operate in a changeable environment where our stakeholders have high **expectations** and changing **demands** for our services. Our functions and mandate have progressively expanded over the last few years, with an increased focus on the Office as Samoa's National Human Rights Institution. This requires an increased focus on interventions relating to the protection and promotion of human rights.

The strength of the Office has been demonstrated in its great potential to influence national institutions, policies and practices. This is supported by a highly committed, regarded, respected, and professional team that constantly delivers well above expectations. It must continue to promote compliance with human rights and good governance standards, encourage an ethos of continuous improvement in decision-making, strengthen high level policy advice as well as engagement at all levels, enhance complaints resolution service delivery, and advocate for respect in human dignity and rights of all, especially vulnerable populations and marginalized communities.

Climate change and more recently **COVID-19** are major global challenges. Both have and continue to impact economies, communities, human rights as well as overall development. Internally, the complexities of the COVID-19 pandemic in particular has and will continue have a profound impact on both our capacity and ability to deliver our services and programmes. This is also against **fiscal** and other **human resource** challenges. Therefore, it makes it more imperative that we stay as fine-tuned as possible and aligned to our core

functions and mandates by lifting **productivity**, being **smart** in our use of resources, demonstrate value for money and find **innovative** ways of delivering our mandate and services.

Changes to **national priorities** may also present some challenges especially regarding continuous commitment to good governance and human rights obligations. This provides an opportunity for the Office to continue and exemplify leadership and influence in such areas to ensure that Samoa continues to have strong, accountable and transparent institutions that respect human rights and the rule of law.

A gender perspective is also of critical importance. **Gender equality** is a human right and a pre-requisite for poverty reduction and sustainable development. Gender equality is achieved when women and men, girls and boys, have equal rights, conditions, opportunities and power to shape their own lives and affect society wellbeing. The Office has been at the forefront of national action on gender equality and advocating against gender-based violence and needs to continue its effort on this front.

Finally, we cannot make gains across our key outcome areas on our own. We often operate in challenging cultural, social, economic, and political contexts so we need to **collaborate** closely when required, be clear about the results that constitute success and how to achieve them. At the same time, we must continue to uphold the Office to the highest codes of conduct and integrity across all our performance outcomes and core functions.

6. Outcomes: Strategic, Intermediate, Cross-cutting & Supporting

The Plan is the road map that guides the Office's work for the four year period. The matrix below outlines our goals and outcomes.

The **goals** reflect our aspirations as an organization. They are ambitious and require sustained action over time.

The **outcomes** reflect what we want to achieve and our desired results. **Strategic outcomes** reflect the long-term change the Office aims to strive for and contributes to over a six to eight-year period. Intermediate outcomes are medium term results for two and half years. **Short-term outcomes** and **objectives** will be developed and will provide a framework that enables us to plan our work and to monitor progress annually. **Cross-cutting outcomes** reflect what we want to achieve across all of our work and programmes. **Supporting outcomes** support the effective delivery and implementation of our Strategic Plan.

OUTCOMES MATRIX					
Goals	<ul style="list-style-type: none"> • Strong institutions that are transparent and accountable • Rights and freedoms respected and part of everyday life • Improved access to information and complaints resolution services 				
Strategic Outcomes	Integrity in governance		Respect for human rights		
	1. More effective, efficient and equitable public governance	2. Improved compliance with good governance standards and rule of law	3. Greater protection of rights and freedoms	4. Greater compliance with human rights obligations and standards	5. Established and improved human rights culture consistent with Fa'asamoa
Intermediate outcomes	1.1. Improved quality of public administrative systems and processes for managing complaints 1.2. Timely and fair handling of complaints to the reasonable satisfaction of the public 1.3. Public's confidence and trust in public institutions maintained	2.1. Public institutions including prescribed disciplinary forces understand and adhere to good governance principles displayed through practices and policies 2.2. Rule of law strengthened and access to justice ensured for all 2.3. Address misconduct in prescribed disciplinary forces	3.1. Human rights based approach observed and practiced in policy development and project implementation 3.2. Engagement with national and international partners on human rights protection strengthened 3.3. Amicus curae function promoted and utilized	4.1. Implementation of human rights obligations and recommendations (national and international) improved 4.2. Legislative and policy interventions consistent with human rights standards 4.3. Participation in human rights reporting processes improved 4.4. Conditions and management of places of detention improved	5.1. Public's understanding of rights and responsibilities enhanced 5.2. Public especially vulnerable communities empowered to exercise their rights and responsibilities
Cross-cutting outcomes	i. Gender mainstreaming: gender equality and the empowerment of women integrated in the Office's policies, procedures, programmes and projects. ii. Partnerships: strengthened partnerships to assist and support the public and government on matters relating to good governance and human rights. iii. Coordination and coherence: improved coordination and coherence observed and integrated into programme work and projects to ensure effective execution of mandates and the delivery of services. iv. Relevance: strengthened relevance and alignment of Office priorities and programmes to our mandate, strategic plan, PDS and SDGs to ensure effective impact and consistency with context.				
Supporting outcomes	i. Corporate/ administration: robust administrative processes and systems enabling effective and responsive delivery of operations and services ii. Communications: enhanced public awareness of our key roles, services and processes that enables increased access and engagement				

Integrity in governance

1. More effective, efficient and equitable public governance

- 1.1. Improved quality of public administrative systems and processes for managing complaints
- 1.2. Timely and fair handling of complaints to the reasonable satisfaction of the public
- 1.3. Public's confidence and trust in public institutions maintained

2. Improved compliance with good governance standards and rule of law

- 2.1. Public institutions including prescribed disciplinary forces understand and adhere to good governance principles displayed through practices and policies
- 2.2. Rule of law strengthened and access to justice ensured for all
- 2.3. Address misconduct in prescribed disciplinary forces

The Office supports public institutions including police and other prescribed disciplinary forces in adhering to key good governance principles (including fairness, impartiality, transparency and accountability) and practices.

In recent years the, the Office's good governance and special investigations mandate has increased its focus on engaging with public institutions including police and other prescribed disciplinary forces to strengthen processes for complaints handling and promote good governance principles and best practice. The Office through these mandates will continue to support institutions to maintain and strengthen effective, efficient and equitable public institutions that are at the same time accountable and transparent.

Work conducted under the good governance and special investigations mandate focusing on promoting good governance and effective investigations demonstrate the Office's commitment to strengthening integrity in governance and the rule of law.

Respect for human rights

3. Greater protection of rights and freedoms

- 3.1. Human rights based approach observed and practiced in policy development and project implementation
- 3.2. Engagement with national and international partners on human rights protection strengthened
- 3.3. Amicus curae function promoted and utilized

4. Greater compliance with human rights obligations and standards

- 4.1. Implementation of human rights obligations and recommendations (national and international) improved
- 4.2. Legislative and policy interventions consistent with human rights standards
- 4.3. Participation in human rights reporting processes improved
- 4.4. Conditions and management of places of detention improved

5. Established and improved human rights culture consistent with Fa'asamoa

- 5.1. Public's understanding of rights and responsibilities enhanced

5.2. Public especially vulnerable communities empowered to exercise their rights and responsibilities

Inclusive communities and transparent and accountable institutions are critical to the promotion and protection of human rights. The Office as Samoa's National Human Rights Institution has an established reputation in Samoa and the region in promoting the respect for human dignity in all sectors of society through advocacy work, policy advice, reporting and monitoring compliance, as well as inquiries.

The Office in executing its human rights mandate has always focused in ensuring the respect and realization of human rights in Samoa – engaging with civil societies on human rights work as well as empowering communities especially vulnerable populations to understand and exercise their rights and responsibilities. The Office has also been proactive in reporting on human rights situations, monitoring compliance and conducting inspections of detention facilities, as well as providing high level advice on specific and controversial human rights issues.

In moving forward, the Office aims to continue strengthening its work on human rights education and awareness, strengthen partnerships both local and international on human rights work, provide practical and effective policy advice on human rights issues, encourage human rights compliance and implementation of human rights based approaches and obligations, inquire into systemic human rights issues and, effectively monitor human rights issues through stakeholder engagement.

7. Strategies & Objectives

Governance, policy advice and awareness

- Embed rigorous governance processes for investigation processes
- Engage and provide government with high level policy advice on good governance, effective investigations and human rights protection
- Investigate and resolve complaints in a high quality, independent, impartial, fair and timely manner
- Continuously raise awareness and understanding of human rights, human rights principles and approaches

Reporting and monitoring

- Effectively monitor and report on progress of implementation of recommendations that encourages increased responsiveness by

government agencies and key stakeholders

- Continuously monitor systemic issues pertaining to good governance and human rights and act accordingly
- Pursue a proactive program of visits to our detention centers to ensure compliance with international human rights standards

Engagement and relationships

- Engage and improve working relationships with public institutions and state agencies we oversee
- Build partnerships with national and international partners for the protection and promotion of human rights

- Proactively build open and transparent relationships with the Police and other prescribed disciplinary forces

Services and impact, Coordination and administration

- Ensure services are aligned to areas of greatest need and where our work can have the greatest impact

- Coordinate and implement the 'One Ombudsman' approach to programmes, communication, awareness and outreach
- Maintain strong and efficient governance and corporate systems informed by best practices

8. High Level Key Performance Measures

The high level key performance measures set out below help us ensure that we effectively execute our vision, achieve our mission and meet our high level goals and strategic outcomes. These measures will also help inform our key performance indicators that will be contained in our Corporate and Divisional Plans.

- State agencies understanding and public's confidence in investigations and oversight enhanced
- State institutions compliance with good governance principles, human rights standards and obligations and the rule of law improved and enhanced
- Systems and procedures for complaints resolution on matters of maladministration and misuse of power by prescribed disciplinary forces improved
- Access to information and complaints resolution services improved
- Implementation of human rights obligations and good governance best practices improved
- Respect for human rights and compliance with good governance principles improved at all levels
- Engagements and partnerships with government, civil society and public improved and strengthened
- Programme coordination, coherence and delivery efficient, effective and impactful

9. Other Key Measures of Success

The above outcomes are critical to keeping us on target across our mandated functions. However, we also operate across critical Law and Justice Sector outcome areas, as well as being aligned to national development priorities that localize the Sustainable Development Goals (SDG).

The Office has been one of the longest sitting members of the Steering Committee that oversees the implementation of the Law and

Justice Sector Plan (LJSP) and the current mandates of the Office contribute directly or indirectly to the 3 key outcome areas of the new LJSP 2020/21-2024/25: *Outcome 1 - Improved community safety and community well-being; Outcome 2 - Accessibility to the Justice System improved; and Outcome 3 - Improved border security and national safeguards that prioritizes good governance principles and respect for the rule of law.* These

sector outcome areas are linked to a longer term outcome: *Improved Community Safety, Security, Peace and Inclusive Sustainable Development in Samoa*. This is aligned with Key Strategic Outcomes 1 and 3 of the Pathway for the Development of Samoa (PDS): *Improved Social Development and Security and Trusted Government*.¹

The above key national and sector outcomes also feed into the related SDGs namely, *Goal 5: Achieve gender equality and empower all women and girls*, and *Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*.

The Office is in a good position with this current strategic direction to contribute to the LJSP and PDS high level indicators and SDGs by keeping at pace with its own Key Performance Indicators. The LJSP and PDS indicators that the Office can align itself to include:

- Public awareness on different forms of crimes and their penalties is increased and strengthened
- National Crime Prevention Strategy is updated and implemented

- Cybercrime Legislative Reform Project is established and implemented
- National Committee on Human Rights Conventions that includes the Ending Violence Taskforce is established and functioning
- Effective, efficient and strengthened outcome based implementation of Rehabilitation Programs for all Prison Sites
- Effective management of Prison and Corrections services
- Community Law Centre is implemented
- Public awareness of laws relating to Access to Justice is increased and improved
- Number of successful mediation over disputes (Justice Systems and Governance) is increased
- Timeliness of cases resolved and completed is improved
- Empowered Legislation and Improved Accountability
- Dynamic Global Relations and Partnerships
- Alleviating Hardship and improved Public Health
- Quality Education and People Empowerment

10. Monitoring, Evaluation, Accountability & Learning (MEAL) Framework

The successful implementation of this Strategic Plan will depend on how effective the Office is at using the MEAL mechanism and framework to measure progress and assess the overall impact of the Plan.

This MEAL framework will be aligned against the Office's operational and functional mandates as well as the relevant accountability benchmarks. This MEAL framework will not only aid the Office to measure and

¹ Note that all Key Strategic Outcomes of the PDS are relevant to the work of the Office given the cross cutting nature of human rights.

demonstrate its overall contribution and impact in fostering good governance and the respect for human rights in Samoa, but it will also keep us on track and hitting performance measures that help us tell our story; and to deliver meaningful impact across the medium to long term vision for Samoa's development.

The Office will use MEAL processes at both strategic and operational levels. This will enable us to:

- Demonstrate greater transparency and accountability to our stakeholders and partners and to showcase our successes.

- Enhance our accountability to Parliament and the communities we serve.
- Build a stronger reputation and ability to influence.
- Make better, evidence and data based decisions.
- Attract funding and allocate these resources more effectively and efficiently.
- Continue to improve on our performance and outcomes by learning from the information gathered.
- Demonstrate competence as against the Paris Principles

11. Programme Coordination & Coherence

To ensure the effective coordination in the implementation of the new Plan, the three core mandates with the assistance of the supporting units will employ a coordinated 'One-Ombudsman' approach to programme delivery. The 'One-Ombudsman' approach will also ensure programme coherence where a cross-unit approach will be taken integrating all available expertise of the different units in programme delivery. The 'One-Ombudsman' approach will help increase the effectiveness of the Office and reduce overlap and duplication thus improving results.

12. Risk Management

The Office risk management strategy, policy and procedures will guide risk assessment and management. Risk is assessed at various levels including project, structural and strategic.

The Office will continue to assess and manage risks in the new Strategic Plan period. These will be recorded, reviewed and reported in our risk register. All risks will continue to be reviewed at least on a quarterly basis.

13. Delivery Plan

To ensure that we achieve our strategic outcomes a Corporate Plan as well as divisional work plans will be developed guided by the outcomes matrix. The Corporate Plan will identify priorities consistent with available budget and resources, short term outcomes and key performance indicators, as well as the different actions and initiatives we will take to achieve our outcomes.

Vision: Integrity in governance and respect for human rights

Mission

Values & Principles

Goal 1: Strong institutions that are transparent and accountable

Goal 2: Rights and freedoms respected and part of everyday life

Goal 3: Improved access to information and complaints resolution services

More effective, efficient and equitable public governance

1

- 1.1. Improved quality of public administrative systems and processes for managing complaints
- 1.2. Timely and fair handling of complaints to the reasonable satisfaction of the public
- 1.3. Public's confidence and trust in public institutions maintained

Improved compliance with good governance standards and rule of law

2

- 2.1. Public institutions including prescribed disciplinary forces understand and adhere to good governance principles displayed through practices and policies
- 2.2. Rule of law strengthened and access to justice ensured for all
- 2.3. Address misconduct in prescribed disciplinary forces

Greater protection of rights and freedoms

3

- 3.1. Human rights based approach observed and practiced in policy development and project implementation
- 3.2. Engagement with national and international partners on human rights protection strengthened
- 3.3. Amicus curae function promoted and utilized

Greater compliance with human rights obligations and standards

4

- 4.1. Implementation of human rights obligations and recommendations (national and international) improved
- 4.2. Legislative and policy interventions consistent with human rights standards
- 4.3. Participation in human rights reporting processes improved
- 4.4. Conditions and management of places of detention improved

Established and improved human rights culture consistent with Fa'asamoa

5

- 5.1. Public's understanding of rights and responsibilities enhanced
- 5.2. Public especially vulnerable communities empowered to exercise their rights and responsibilities

Cross-cutting Outcomes: Gender mainstreaming, Partnerships, Coordination & coherence, Relevance

Supporting Outcomes: Corporate/administration, communications

**Priorities
Strategies & Objectives**

Corporate Plan
Divisional & individual work plans

..... PDS 1,3 | LJSP 1,2,3 | SDGs 5, 16



Office of the Ombudsman
National Human Rights Institution Samoa

Level 2, SNPF Plaza
PO Box 3036
Apia, Samoa

www.ombudsman.gov.ws

