

# The Administrative Counseling System of Japan



**日本の  
行政相談**



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Front Cover :           Mt. Fuji (3,776m) , the highest mountain in Japan.

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## I. Introduction

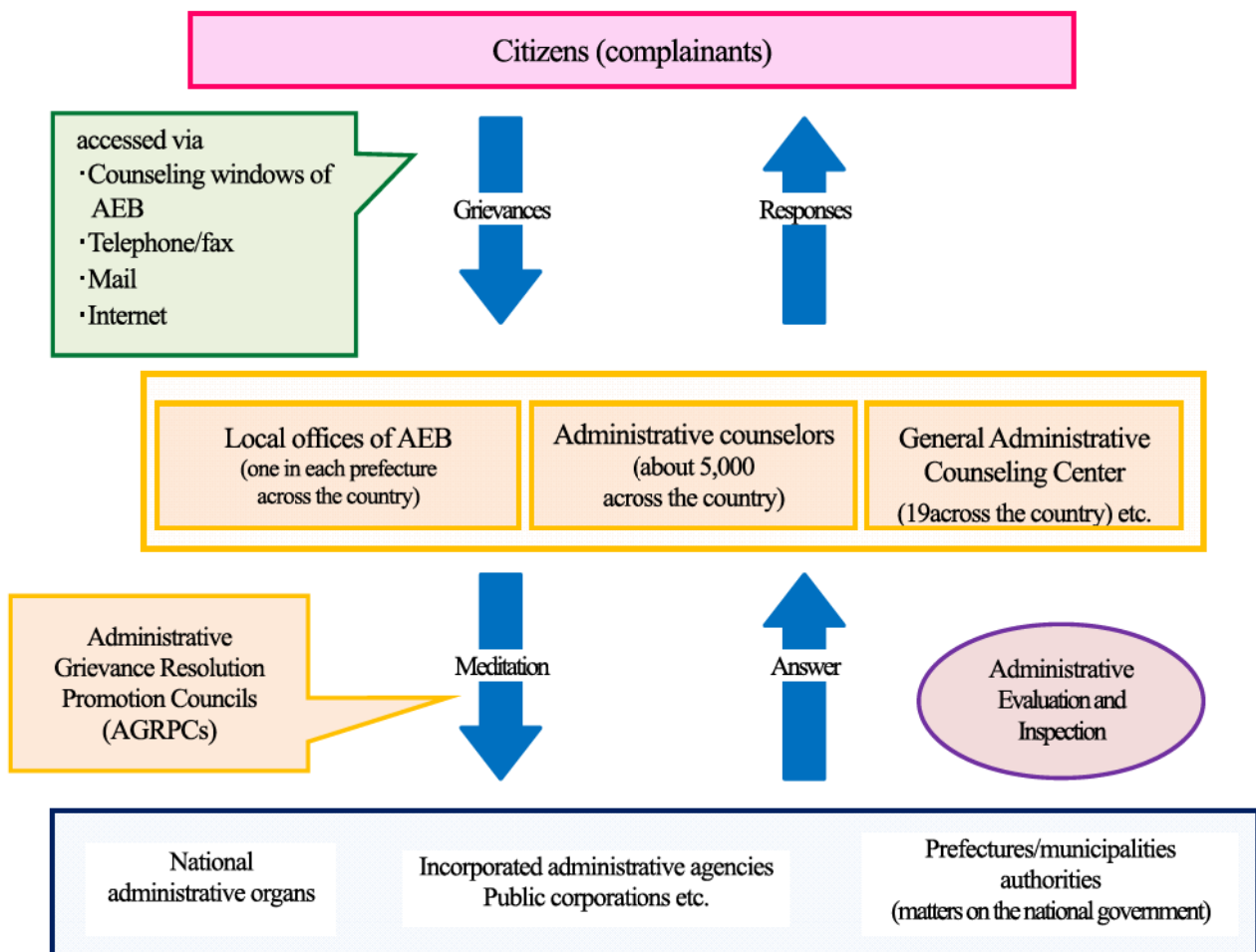
Activities of National Government of Japan today affect every aspect of citizens' lives and are becoming increasingly technical and complex. As a corollary, therefore, the capacity to resolve citizens' complaints about administrative action and translate them into improvements to administrative operations has likewise become extremely important. Administrative functions must be executed in a proper manner, in order to protect citizens' rights and thereby secure public confidence in administration.

The Ministry of Internal Affairs and Communications (MIC) oversees the basic

system of administration by means of a composite bureaucratic structure consisting of the Administrative Evaluation Bureau (AEB), the Administrative Grievance Resolution Promotion Councils (AGRPCs), and some 5,000 administrative counselors commissioned by the Minister for MIC.

This composite system is referred to as the Administrative Counseling System of Japan. This pamphlet will outline the structure and mechanisms of the Administrative Counseling System which provides equivalent functions to those exercised by ombudsmen in other countries.

### ■ Outline of the Administrative Counseling System

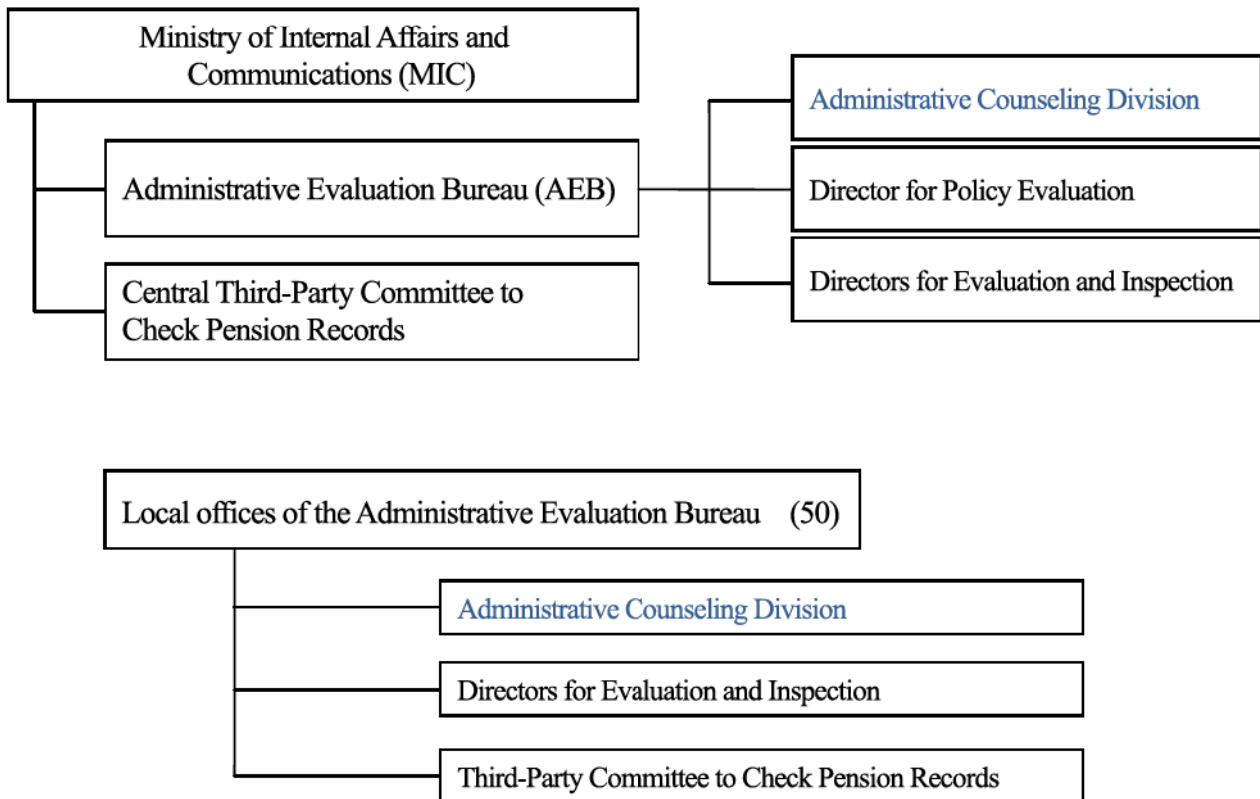


## II. The MIC and the Administrative Evaluation Bureau (AEB)

The Ministry of Internal Affairs and Communications (MIC) has the overall responsibility for the administrative functions that affect broad aspects of the lives of Japanese citizens. Its job is to manage and control the basic systems governing national life and the economic and social activities of the people. These basic systems include public bodies, the civil service, local administration and finance, the electoral system, the emergency services, telecommunications, and postal services.

The Administrative Evaluation Bureau (AEB), a subdivision of the MIC, has a responsibility to ensure that the system of administration operated by ministries and government agencies is effective and efficient. The Administrative Counseling System, working together with the systems of Policy Evaluation and Administrative Evaluation and Inspection, which will be mentioned later, has become an important means of ensuring that public administration is democratic and equitable.

### ■ Organizational chart for the Administrative Evaluation Bureau (AEB) of MIC



The number of staff: 1,322 main office: 285 local office: 1,037 (As of 2011.3.31)



### III. Outline of the Administrative Counseling System

#### 1 Development of the Administrative Counseling System

(行政相談の沿革)

In Japan, citizens whose rights or interests have been infringed as a result of administrative action may seek redress through a number of means including litigation under the judicial system, the administrative appeals procedure and grievance-handling mechanisms set up by national and local authorities, or the so-called ‘municipal ombudsman’ system in some local authorities. Through these means, since its inception, the MIC’s Administrative Counseling System has rapidly gained acceptance and has become an integral part of the public system of complaint resolution. The remarkable development of the Japanese administrative counseling system is due to its suitability to the social climate of the country and public appreciation for its effectiveness as a system for solving grievances in a simple, quick, and highly reliable manner.

Litigation under the judicial system is aimed at finding a precise solution to problems. Judicial procedures, however, often appear daunting to the general public, as they are accompanied by rigid requirements as to the nature of disputed actions, the competence of complainants, time limits, and cost. Furthermore, Japanese citizens are generally disinclined to settle disputes by way of open confrontation; rather, they prefer harmonious solutions to issues through discussion and other non-confrontational means.

Appeals and complaints relating to administrative action are traditionally handled by the authorities or their superiors directly responsible for such action. This in theory

provides quick relief to citizens. However, since these authorities themselves are the cause of the problems, citizens may be reluctant to approach them directly or even feel intimidated. Alternatively, the complainants may not be satisfied with the response received from such authorities and may wish to seek the objective opinion of a neutral ‘third party’. This need is satisfied by the MIC’s acting as an impartial third party in its capacity as an independent governmental organ coordinating overall ministerial policies to the end of maintaining fairness and efficiency, whilst not being directly involved in any particular administrative operations. From this unique position in the government, the MIC may be expected to bring swift and simple solutions to citizens’ grievances.

Public trust in the administrative counseling system as a fair and neutral third party is enhanced by the activities of the Administrative Grievance Resolution Promotion Councils (AGRPCs), where the opinions of knowledgeable citizens may be heard, and by the activities of administrative counselors who are volunteers.



■ Scene of administrative counseling

## 2 Organizations

(組織)

The Administrative Counseling System is divided into three parts: The Administrative Evaluation Bureau (AEB) of the MIC and its local offices; the Administrative Grievance Resolution Promotion Councils (AGRPC); and administrative counselors. By maintaining

close mutual cooperation, these three groups systematically and efficiently handle on a daily basis a wide range of complaints regarding administrative action affecting every aspect of life in Japan, a country with a population of over 127 million.

### A. The Administrative Evaluation Bureau (AEB)

(行政評価局)

The AEB has a main office and 50 local offices, called Regional Administrative Evaluation Bureaus and District Administrative Evaluation Offices, one in each prefecture across the country. Approximately 1,100 staff members work at the main office, bureaus and other offices. Approximately 200 staff members are engaged in administrative counseling at these local offices nationwide, handling grievances received directly from members of the public or through administrative counselors.

found to be justified, the office seeks a satisfactory solution by mediating with the relevant authorities, either orally or in writing. If it is deemed necessary, the AEB office makes inquiries with the relevant offices to gain a better understanding of the administrative action that might have given rise to the case. In most cases, satisfactory solutions are obtained by simply forwarding citizens' grievances to the appropriate government office. Sometimes, mediation is reinforced by guidance from the MIC as to how to resolve a given grievance.

These staff members are hired as ordinary government employees and enjoy no special treatment or status different from any other public servants. All the same, many of them have had experience in Administrative Evaluation and Inspection, have specific knowledge about overall administrative operations, or are specially trained to monitor strictly the legality or fairness of the operations of administrative agencies.

The MIC mediates solutions to grievances between the complainant and an administrative agency by encouraging the agency to act voluntarily to bring the matter to a satisfactory conclusion, and not by initiating remedies itself or ordering the authorities to take corrective action. Mediation is reasonably effective for several reasons: First, mediation does not carry any binding force, and therefore it triggers less psychological resistance from the offices concerned, instead encouraging voluntary action for correction or improvement. Moreover since mediation aims at providing a there-and-then remedy to citizens in distress

For each received complaint, an office of the AEB studies the background and related laws and regulations, as well as ways of dealing with the cause of the complaint. If the complaint is



and does not necessarily require any clarification of the rights or obligations of the parties involved, it is easier for the offices concerned to implement any necessary remedies quickly and flexibly.

Citizens' complaints are usually dealt with by administrative counselors or the local offices of the AEB. However, when they concern the competence of the authorities themselves or when their remedies require changes in the

regulatory system or public administration law, such complaints are transferred to the MIC to be dealt with. When a certain type of complaint tends to occur repeatedly, in order to effect the required improvement, the AEB will focus attention on systemic or operational problems that are the root cause of the complaint by means of an Administrative Evaluation and Inspection.

## B. Administrative counselors

(行政相談委員)

### (1) Appointment and posting of administrative counselors

(行政相談委員の委嘱)

The system of administrative counselors was established in 1961 in order to bring administrative counseling services closer to the general public and make it easier for citizens to lodge complaints concerning administrative actions by setting up more points of contact with the citizens of each neighborhood, in addition to the counseling windows of the local offices of the AEB. The system was originally established as an informal administrative device but obtained legal status in 1966 due to its success as a viable and socially acceptable means of handling citizens' grievances. There are currently about 5,000 administrative counselors.

In accordance with the Administrative Counselors Act, administrative counselors are knowledgeable private citizens and not civil servants. They are commissioned by the Minister for the MIC to receive people's complaints regarding governmental administrative action, give out proper advice, convey the issues raised to the appropriate

administrative agencies of the government and execute various other tasks. They serve for a period of two years which may be extended. Since administrative counselors must have knowledge of and experience with a wide range of administrative operations, it is desirable that they continue to serve for an extended period of time. In fact, many administrative counselors have been acting in that capacity for more than 20 consecutive years. It is required that administrative counselors be selected from among those citizens who are highly respected in the community and who display an enthusiasm for and dedication to the work of administrative counseling. In addition to these requirements, because these counselors function as go-betweens between local people and the administration, it is highly desirable that they have deep roots within the community where they live and that they are perceived by local residents as congenial and approachable. Since they act as unpaid volunteers, most of them are retired or self-employed and in their 60s.

## ■ History of the Administrative Counseling and Administrative Counselors System

Year	Month	Event
1955	February	The administrative counseling service was started as part of the administrative inspection, under the Provisional Guidelines for Handling of Administrative Grievances' Counseling.
1960	May	The administrative counseling service was placed under the jurisdiction of the Administrative Management Agency by the partial amendment to Act for the Establishment of Administrative Management Agency.
1961	April	The Regulation for the Cooperative Counselors for Administrative Grievance was established and the "Administrative Counselors System" was started.
	July	882 Cooperative Counselors for Administrative Grievance were placed in major cities and towns throughout Japan.
1962	September	"Cooperative counselors for administrative grievance" were renamed "administrative counselors." The number of administrative counselors reached 1,775.
1963	April	The number of administrative counselors reached 2,690.
1964	April	The number of administrative counselors reached 3,605, and accordingly at least one counselor placed in all municipalities.
1966	June	The Administrative Counselors Act was enacted (enforced in July).
1971	August	In celebration of the 10th anniversary of the Administrative Counselors System, the AMA chief offered a letter of appreciation to the administrative counselors who had worked for 10 years since 1961.
1972	April	The number of administrative counselors reached 3,660. The number of administrative counselors was increased by 55 in Okinawa prefecture.
1973	April	The number of administrative counselors reached 4,576.
1981	April	The number of administrative counselors reached 4,789.
	November	The 25th anniversary of the Administrative Counseling System & the 20th anniversary of Administrative Counselors System ceremony were held in Tokyo.
1984	July	The Management and Coordination Agency was established.
1991	April	The number of administrative counselors reached 5,046.
	November	The 30th anniversary of Administrative Counselors System was held in Tokyo with the honor of the Crown Prince's attendance in Tokyo.
2001	January	The Ministry of Internal Affairs and Communications (MIC) was established.
	June	The 40th anniversary of Administrative Counselors System was held with the honor of the Crown Prince's attendance in Tokyo.
2003	September	123 administrative counselors were appointed as Leading Administrative Counselors for Gender Equality.
2007	April	The number of administrative counselors reached 5,011.
2011	July	The 50th anniversary of the Administrative Counselors System ceremony will be held in Tokyo.

## (2) Activities of administrative counselors

In cooperation with local government offices and other public organizations, counselors hold regular and traveling counseling sessions in municipal offices and community halls. The effectiveness of the system of administrative counselors is well illustrated by the fact that of the 171,430 cases handled by the MIC in fiscal 2009, 97,756 complaints (almost 60%) were initially received by administrative counselors.

Many of the complaints received by administrative counselors are studied by the counselors themselves and their findings are transferred to the relevant authorities for solution. However, if the cause of a complaint is rooted in laws and/or regulations, involves a number of different administrative offices, or requires specialized investigation and deliberation, then the administrative counselor will refer the matter to the AEB for handling.

One common feature underpinning the activities of administrative counselors is the dedication and enthusiasm of these unpaid volunteers to act as a vital link between citizens and the administration. Another feature is the high esteem in which they are held by the local community for their integrity and wisdom. Seminars on the fundamental principles of administrative operation are occasionally arranged for their benefit. However, in trying to find satisfactory solutions to complaints, administrative counselors are expected to rely more on their common sense as knowledgeable and respected citizens within the community than on their expertise in governmental functions.

## (行政相談委員の活動)

The MIC will celebrate the 50th anniversary of the Administrative Counselors System in 2011. The MIC will hold the Central Ceremony of the 50th Anniversary of Administrative Counselors system on July 6, Tokyo, the 12th AOA Conference (Tokyo, Shizuoka prefecture from May 31 to June 3), and other events to inspire the activity of Administrative Counselors. Along with holding the 50th Anniversary Ceremony, the MIC has commenced special programs to commemorate this occasion, which include delivering the Minister's Message to the local governments asking the more cooperation in administrative counseling, launching the new action plan aimed at the more efficient complaint receiving system, and consolidating a liaison meeting among complaints receiving units of each government departments. As one commemorative event, the MIC inspired an "administrative counseling watchwords contest." The first prize was won by the junior high school girl in Aichi Prefecture. Her watchwords have been printed on PR posters that are posted at administrative agencies and distributed all over Japan.

### ■ PR poster (2011)



(3) Contribution of administrative counselors to the overall improvement of administrative operations

(行政運営改善への貢献)

Article 4 of the Administrative Counselors Act stipulates that administrative counselors may submit to the Minister for the MIC their suggestions for possible improvements to administrative operations arising out of the course of their duties. This provision shows that administrative counselors, who are in direct contact with residents and receive their complaints and requests on a daily basis, are expected to be able to absorb and relay public

opinion accurately and effectively. This is not to say that all of these opinions submitted by administrative counselors each year lead to satisfactory solutions as quickly as might be hoped for, due to budgetary constraints, differences of opinion among the general public and other such reasons. Nevertheless, some of the opinions voiced have definitely contributed to an overall improvement in the administrative system, to the benefit of a great many citizens.

■ **Column : Recent improvement of administrative operations  
reflecting the activities of administrative counselors**

— **Information service for domestic violence (DV) victims** —

An administrative counselor submitted an opinion to the Minister for the MIC as below,

- DV victims want easy access to government information for support and DV counseling services, as they don't know where and who to consult with.
- To provide rapid protection for such victims, government should maintain the means to access such information of organizations offering consultation centers for spousal violence victims.



In January 2009, the Cabinet Office set up the “DV Consulting Navigation Dial,” which is a hotline available from anywhere in Japan at the same number. It provides information about the nearest Spousal Violence Counseling and Support Centers, and instant connection is provided during the same telephone call.



(4) Activities for realizing a gender-equal society

(男女共同参画に係る活動)

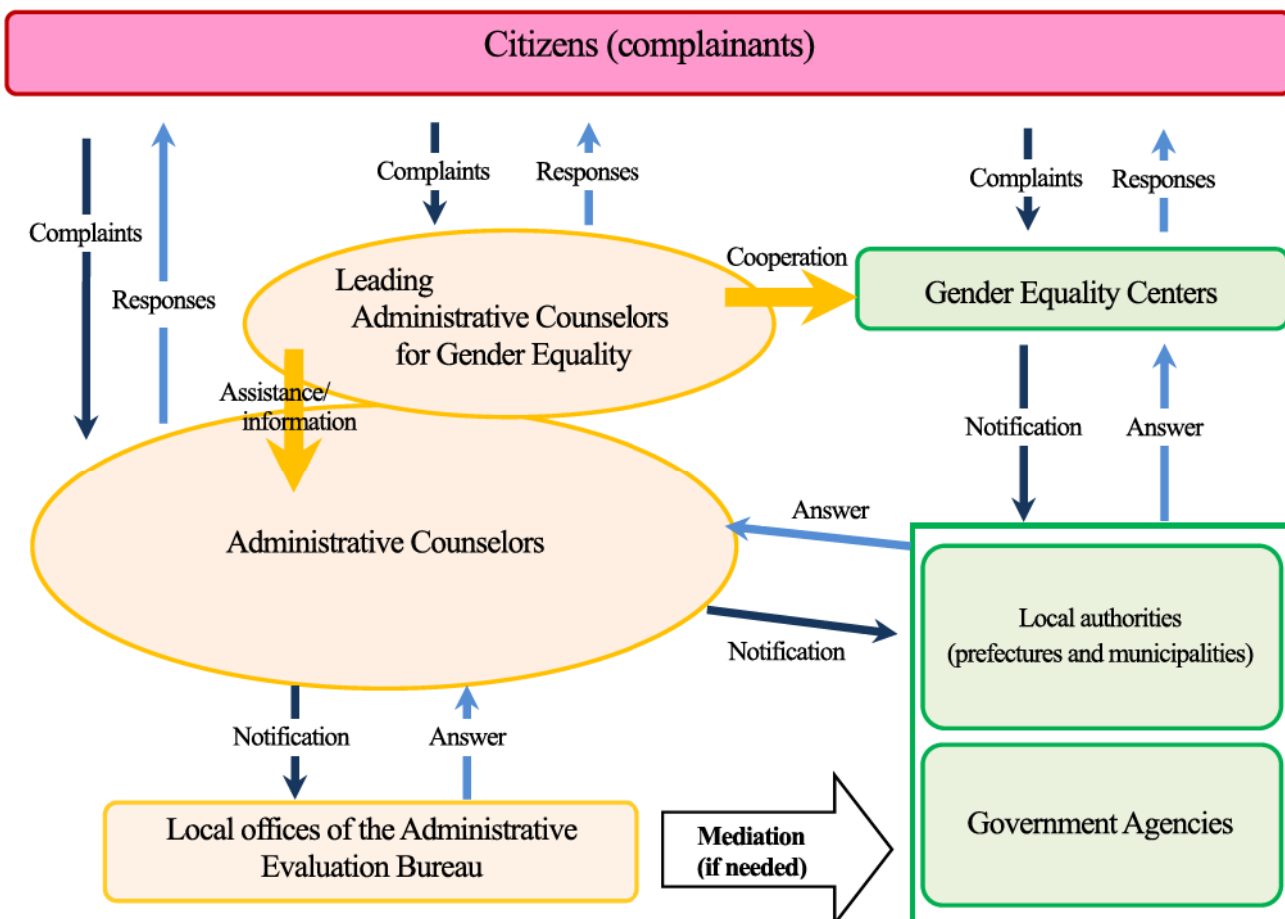
The MIC appoints the administrative counselors who play a central role in the handling of complaints about gender equality policy as the Leading Administrative Counselors for Gender Equality.

On 1 September 2003, based on the cabinet approval granted on 12 December 2000 (revised on 27 December 2005), AEB of MIC has appointed 123 administrative counselors who possess a thorough understanding of gender equality as the Leading Administrative Counselors for Gender Equality. Their

appointment has served to enhance the handling of complaints about administrative operations related to Gender Equality through the active utilization of existing systems such as Administrative Counseling System including administrative counselors.

The Leading Administrative Counselors for Gender Equality not only handle complaints and requests related to gender equality but provide suggestions and assistance on gender equality to other administrative counselors.

■ Outline of the Activities for realizing a gender equality





## C. The Administrative Grievance Resolution Promotion Council (AGRPC)

(行政苦情救済推進会議)

### (1) Background

(背景)

As the socioeconomic structure continues to undergo rapid changes and administration has become more complex in recent years, an increasing number of administrative counseling cases are requiring changes in laws and regulations, or necessitate budgetary action.

To deal with these problems, the AGRPC was first set up in 1987, within the former Administrative Inspection Bureau. In 1990, it was reorganized as an advisory body to the

former Director-General of the Management and Coordination Agency, present Minister for the MIC. In the AGRPC, knowledgeable citizens in various fields express their views, unrestrained by existing administrative practice, based purely on their sound judgment. These views are then reflected in the mediation of solutions to citizens' grievances. 12 local offices of the AEB hold conferences similar in function to the Council.

### (2) Activities of the AGRPCs

(活動状況)

Citizens' grievances related to the basic systems and operations of administration and others that require high-level consideration and are closely related to people's lives are referred to the AGRPCs. The AEB then conveys the matter, along with the opinions of the AGRPCs, to the relevant authorities in order to mediate a solution. Although they have no legally-binding power, their mediation motivates the authorities to take the necessary

corrective action because they convey the opinion of knowledgeable citizens from a cross-section of society and details of mediations are widely reported in the press and media. In this way, the AGRPCs reinforce the system of administrative counseling, effecting wide-ranging improvements in administrative systems and procedures for the benefit of citizens of the country.

## ■ Scene of the AGRPC



### 3 Scope of administrative counseling

#### 行政相談のあつせんの対象

#### A. The Administrative Evaluation Bureau (AEB)

(行政評価局)

According to the Act for Establishment of the Ministry of Internal Affairs and Communications, administrative counseling can make mediation, if necessary, to the following areas in public service provision:

- 1) operations of administrative organs of central government
- 2) operations of incorporated administrative agencies (e.g. Urban Renaissance Agency, National Hospital Organization, etc.), public corporations (e.g. Japan Broadcasting Corporation etc.), corporations established by statute and authorized by a specific administrative organ, of which more than half the capital is invested by the state and the operation of which is subsidized by the state (e.g. Bank of Japan, etc.)
- 3) operations carried out by local authorities, including prefectures and municipalities, on behalf of the central government for citizen's convenience ('statutory delegated affairs')

- 4) operations of other organizations delegated or subsidized by central government

The scope includes not only infringements of legal rights and interests, but also all manner of complaints relating to administrative action, such as complaints requiring the correction of administrative action, the provision of particular government services and even improvements in the attitude of public employees.

There are cases which fall outside the remit of administrative counseling, even if the complaints pertain to matters within the defined scope of counseling. Matters not eligible for the 'good offices' of administrative counseling include: 1) cases under criminal investigation, or pending in a court of law, or for which a ruling, reconciliation, mediation or arbitration has been made, 2) cases under the administrative appeals procedure, or to which an adjudication or determination has been issued, 3) cases that require high-level political and/or specialized technical judgment.

#### B. Administrative counselors

(行政相談委員)

According to the Administrative Counselors Act, administrative counselors receive complaints in relation to administrative organs of central government. They may also receive

complaints relating to the operation of certain incorporated administrative agencies, public corporations and authorized corporations in accordance with a cabinet order.

## 4 Procedures for filing grievances

### 苦情受付の窓口

Citizens can file their grievances free of charge in a number of ways: by visiting the counseling window in the AEB office, by mail, by telephone or by sending complaints by facsimile or internet. Confidentiality is absolutely guaranteed.

In order to simplify the procedure of filing a complaint and to define the handling procedure precisely, the MIC has established the following provisions.

### A. The Administrative Evaluation Bureau (AEB)

(行政評価局)

- 1) Each of the AEB offices has set up a so-called “Administrative Complaints Hotline” which citizens may use to file their complaints. The Hotline may be accessed even during night time and on weekends via the answer-phone service.
- 2) In major cities, in department stores and similar facilities across the country, the AEB has set up 19 general administrative counseling stations in order to receive citizens’ complaints jointly with officials from other government and local government departments, legal experts and others. Some of these are open daily and others intermittently.
- 3) When large-scale natural disasters occur, the AEB will promptly open a “Special General Administrative Center” in cooperation with related institutions. The job of this Center will be to respond to a wide range of issues and inquiries from distressed citizens.
- 4) The AEB holds regular meetings at the national and local level of different grievance-handling divisions of the government, local authorities and public corporations to promote collaboration and cooperation among them.

### B. Administrative counselors

(行政相談委員)

- 1) They hold regular counseling sessions in the municipal office or community halls, or the circuit counseling service in their districts.
- 2) They provide a joint counseling service in cooperation with those engaged in welfare or human rights activity.

## 5 Third-Party Committee to Check Pension Records

年金記録確認第三者委員会

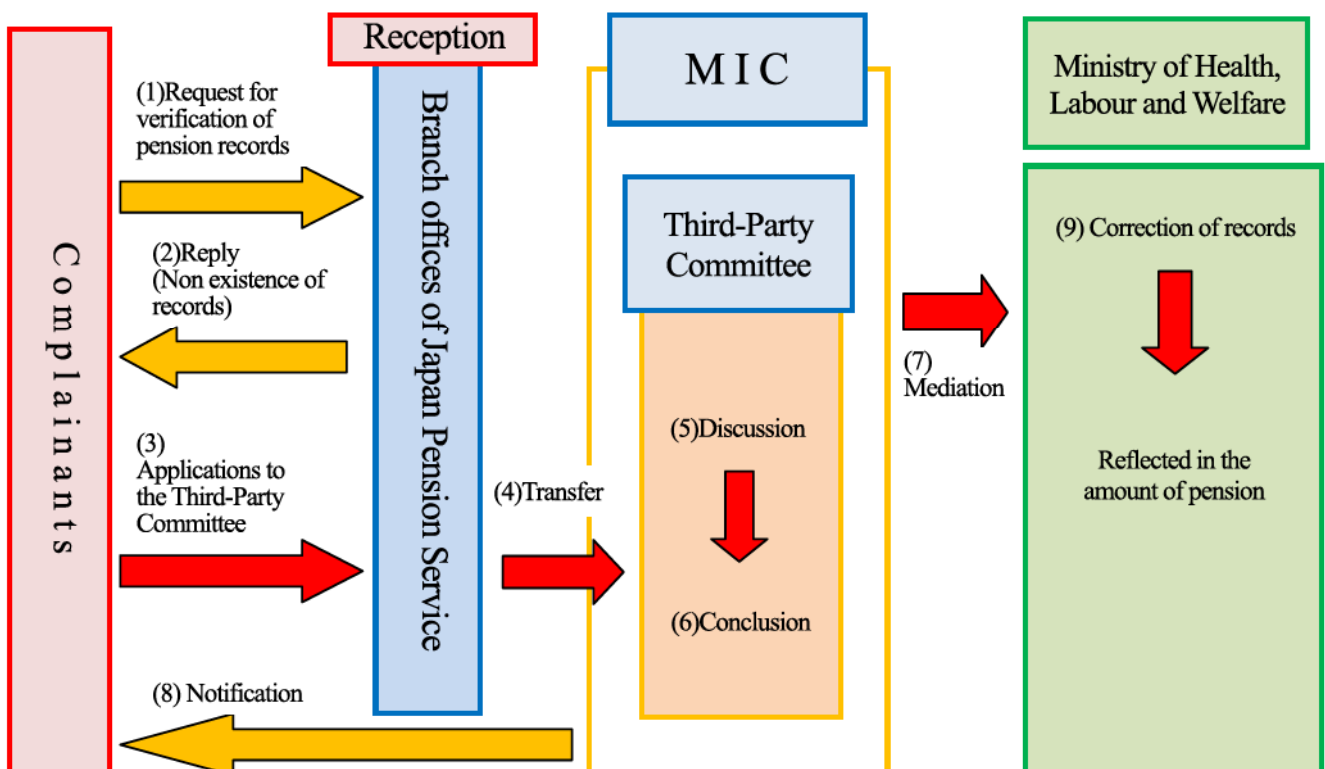
The pension records problem has been raised as a compelling and serious issue directly related to the daily lives of citizens. As one measure to deal with the pension records problem, the MIC established the Third-Party Committee to Check Pension Records (hereinafter referred to as the "Third-Party Committee").

For citizens who raise objections to replies from the Ministry of Health, Labour and Welfare, but lack such evidence as receipts and for whom the Ministry has no pension or payment records, the Third-Party Committee will make a fair judgment on corrections to pension records on behalf of such citizens as well as those who have faithfully paid their insurance premiums, so that pensions can be received upon fully examining said objections and related materials.

If the Third-Party Committee judges that the pension records must be corrected, the Minister for Internal Affairs and Communications mediates the corrections of pension records on behalf of the Minister of Health, Labour and Welfare. In honoring said mediation, the Ministry of Health, Labour and Welfare (Japan Pension Service) shall make corrections that will be reflected in the amounts of pensions for those who raised objections.

In addition to the Central Third-Party Committee, Local Third-Party Committees to Check Pension Records are established in all prefectures nationwide (at local offices of Administrative Evaluation Bureaus at 50 locations nationwide) to serve for each district. Applications to the Third-Party Committee can be accepted at regional social insurance offices.

### ■ Flow from verification to correction of pension records at the social insurance office





#### IV. The relationship between “Administrative Counseling” and “Administrative Evaluation and Inspection”

“Administrative Evaluation and Inspection” is a key function of the Administrative Evaluation Bureau (AEB) of the MIC. Although the AEB is technically itself part of the government, it maintains a strictly independent stance from the various governmental departments. It serves, as a specialized body for administrative evaluation and monitoring in order to promote effective solutions for the issues and questions pending within government, and to exert pressure for the implementation of appropriate administrative reforms. Its object is to improve the efficiency of government departments through scrutiny of their performance. According to the classic “plan, do, see” categories of administrative management, its responsibilities are mainly to “see”.

As already indicated, administrative counseling is the activity through which the AEB local offices of the MIC and administrative counselors throughout the country receive citizens’ grievances concerning government administration and work to bring such matters to satisfactory conclusion through “mediation” with the appropriate authorities (“Mediation” refers to the resolution of complaints through notification of the complaints to the appropriate authorities, either in writing or orally, together with, where deemed necessary, suggestions for

specific improvements.)

The Administrative Counseling System began life in the mid-1950s in order to handle the large number of complaints filed by citizens in the course of investigations accompanying an Administrative Evaluation and Inspection exercise. In 1961, administrative counseling became a statutory function of the former Administrative Inspection Bureau, now AEB.

In the Western world there has been a corresponding boom in the introduction of the ombudsman system since the 1950s. Because of its origin and remit, the Administrative Counseling System operates in close liaison with the system of Administrative Evaluation and Inspection. Issues arising out of complaints of a repetitive or similar nature via the Administrative Counseling System may be taken up by the AEB as part of its Administrative Evaluation and Inspection function. The AEB then makes efforts to resolve the underlying systemic or operational problems that sparked the complaints in order to prevent their future recurrence.

The value of the Administrative Counseling System is considerably enhanced because it is backed up by Administrative Evaluation and Inspection on the part of the AEB.



## V. International activities

There are many systems for resolving complaints related to the administrative activities in the world promptly. The ombudsman system is one of them.

The Administrative Counseling System of MIC promotes the resolution of citizens' complaints by collaboration between MIC and administrative counselors who are not public servants but knowledgeable volunteers. To manage this system, MIC has established the Administrative Grievance Resolution Promotion Council (AGRPC) comprised of knowledgeable non-governmental persons.

MIC takes into account the opinions of the AGRPC and handles complaints promptly. The Administrative Counseling System is known for Japanese ombudsman at home and abroad, who plays the same function as other countries' ombudsmen.

Ombudsmen in each country work to promote the institution of the ombudsman, and to encourage its development, as they undertake exchange and cooperation through international exchange bodies like the International Ombudsman Institute (IOI) and the Asian Ombudsman Association (AOA).

### ■ Scene of the 9th IOI Conference in Sweden (2009)



## ■ Administrative counseling system & international cooperation

Year	Month	Event
1992	October	Attended the 5th International Ombudsman Institute(IOI) Conference in Austria as an observer
1994	March	Joined IOI as an associate member
	June	Hosted the International Ombudsman Symposium in Tokyo; invited ombudsmen from nine countries (as a commemorative event for the 10th anniversary of the Management and Coordination Agency)
	October	Joined IOI as an institutional member Attended the 14th Australasian and Pacific Ombudsman Regional (APOR) Conference in New Zealand as an observer
1995	October	Attended the 15th APOR Conference and the International Ombudsman Symposium in Hong Kong
1996	April	Attended the 1st Asian Ombudsman Association(AOA) Conference in Pakistan
	October	Attended the 6th IOI Conference in Argentina
	November	Hosted the Administrative Counseling and Ombudsman Forum in Osaka
1997	March	Attended the 2nd AOA Conference in Korea
	August	Attended the 16th APOR Conference in Australia
	October	Hosted the Administrative Counseling and Ombudsman Forum in Sendai
1998	May	Attended the 3rd AOA Conference in Macao (Establishment of the AOA)
	August	Attended the 17th APOR Conference in Vanuatu
	November	Hosted the Administrative Counseling and Ombudsman Forum in Hiroshima
1999	May	Attended the 4th AOA Conference in Iran
	September	Attended the 18th APOR Conference in Australia
	November	Hosted the Administrative Counseling and Ombudsman Forum in Nagoya
2000	February	Attended the AOA Board of Directors' Meeting in Pakistan
	July	Attended the 5th AOA Conference in the Philippines
	October	Attended the 7th IOI Conference in South Africa
	November	Hosted the Administrative Counseling and Ombudsman Forum in Fukuoka
2001	June	Hosted the 6th AOA Conference in Tokyo
	July	Attended the 19th APOR Conference in Australia
2002	May	Attended the 7th AOA Conference in Beijing
	November	Attended the 20th APOR Conference in Australia
2003	September	Attended the 21st APOR Conference in Papua New Guinea
	October	Attended the AOA Board of Directors' Meeting in Macao

2004	April	Attended the 8th AOA Conference in Korea
	September	Attended the 8th IOI Conference in Canada
2005	February	Attended the 22nd APOR Conference in New Zealand
	November	Attended the 9th AOA Conference in Hong Kong
2006	December	Attended the AOA Board of Directors' Meeting in Pakistan
2007	April	Attended the 10th AOA Conference in Viet Nam
2008	April	Attended the AOA Board of Directors' Meeting in Iran
2009	June	Attended the 9th IOI Conference in Sweden
	November	Attended the 11th AOA Conference in Thailand
2010	August	Attended the AOA Board of Directors' Meeting in the Philippines
2011		Host the 12th AOA Conference in Japan

### ■ The 12th Conference of the Asian Ombudsman Association (AOA)

AOA is active in Asia as international exchange body for the activity of ombudsmen in each country.

The conference is held in member countries every two years.

MIC has become a window of AOA from the point of view of promoting international coordination of ombudsmen.

The 12th AOA Conference will be held in Japan in 2011.

Main Theme:

“Challenges for the Ombudsman in a Changing  
Socio-Economic Environment”

Official Website at:

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Tokyo - Shizuoka 2011

The 12th Conference  
of  
the Asian Ombudsman Association



## Reference





**Act for Establishment of the Ministry of Internal Affairs and Communications (excerpt)**

Act No.91 of July 16, 1999

**Article 4 (Specific Functions)**

The Ministry of Internal Affairs and Communications shall take charge of following specific functions to achieve its missions prescribed in article 3.

(19) To conduct investigation on the following operations, so far as necessary to execute the evaluation prescribed in item 17 and the evaluation and inspection prescribed in the preceding item (herein after these evaluations and inspection are referred to as “policy and administrative evaluations”).

- i) Operations of incorporated administrative agencies (limited to cases that are in connection with the evaluation prescribed in item 17).
- ii) Operations of public corporations prescribed in item 15.
- iii) Operations of corporations established by specific law and authorized by administrative organ (limited to those of which more than half the capital is invested by the state and the operation of which is subsidized by the state).

iv) The administration of affairs either delegated or subsidized.

(20) To conduct investigations on the implementation status of statutory entrusted functions performed by local governments on behalf of the central government related to policy and administrative evaluation, in addition to (iv) of the preceding item, (limited to investigations on matters that need to be understood for administrative organs’ operations).

(21) To perform mediation deemed necessary concerning the complaints filed with respect to the administration of affairs within the jurisdiction of each administrative organ and the affairs mentioned in item 19 and the preceding item.

(22) To administer affairs concerning the administrative counselors.

**The Administrative Counselors Act**

Act No.99 of June 30, 1966

**Article 1 (Purpose)**

The purpose of this Act is to provide necessary matters with respect to the commission of a counseling service on people's complaints against public administration in order to facilitate their settlement and thereby to contribute to democratic administration of public affairs.

**Article 2 (Administrative Counselor)**

The Minister for Internal Affairs and Communications may commission a person, who enjoys the confidence of society and is possessed of a deep understanding of and ardor for improvement in administrative operations, to conduct the affairs prescribed in the following.

(1) In response to a filing of a complaint against the operations of administrative organs (Cabinet Office, Imperial Household Agency and the organs prescribed in Article 49, paragraph 1 and 2 of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), the organs prescribed in Article 3, paragraph 2 of the National Government Organization Act (Act No. 120 of 1948) and the public corporations specified in the Cabinet Order among those mentioned in Article 4, item 19 of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999). The same shall apply hereinafter.), to give

necessary advice to the complainant and to inform the Ministry of Internal Affairs and Communications and the administrative organs and the like concerned of the complaint in accordance with the instruction of the Minister for Internal Affairs and Communications.

(2) Concerning the complaint of which the aforementioned parties are informed in accordance with the provision of preceding item, to respond to the inquiry from the administrative organs and the like concerned, and as he/she may deem it necessary, to notify the complainant of the results of review by the administrative organs and the like concerned.

2 The commission prescribed in the preceding paragraph shall be made both with a designation of the jurisdictional area of the commissioned in terms of city (inclusive of special ward), town, or village and for any specified period within the two years of the duration of the commission.

3 A person who is commissioned in accordance with paragraph 1 shall be known as an administrative counselor (hereinafter referred to as "counselor").

Article 3 (Dissemination, etc.)

The Minister for Internal Affairs and Communications shall take appropriate measures to disseminate counselor's name and address to the residents concerned whenever a commission is made in accordance with the provision of paragraph 1 of the preceding article.

2 A counselor shall enlighten the public and publicize the affairs under his/her charge.

Article 4 (Statement of Opinion)

A counselor may express to the Minister for Internal Affairs and Communications his/her opinion developed through performing his/her duties with respect to the improvement in administrative operations.

Article 5 (Discipline)

A counselor shall not divulge any secret that may have come to his/her knowledge in the performance of his/her duties. The same shall also apply after he/she has been relieved of his/her office.

2 A counselor shall not make use of his/her position for any political party or political purposes.

3 A counselor shall perform his/her duties properly and adequately with impartiality.

Article 6 (Dismissal)

The Minister for Internal Affairs and Communications may relieve a counselor of his/her commissioned duties provided in Article 2, paragraph 1 when, in his/her judgment, the counselor falls under any one of the following items.

(1) When mental or physical defects hinder him/her from performing the duties properly or at all.

(2) When he/she neglects his/her duties or infringes the provision of the preceding article.

(3) When he/she is guilty of such malfeasance as to render himself/herself unfit to be a counselor.

Article 7 (Guidance)

A counselor, concerning the affairs commissioned, shall be under the guidance of the Minister for Internal Affairs and Communications.

Article 8 (Expenses)

A counselor shall not receive remuneration from the state for performing his/her duties.

2 A counselor, within the allowance of budget, may receive compensation for the expenses necessitated for performing his/her duties.

## Outline of the Asian Ombudsman Association



1 Founded: April, 1996

2 Secretariat: Islamabad, Pakistan

3 Development of AOA:

The establishment of AOA was decided at the first AOA conference in Pakistan (Islamabad) in April 1996. The preparation for the establishment was started and the AOA's By-Law Preparation Committee was established with the involvement of key countries such as Pakistan, China, Iran, Sri Lanka, Hong Kong, Japan, Korea, Macao, the Philippines, and Kuwait.

In 1998, the draft of AOA's by-laws, made by the Preparation Committee, was deliberated and approved at the third AOA Conference in Macao. The President, other executives and the board of directors were elected, thus the AOA began to function officially. Japan was elected to a position on the Board of Directors in Macao, and it continues to hold this position.

4 Objectives:

- 1) To promote the concepts of ombudsmanship and to encourage its development in Asia
- 2) To develop professionalism in the discharge of the functions of ombudsman
- 3) To encourage and support study and research regarding the institution of ombudsman
- 4) To sponsor training and educational programs for the institutions of ombudsman in the region
- 5) To provide scholarships, fellowships, grants and other types of financial support to individuals for study relating to the institution of ombudsman
- 6) To collect, store and disseminate information and research data about the institution of ombudsman
- 7) To facilitate exchange of information and experiences among the ombudsmen in the region
- 8) To plan, arrange and supervise periodic conferences of the ombudsmen of Asian countries/regions
- 9) To undertake such other matters necessary to further the above objectives of the Association.

5 Types of memberships:

Full Member    Associate Member    Honorary Life Member    Individual Member

6 Members (Board of Directors) (as of May 2011)

President:                    Pakistan (Federal Ombudsman)

Vice-President:            the Philippines

Secretary:                 Hong Kong

Treasurer:                 Korea

Directors:                 China, Iran, Japan, Malaysia, Thailand

Member countries:    Armenia, Azerbaijan, Georgia, India, Indonesia, Kirghiz, Macao, Sri Lanka, Tatarstan, Uzbekistan, Vietnam, Yemen

## Outline of the International Ombudsman Institute

1 Founded: 1978

2 Secretariat: Vienna, Austria



3 Objectives:

- 1) To promote the concept and institution of ombudsman and to encourage its development throughout the world
- 2) To develop and operate programmes enabling an exchange of information and experience between ombudsmen throughout the world and to encourage the professional development of members through co-operation
- 3) To develop and operate educational programmes for ombudsmen, their staff, and other interested people
- 4) To encourage and support research and study into the institution of ombudsman
- 5) To collect, store and disseminate information and research data about the institution of ombudsman
- 6) To provide scholarships and other types of financial support to individuals throughout the world to encourage the development of the ombudsman concept and to encourage study and research into the institution of ombudsman
- 7) To plan, arrange and supervise International Ombudsman Conferences

4 Types of membership

Institutional member    Associate member    Honorary Life member    Individual member  
 Library member        \* MIC has been an institutional member since August 1994.

5 Membership of the Executive Committee, member states (as of January 2011)

President Ms. Beverley Wakem (New Zealand)

Vice-President Mr. Tom Frawley (Ireland)

Treasurer Mr. Alan Lai (Hong Kong)

Secretary General Mr. Peter Kostelka (Austria)

Regional Vice-President/ Directors :

**Africa** Mr. J R Walters (Namibia), Ms. A Ouedrago (Burkina Faso), Ms. C Sokoni (Zambia)

**Asia** Vacant, Mr. J S Malik (Pakistan), Mr. M C Fong (Macao)

**Australasia & Pacific** Ms. B Wakem (New Zealand), Mr. A Lai (Hong Kong), Mr. C Manek (Papua New Guinea)

**Europe** Mr. R Ribo (Spain), Mr. T Frawley (Ireland), Mr. A Flifet (Norway), Ms. I Lipowicz (Poland)

**Caribbean / Latin America** Ms. A Brock (Bermuda), Mr. R P Villanueva (Mexico), Ms. L Stephenson (Trinidad & Tobago)

**North America** Mr. A Marin (Canada), Ms. D Welborn (USA), Mr. G Button (Canada)

Number of the member state and regions : 150



**The Commemorative Stamp  
for the 50th Anniversary of the Administrative Counselors System**

The commemorative stamp for the 50th anniversary of the Administrative Counseling System issued by Japan Post Service Co. Ltd. on 15 April 2011. It is designed with the symbol of the Administrative Counseling System and the badge for administrative counselors. The former uses two smiling faces expressing affinity for the system to the people and gladness in resolving the problem. The latter features a chrysanthemum and Chinese character representing “administrative counselors” in the middle. It also has many flowers, expressing the connectivity of citizens with administrative counselors and the whole country.

**日本の行政相談**

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