

The Catalan Ombudsman requests improvements in the Administration to ensure respect for the rights of people

On occasion of the 25th anniversary of the institution, Rafael Ribó underscored the 135,000 interventions carried out by the Catalan Ombudsman's Office, and gave a preview of the Code of Best Practices that he will propose to public administrations.

Now that the Catalan Ombudsman's Office has been defending the rights of people for 25 years, Ombudsman Ribó took the opportunity to discuss some of the unmet challenges, such as increasing dissemination for persons to better know this instrument to guarantee their rights and eradicate maladministration. That is why Rafael Ribó has taken a collaborative stance to request improvements in the Public Administration that focus on its swiftness, transparency and above all, collaboration to improve service to persons and the respect of their rights. In short, a better citizen services culture. That is why the Catalan Ombudsman's Office has drafted a new code of good administration.

The Catalan Ombudsman's Office has carried out 135,578 interventions in its first 25 years. Of them, there were over 55,000 (40%) complaints, 79,392 queries (59%), and 988 (1%) ex-officio actions. More than half of these actions have taken place over the past four and a half years.

Catalan Ombudsman Interventions 1984-2009

	Complaints	Queries	Ex-officio actions	Total
TOTAL	55,198	79,392	988	135,578

The Catalan Ombudsman's decisions have had a 90% acceptance rate by the administration. They have not been accepted 10% of the time.

In addition to the actions carried out to defend citizens' rights, and the publication of annual reports, over these 25 years, the Catalan Ombudsman has written 20 special reports on topics as diverse as municipal detainee holding facilities, electrical utilities, noise pollution, school segregation or broadband Internet connections.

The Catalan Ombudsman's Office has made use of every possible technology to facilitate contact with citizens: free hotline, fax, e-mail, website, and video-conference service from 11 cities. Likewise, the Catalan Ombudsman's Office has travelled on 76 occasions to various municipalities of Catalonia. It has visited every county of Catalonia, some more than once, and the nation's most populated cities.

All of this information on the 25 years of defence of rights in Catalonia was made public by the Catalan Ombudsman, Rafael Ribó, in the course of the

Conference on the Right to Good Administration, held to commemorate the 25th anniversary of the Ombudsman's Office. It coincided with the anniversary of Parliament's ratification of the first Catalan Ombudsman Act, on March 20, 1984. This Conference, officially opened by the President of the Autonomous Government of Catalonia, José Montilla, and closed by President of the Parliament of Catalonia, Ernest Benach, featured participation of the European Ombudsman Nikiforos Diamandouros, Judge Sabino Cassese, of Italy's Constitutional Court, and four Spanish autonomous Ombudsmen active in the field of the right to good administration. Ombudsman Ribó gave an advance presentation on the main lines of the code of best practices for the Administration during the conference. This code will be made public once it has been sent to the Parliament of Catalonia and all other administrations. The code was conceived as a tool to contribute to improving service to persons and the defence of their rights.

The Code of Best Practices in the Administration

The Catalan Ombudsman's Office, as the institution responsible for the defence of rights according to the Statute of Autonomy of Catalonia, is proposing a Code of Best Practices for the public administration. Article 78 of the Statute specifically recognizes the right to good administration. The Catalan Ombudsman is therefore charged with protecting and defending it.

This Code of Best Practices will be a key way to fulfil the Catalan Ombudsman's mission of defending the right to good administration. The decisions handed down by the Catalan Ombudsman to counter practices incompatible with good administration have been analyzed to develop this code. The general proposals made to administrations in their day have been extracted or reformulated. The European Ombudsman's Code of European Code of Good Administrative Behaviour has also been taken into account.

The code takes up 17 principles, which are:

- equality and non-discrimination
- proportionality
- absence of abuse of power
- impartiality, independence and objectivity
- clarity, advising and legitimate expectations
- courtesy and fair treatment
- the duty to respond expressly
- linguistic rights
- confirmation of reception and referral to the competent administration
- the right to be heard
- reasonable time frames
- the duty to express grounds (of a decision)
- notification of decisions and indication of the possibility to appeal
- protection of personal data
- access to information, publication and transparency
- the right to participation
- the right to compensation

For each of the principles, there are suggestions on best practices which affect all persons, and others which refer to specific groups.