

## THE AUTONOMIC DEFENDERS DEMAND GUARANTEES FOR CITIZEN'S RIGHTS IN GENERAL INTEREST SERVICES RENDERED BY PRIVATE COMPANIES

### The autonomic defenders claim a stable policy and a coordinated action of all the administrations in immigration matters

The autonomic defenders, gathered in Barcelona to take part in the second commemorative Sessions of the 20th anniversary of the Law of the Síndic de Greuges, will ask for more competences to be able to supervise the companies that manage general interest services, whether such companies are privatized or not.

The defenders intend to match current reality with the laws regulating their competences. These laws were made when public services were only in hands of the public administration.

The liberalization, with the consequent privatization, has provoked that the administration, in many cases, does not render such services any more. According to the defenders, these changes should not entail a decrease of the rights of the persons nor of the mechanisms to guarantee them. "Those that was and continues being an essential contribution for the persons must have the same guarantees of control and complaint, whoever is rendering the service", assures Rafael Ribó.

Moreover, all the offices of the Spanish defenders have observed with concern as complaints in this privatized services, such as telephony or electricity, are increasing considerably and that the mechanisms of control are not sufficient.

For the Defender of Castilla-La Mancha, Henar Merino, in the privatized services, "The administration must be responsible for those services considered as universal services are rendered in a continuous way and with a high quality level".

In this sense, the Síndic de Greuges de Catalunya has already proposed, coinciding with the reform of the *Estatut d'Autonomia* of Catalonia, that the Síndic will be able to supervise what was and continues being a universal and essential service.

### Exclusive competences

Coinciding with the conference, the autonomic defenders have also argued about their relationship with the Defensor del Pueblo (Spanish Ombudsman).

The Síndic de Greuges has already proposed the different Catalan parliamentary groups working at present in the report of the Catalan Estatut, that the institution has exclusiveness in all those subjects concerning the Catalan administrations, including the local one, nowadays sharing competences with local defenders.

## **NEW SOCIAL REALITIES**

### **New forms of poverty**

The Ombudsmen have ascertained that, as institutions that watch over the guarantee of the rights, they have an important role in defending the persons in social exclusion situations. In spite of the recognition of the social rights and of the duty of promoting them, complaints about persons in social exclusion situations keep on arriving.

New forms of poverty are detected, like the persons asking for social services' help, even though they do not suffer any family nor social destructuring, because they have lost their jobs and they do not find another one. The economical problem brings them to lose their homes. Part of the most fragile sector affected, as monoparentals or immigrant families, have many possibilities of being socially excluded.

These situations occur in a precarious job market, with difficulties in accessing to a house. Besides, the current contributions system, the guaranteed minimum wage and the non contributive pensions, is not sufficient for living with dignity.

The administrations not only must act in order to solve extreme poverty situations in a fast and agile way already known since years ago, but they have to carry out an important work of prevention for avoiding the new situations of marginality. This work of prevention should be coordinated, since the new situations of poverty are a result of different causes.

### **Immigration: Integration and communal life**

The majority of competences in the regulation of the immigration are in hands of the State Administration. However, performances about immigration of the autonomic and local defenders have not stopped growing and this subject has become a priority for their social incidence and also for their cross-work. It also affects different matters like social services, education, housing etc.

The defenders ascertain that the phenomenon of the immigration (regular and irregular) will be unchangeable as long as 1.300 million persons live with less than a euro per day, in a globalized world which does not share its wealth.

The integration of the immigrants supposes a bidirectional process, because it implies an adaptation of the immigrant as well as an adaptation of the welcome society. The integration process requires not only some measures to get the public opinion sensitized regarding the needs of the migration.

Even though the integration takes place especially at local level, the rest of administrations, autonomic and estatal can not pretend to avoid social integration policies and they have to start coordinated actions to help financially the towns in this goal. It is important that the Administrations mark clear priorities in an immigration policy that contemplates the rights of the immigrant persons.

A good integration also needs the administrative management of the immigration is more agile and faster. The extraordinary delays and the difficulties of the procedures of requests presentation explain part of the problems in this matter and, especially the insecurity and instability of some of the immigrants.

## **Population ageing**

The number of elders in Catalonia and Spain shows an increasing rate because a higher expectancy of life. This fact implies an important increase of pathologies, almost unknown some years ago, like Alzheimer, that demands new services and attention.

Besides we must add economic problems, like insufficient retirement pensions and living in loneliness.

The majority of old people want to stay at home whenever it is possible. This is the reason why the administrations should make efforts to promote, for example, the resources in the domiciliary help service, and at the same time, to keep supervising these services can be conceded and managed in an agile, fast and coordinated way.

When the continuity of the old people at their home is impossible, there is little availability of places at residential houses and specialized care centers.

## **A noisy society**

A house is a person most intimate possession and an attack to his privacy means an attack to his fundamental rights to a worthy quality of life.

From all the offices of the defenders it is ascertained that the complaints from noises have increased in the last years. The main typology of complaints make reference to night clubs and discos or industrial activities affecting particular addresses.

In these cases administration must be very careful in its inspection performance and proposal of corrective measures to attempt to search, whenever it is possible, an equilibrium among the right to rest and living in a healthy environment with the right to develop economical activities. When this is not possible, the right to rest and privacy must prevail.

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