



**DECLARACIÓ DE GIRONA**  
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Assembled in Girona, at the Local Ombudsman International Congress, after sharing thoughts, knowledge and experiences around the proposed issues, we want to state the following:

**DECLARATION**

Recognising and adopting our commitment for promoting all the proposals and contents of the European Charter for the Safeguarding of Human Rights in the City – Saint Denis, of the 18<sup>th</sup> May 2000, in relation to the role and value cities do have nowadays in guaranteeing the life expectancies and welfare of people, based in the respect for their rights.

Remembering the universality, indivisibility and interdependence of Human Rights, that all public administrations are responsible of their guarantee, and that its recognition, protecting and application mechanisms are still insufficient, especially those related to social, economic and cultural rights.

Recognising that the European Charter for the Safeguarding of Human Rights in the City and the rest of the mechanisms and international legislation of protection of citizens rights have direct impact on the habitants of the cities.

Convinced that good administration of cities requires the respect and guarantee of Human Rights for all the habitants without exclusion, in order to promote the values of social cohesion and protection of especially the most vulnerable ones.

And defending the values that promote human dignity, local democracy and the right to an existence that allows improving welfare and life quality of the person, by mutual agreement and as local Ombudsman we assume the following commitments which arise from the motto of the congress: ***think globally, defend locally.***

**I. - THE REALITY OF OUR VILLAGES AND CITIES. OUR CONTEXT**

The local administrations are the nearest public administrations to the citizens and the scope in which essentially emerge the problems, hopes, failures and research of solutions for communal living. They are also the first to recognise the effects on the citizens of the social and democratic crisis. It is from this nearness that local administrations manage and search efficient alternatives to attenuate the effects of the crisis between citizens and especially the most vulnerable of them.



In a context of institutional disaffection of the citizens and a lot of difficulties to response from the administrations, we consider essential to **recover and renew another social contract that can reconcile our societies with the principles of equality, equity, ethics and democracy**. And in the process to reach this objective, we claim the resilient role of the ombudsman as one of the basic institutions to guard and promote the human rights with the purpose for our villages and cities to become a space of respect and accomplishment of all the rights inherent to Human dignity.

We are aware of the increment of inequality in the world and the challenge, that acting proactively to reduce and minimize its effect means, also that the important cut in social rights during the crisis have great implications on many of our societies, especially for the most vulnerable people. Seeing that all these inequalities violate the spirit, the principles and the contents of all our legal framework, and from the guarding and supervision role that the ombudsman assume, **we affirm that we are working to reach our cities to become a space of respect and effective accomplishment of all these rights**.

## II. - THE LOCAL OMBUDSMAN: WHAT WE ARE. OUR ROLE.

The functions of local ombudsman are:

- (co)Supervising the activity of the public administration, between citizens and local administration with resiliency.
- Formulating recommendations that can solve the complaints and improving the quality of public services, within the scope of its competency.
- Informing, orienting and raising citizens in their awareness on their rights, duties and interests.

The local Ombudsman **are an independent institution, useful to help guarantee the defence and protection of people's rights** in their relations with the local administrations, through a frame of collaboration and civic responsibility.

The local Ombudsman, as a reinforcement of the democratic quality of the city councils, and based on their nearness, **are a needed institution to promote Human Rights, good government, transparency and good administration**.

In the same sense, we do a calling for facilitating the institution of the local Ombudsman as a basic mechanism for democracy and participation in the city, accordingly to the essential conditions to assure the recognition, effectiveness and legitimacy of the people who it represents, which are:

- 1.- Democratic mandate
- 2.- Independence, objectivity and equity.
- 3.- Enough resources.
- 4.- Institutional loyalty and respect to its own scope of competencies in the exercise of its functions.



We do understand the local ombudsman:

- as a fundamental institution of the democratic system,
- a nexus between the activity of the administration and the needs of the diverse citizens, to improve the services and the quality of life of people,
- favouring the dialogue, consensus and promoting decisions based on equity, factors which are synonyms of democratic quality.

In this way, it is necessary to carry out participative processes between public administrations and the citizens.

**The strategic position of local ombudsman**, keeping the contact and relation between citizens and administration, **has to favour that the social welfare politics give the most of the coverage to the necessities of the people from a demanding respect to their economic, social and cultural rights, as well as the new emerging rights**, apart from achieving a global look and reflexion of our society which simplifies the decision-taking and the application of concrete proposals for the defence of fundamental rights in the local scope.

### III. THE LEGAL FRAMEWORK: AN IMPERATIVE NECESSITY

We consider that in the local administrations of the XXI century it is **fundamental to set up the institution of the local ombudsman**, based on **subsidiarity principle and to give response and guarantees to the citizens in their complaints and claims** to the administration.

We think is necessary to avoid taking legal action for disagreements of conflicts between the public administration and citizens, whenever it is possible, should assume the responsibility of correcting their own mistakes, malfunctions or wrongs, when they are identified by the ombudsman, in favour of the citizens.

To develop completely its functions, **the local ombudsman has to have a clear and explicit legal framework** which defines the functions of the institution, the acting capacity, and which guarantees enough resources for its proper functioning.

From this approach we ask those who are political and legislative responsible a solid commitment to facilitate and promote the institution of the local ombudsman in the legal framework.





#### IV. - GLOBAL COOPERATION CAN HAVE A LOCAL IMPACT: COMMITMENTS AFTER THE CONGRESS

The announcement and organisation of this Local Ombudsman International Congress has allowed us to establish more direct relations between ombudsman, sharing information and knowledge about different realities, responses and actions that the ombudsman develop according to this diversity. It has also allowed us to confirm the way this global cooperation frame, between local ombudsman from different territories and realities, can have a concrete local impact in each one's village or city.

We think that all this collective work should allow us to reach a major institutional support from the public administrations, to facilitate the ombudsman to achieve a better capacity of protecting and defending Human Rights, through promoting the implementation and expansion of the institution by the local administrations which have not already created it, and give more public visibility to the work of the ombudsman.

With the intention to maintain the continuity of the work we have started these few days in Girona, we agreed on the following proposals:

1.- Promote the local ombudsman network. With this objective we propose to create an international working group of ombudsman, with the task to create a model for an effective network.

2.- With this objective we delegate to the same working group to assume the representation and interlocution of the local ombudsman in front both organisations. Urge the International Ombudsman Institute (IOI), the European Ombudsman Institute (EOI) and the Iberoamerican Ombudsman Federation (FIO) the reactivation and promotion of the proper space for the local ombudsman.

3.- Because everything that has meant – and means – until today the European Charter for the Safeguarding of Human Rights in the City has to be for the ombudsman a useful tool and the basic framework for applying, extending and accomplishing Human Rights. It is necessary to work for the evolution, revision and actualization of its content to make it adequate to the actual social reality of the cities and the new realities of emerging rights, with a global and universal view of which should be the recognition of the rights.

In this direction we also propose to keep in contact, as local ombudsman, with the diverse entities and institutions which work nowadays with this objective, as the United Cities and Local Governments<sup>1</sup>, especially the Committee on Social Inclusion, Participatory Democracy and Human Rights<sup>2</sup>.

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<sup>1</sup> <https://www.uclg.org/es/home>

<sup>2</sup> <http://www.uclg-cisd.org/es/home>





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4.- With the objective also of maintaining these contact lines, exchange, growth and work between the local ombudsman, we manifest are willing to cooperate and to take part in future meetings which could give continuity to this Local Ombudsman International Congress, with the purpose to maintain valid our compromise with the citizens and the institution.

Drets Humans  
*pensem globalment, defensem localment*

Derechos Humanos  
*pensamos globalmente, defendemos localmente*

Human Rights  
*think globally, defend locally*

*Droits de l'Homme*  
*pensons globalement, défendons localement*

Girona, November 25, 2016



FÒRUM DE  
SÍNDICS I SÍNDIQUES  
DEFENSORS I DEFENSORES  
LOCALS DE CATALUNYA