



International Ombudsman Institute – European Region
Instituto Internacional del Ombudsman – Región Europea
Institut International de l’Ombudsman – Région Européenne

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NEWSLETTER No. 6

Dear colleague,

As I have already indicated in a separate message, the Commissioner for Human Rights, Thomas Hammarberg, and a group of European Ombudsmen held discussions in relation to the proposals on co-operation made of the Group of Wise Persons on 11 January in Berlin. The discussion was framed around the results of the questionnaire survey conducted by the IOI. I am very grateful to everyone who took the trouble to respond to the questionnaire.

The Berlin event provided an important opportunity to prepare an agenda for the Athens Round Table in April which will focus on the above issue. I hope that all colleagues from national ombudsman institutions will be able to attend the Round Table since the questions to be dealt with are not only important to the European Court of Human Rights and the Commissioner for Human Rights, but it is also important that ombudsmen develop their understanding of the implications of these proposals.

The analysis of the answers received so far can be summarized as follows:

All ombudsman institutions consider it as important to establish closer co-operation with the Commissioner and that co-operation is based on equal terms. However, further information is required on how this co-operation should work in practise. An evaluation of the first steps needed in relation to the creation of a possible network is necessary before any decision is taken on the next steps. The key obstacles to co-operation that have been identified are the conflict with national laws on confidentiality and there are a number of mandates that would require to be extended before they could become involved.

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Although some institutions would find an *expressis verbis* mandate on human rights matters helpful, it does not seem to be essential to gain a recommendation by the Council of Europe.

Furthermore discussion also established that the ombudsman institutions would like to be provided with information on Court judgments and admissible complaints.

The background documentation in relation to the meeting can be found on our website: www.ioi-europe.org

I would like to express my gratitude to the Chairwoman of the Petitions Committee of the German Bundestag, Ms. Kersten Naumann who kindly hosted the Berlin meeting.

Study by the University of Vienna

At our Vienna conference in spring 2006, Prof. Kucsko-Stadlmayer presented the first results of her comparative study of European ombudsman institutions. She will provide further results at the Athens Round Table. The study, which a renowned legal publisher will also publish in English, is likely to be finished in summer 2007. I assume that this publication will be an important reference for the IOI World Conference where the origins and functions of ombudsmanship in the IOI regions will be illustrated.

IOI Task Force

The Enlarged Task Force has started its activities. Pursuant to a decision taken by the IOI Board at its Barcelona Meeting in autumn 2006, the Enlarged Task Force was established to deal with questions regarding the further development of the IOI. In preparation for the Enlarged Task Force Meeting to be held in Edmonton / Canada at the end of March, our President Bill Angrick asked the members of this group to draw up papers on the following issues:

- Membership Strategy and Services
- Academic Contribution and Publications
- Ombudsman Standards and Challenges
- Website

- International Relations
- Administrative Issues
- A perspective of the financial well-being of the Institute
- Regional Projects
- Functioning of the Board
- Reforming the Secretariat

In order to articulate and explain the views of the European members, we have developed a questionnaire and it is important that we receive a significant response from the membership. Your feedback will help us to represent your views and ideas when we prepare a strategy paper representing the European perspective to the Taskforce. In our next newsletter we will inform you of the outcome of the questionnaire survey.

Creation of an ombudsman institution in Jordan

Our esteemed colleague Ombudsman Gammeltoft-Hansen is supporting a project to create an ombudsman institution in the Kingdom of Jordan. On the initiative of our Danish colleague and the ministry preparing the ombudsman bill, the directors of the IOI Europe were invited to comment on the draft law. Although the issue does not fall within the purview of the IOI Europe, we were delighted to accept the invitation for one main reason: to demonstrate a range of different ombudsman institutions to Jordanian colleagues, the IOI Europe is the only region to enable the Jordan experts to draw significant comparisons.

The delegation included Arne Fliflet, Tom Frawley, Mats Melin, Rafael Ribó, Jens Olsen with our regional Vice-President Peter Kostelka as leader.

Members

I am pleased to welcome the Public Mediator of Sofia Municipality, Mr. Angel Stefanov, as a new institutional member of the IOI. The legal basis of the Sofia institution and further details can be found on our website: www.ioi-europe.org

In the next few weeks we will complete the 2007 members directory of the IOI and send it to members. We have tried to consider all the changes regarding the members of the European region and to update our website accordingly. If further changes have occurred or if you wish your data to be published in a different way, please let us know.

Cooperation between OSCE and IOI

At the sixth annual Winter Meeting of the OSCE Parliamentary Assembly in February 2007 in Vienna, that brought together 300 parliamentarians from 56 OSCE Member States, Barbara Prammer, the President of the Austrian Parliament, highlighted in her speech at the opening session the importance of parliamentary control. She emphasized in that context the significance of a strengthened cooperation with the International Organization of Supreme Audit Institutions (INTOSAI) and with the International Ombudsman Institute (IOI) and considered a closer networking between the Parliamentary Assembly and the other bodies of the OSCE as extremely fruitful.

In addition, Barbara Prammer made a point of the overall importance of the international cooperation of Ombudspersons. She outlined that almost all member states of the OSCE have established such parliamentary control institutions on national and/or regional level. She defines Ombudsman Institutions "already as a standard for all European democracies". With regard to the international cooperation of Ombudspersons she spoke about the endeavours of the International Ombudsman Institute (IOI) which not only cultivates the exchange of expertise but in particular offers its proactive help to Ombudsman Institutions of the younger democracies.