

ararteko

Herriaren Defendatzailea · Defensoría del Pueblo

SUMMARY OF THE
**ANNUAL REPORT TO THE
BASQUE PARLIAMENT**

2025

ararteko

Herriaren Defendatzailea
Defensoría del Pueblo

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ARARTEKO

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I. Introduction

I took office as Ararteko in February 2026. I was not, therefore, the one who led the work described in this report. It is only fair to acknowledge that the credit for the work presented here belongs to Manuel Lezertua, who served as Ararteko for almost ten years until June 2025, and to his Deputy Ararteko, Inés Ibáñez de Maeztu, who subsequently assumed the role of Acting Ararteko, as well as to the institution's entire team.



I nevertheless proudly assume responsibility for all the matters set out in this report. I do so with a twofold commitment: **to continue a way of working based on institutional loyalty and dialogue, and to defend people's rights unequivocally, with independence, legal rigour and close engagement with the public.**

In 2025, the Ararteko introduced **improvements to its citizen support model by restructuring it into three levels:** initial assistance or enquiries, citizen guidance, and specialist advice or case handling for matters requiring more in-depth examination and consultation with the relevant public authority.

This model is designed to provide personalised support to the public, offering progressive, consistent and multi-channel responses tailored to the complexity of each case. In addition to strengthening this personalised support, the new model also aims to improve the efficiency in the handling of complaints and enquiries.

The overall figures for 2025 reflect **more efficient management of citizen assistance and guidance.** This has made it possible to reduce the number of matters requiring more complex case handling at the specialist advice level, to the benefit of both the public and public administrations.

This new way of working means that the statistical data cannot be directly compared with those of previous years because of the change in methodology, and that a more detailed comparative analysis is therefore required.

In 2025, the Ararteko recorded a total of 16,637 procedures. Of these, 13,008 fell within the first two levels of service: 8,643 initial assistance or enquiries and 4,365 citizen guidance procedures. A further 3,617 were specialist advice cases relating to complaints and enquiries, involving matters that required consultation with the relevant public authority and a more in-depth legal analysis. Finally, 12 own-initiative procedures were undertaken, including own-initiative investigations, visits and monitoring of compliance with recommendations.

Alongside the volume of activity, the outcomes of that work are equally important.

Turning to the third level of specialist advice, and taking into account the live cases concluded during the year, it should be noted that the **effectiveness of the Ararteko's intervention reached 93.12%** in 2025. This means that, in 93.12% of the cases in which the Ararteko identified a potential irregularity, the public authority accepted the Ararteko's recommendations or took action during the complaints procedure to rectify or improve the situation.

However, even in many of these cases, the **institution played an important role in guiding people on how best to exercise their rights**. That guidance is valuable in itself: it helps people to better understand how public services operate and also helps to ease the burden on public authorities by reducing the need to provide additional information and support.

I believe these figures clearly demonstrate the importance of the institution's **persuasive role**, and I am committed to building on that approach. The Ararteko has no coercive powers, yet it achieves a **high level of effectiveness through the strength of its arguments and its ability to persuade**.

In any event, **the work carried out by the citizen advice bureaus**, located in the capitals of our three historical territories, remains essential. As the institution's first point of contact, they provide a human, accessible service when it is needed most. Of the 8,643 first-level assistance procedures or enquiries referred to above, telephone and face-to-face contact were the preferred

channels. Of the 4,365 second-level citizen guidance procedures, 1,692 were provided in person. These figures highlight an important point that should not be overlooked: people continue to value proximity, a listening ear and personal support, particularly in situations of vulnerability and administrative complexity.

Turning to the main **subject areas** of complaints and enquiries, the largest proportion continues to concern the defence of the welfare state, **accounting for 44.48% of the total**. This reflects the continued pressure on **core social policies. Environmental and cultural rights, essential public services and infrastructure** account for 24.79%, followed closely by complaints relating to **the defence of the rule of law—in particular the proper functioning of the public administration, policing and the justice system**—which account for 21.78%. Matters relating to **equality and non-discrimination affecting the most vulnerable individuals and groups**, considered on a cross-cutting basis, account for the remaining 8.85%. Overall, this distribution confirms what the Ararteko has observed for many years: people turn to the institution primarily when they believe that the basic conditions for a dignified life and access to their rights are at stake.

Special mention should be made of the **15th anniversary of the Ararteko's Children and Young People's Rights Department**, celebrated in 2025. To mark the occasion, the institution organised a commemorative event at which it reaffirmed its long-standing commitment—maintained over the past 15 years—to placing children and young people at the heart of the protection of rights, giving them a voice of

their own and a dedicated forum for participation through the Ararteko's Children and Young People's Council.

The European and international dimension of the Ararteko's work has become more firmly established, reflecting its commitment to bringing an outward-looking perspective to Basque institutions and society.

The 2025 report reflects the work of an institution that is active, effective and demanding. The Ararteko seeks to remain close to the public, responsive to social change, legally rigorous and increasingly outward-looking. As the

current Ararteko, I am committed to building on that work and, wherever possible, strengthening it through open and constructive dialogue with institutions, active listening to the public, a firm defence of people's rights, and a strong commitment to promoting good administration as a practical expression of the quality of our democracy.

Mikel Mancisidor de la Fuente
Ararteko - Ombudsman of the Basque Country



II. Activity of the Ararteko in figures

1. An overview of the most relevant data on the Ararteko’s actions

The 2025 reporting year marks an important milestone for the Ararteko with the consolidation of its new citizen support model. This system enables more comprehensive categorisation and more accurate recording of all procedures undertaken in response to enquiries and complaints from the public.

In 2025, the Ararteko’s three citizen advice bureaus handled 13,008 first-level assistance and citizen guidance procedures, while the specialist advice service formally processed 3,617 complaints and enquiries. This brings the total number of procedures undertaken during the year to 16,637.

Graph 1. The Ararteko’s three levels of citizen support in 2025



Citizen support, guidance and specialist advice, in the broad sense described above, constitute the Ararteko's main area of activity. This is complemented by a range of other activities carried out as part of its role in promoting people’s rights, which also forms part of the institution’s statutory mandate. The Ararteko's work also extends to cooperation with organised civil society, meetings with public authorities, and participation in conferences and other events.

Table 1. Ararteko activities for the promotion of rights in 2025

Working meetings with public authorities and civil society organisations (CSO)	79
Participation in external activities	29
International activities and cooperation with other ombudsman institutions	19
Institutional statements	11
Studies and other publications	2
Public events	2

1.2. Level of effectiveness of the Ararteko's intervention

The Ararteko's actions aimed at safeguarding the rights of people in the Basque Country, in response to improper actions by the Basque public administrations, reflect a very high level of effectiveness, reaching **93.12%**. At the third level of specialist advice, and taking into account the live cases concluded in 2025, this figure represents the percentage of cases in which the Ararteko's intervention resulted in the public authority concerned rectifying the action that gave rise to the complaint. In other words, where the Ararteko identified a potential instance of improper administrative action, the matter was resolved in 93.12% of cases, either because the public authority accepted the Ararteko's recommendations or because it took action during the complaints procedure to remedy or improve the situation.

Table 2. Level of effectiveness of the Ararteko's intervention

	%	%
Incorrect action resolved		93.12
No recommendation	95.98	
Recommendation accepted	4.08	
Incorrect action not resolved		6.88

2. Data by areas

This section presents data on the distribution of complaints and enquiries submitted by the public by subject area. It covers those cases which, due to their complexity, were formally processed by the Ararteko's specialist advice service.

2.1. Distribution of cases by area

Graph 2. Cases by subject area shown as a tag cloud



In 2025, the largest number of cases fell within the broad category covering the areas related to the **defence of the welfare state, accounting for 44.48% of the total**. Within this category, the new area of income support for social inclusion (PEIS) stands out. Health, in relation to services provided by the public health system, once again represents a significant concern for the public, accounting for 10.56% of all cases. This is followed by other areas that also account for a high number of interventions requested by the public, such as education (7.62%) and housing (6.58%).

The defence of **environmental and cultural rights** represents the second largest category of complaints and enquiries, accounting for **24.79%** of the total. Within this category, the largest share relates to goods, services and the legal framework governing public authorities (8.15%), followed by the environment and climate action (5.83%).

The third main area of concern for the public comprises matters falling within **the category of the defence of the rule of law**, which accounts for **21.78%** out of all complaints. Within this category, the largest number of complaints relate to public sector personnel (6.80%), followed by taxation (6.58%) and public safety (3.98%).

The number of cases **specifically** relating to **equality and non-discrimination** has also become firmly established. **Taken together, complaints concerning the rights of groups and individuals requiring particular public protection** account for **8.85%** of all complaints received in the institution.

Table 3. Distribution of cases by area of work

Area	No.	%
Defence of the welfare state (Chapter II)	1,422	44.48
Income support for social inclusion	443	13.89
Health	337	10.56
Education	243	7.62
Housing	210	6.58
Social and community action	145	4.55
Children and young people**	29	0.91
Employment and Social Security	15	0.47
Defence of environmental and cultural rights: the environment and urban spaces, essential public services, public infrastructure and culture (Chapter II)	791	24.79
Goods, services and the legal framework governing public authorities	260	8.15
Environment and climate action	186	5.83

Urban planning and the right to the city	156	4.89
Public works, transport and infrastructure	89	2.79
Regulated sectors and the energy transition	76	2.38
Language rights, culture and sport	24	0.75
Defence of the rule of law: the proper functioning of the public administration, policing and the justice system (Chapter II)	695	21.78
Public sector personnel	217	6.80
Taxation	210	6.58
Public safety	127	3.98
E-government, data protection, transparency and good governance	100	3.13
Justice	41	1.29
Defence of non-discrimination and substantive equality (Chapter III)	282	8.85
Equality and the rights of women, families, persons with disabilities, older persons and people in situations of dependency, migrants and refugees, Roma people and other cultural minorities, LGBTI people, people in prison, victims of terrorist groups, other victims of political violence and historical memory	282	8.85
Total*	3190	100

* The total number of complaint cases processed is obtained by deducting from the total number of registered cases those which, following examination, were either declared inadmissible or referred to other ombudsman institutions. These cases are also subject to an assessment of the issues raised, and guidance is provided to the public.

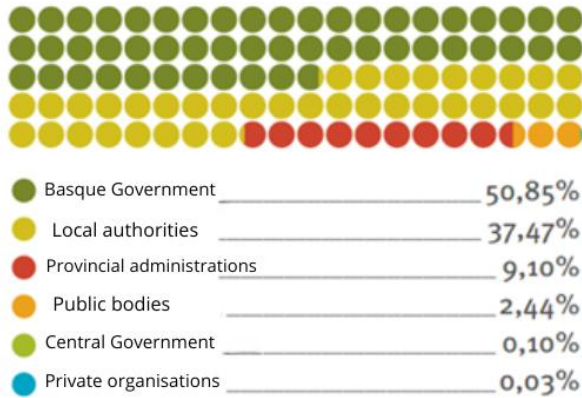
** These complaints and enquiries relate only to **children in situations of vulnerability**. The separate report of the Children and Young People's Rights Department also refers to other complaints that directly affect children and young people, but which are recorded under different subject areas.

3. Figures on the administrations concerned

In 2025, in line with previous years, the Basque Government was responsible for the largest share of cases, accounting for over 50%, despite experiencing a slight decrease compared to the previous year. Cases relating to local authorities, meanwhile, increased slightly to 37.47%, while the provincial administrations and public bodies recorded figures broadly in line with those of the previous year. Taken together, the Basque Government and local authorities once again accounted for almost 90% of all cases.



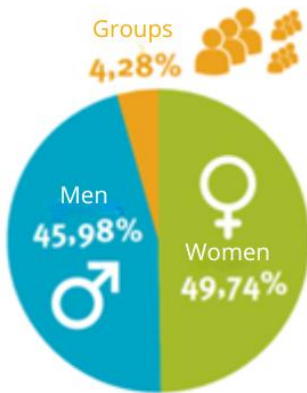
Graph 3. Distribution of the cases processed by the administrations in question



4. Sociological statistics: territorial distribution of cases, profile of complainants and channels for submitting complaints

4.1. Profile of the complainants

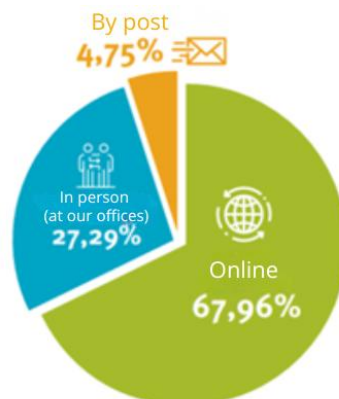
Graph 4. Distribution of complaints and enquiries received according to the characteristics of the complainants



An analysis of complainants by sex also provides valuable information. In 2025, women accounted for 49.74% of complainants, men for 45.98%, and organisations or groups for 4.28%. More revealing than this overall picture, however, is the distribution across subject areas: **women are disproportionately represented in areas related to care and everyday life**—such as education, housing and income support for social inclusion—whereas men predominate in areas such as public safety, taxation, and employment and social security. These figures should not be read merely as descriptive statistics; they challenge all public institutions, and the wider community, to reflect on how burdens, barriers and concerns are distributed.

4.2. Channels used to submit complaints and enquiries

Graph 5. Status of the cases



III. Key areas of activity

The following section provides a brief overview of the most significant issues identified across a selection of the Ararteko's areas of activity. For a fuller understanding of the scope and breadth of the work carried out in each area, readers are encouraged to consult the full report.

1. SOCIAL INCLUSION



Income support for social inclusion continues to account for a significant proportion of the complaints received by the Ararteko (13.89% of the total). Particular issues relate to the management of the Guaranteed Income Scheme (RGI) and, where applicable, the Minimum Living Income (IMV), as well as procedural matters requiring a careful balance between legality, legal certainty and good administration, while remaining consistent with the protective purpose of the system. This report highlights, in particular, the difficulties that the so-called DEU procedure (used in the recovery of unduly paid benefits) is creating for beneficiaries, giving rise in some cases to potential shortcomings. The Ararteko has reminded Lanbide (Basque Employment Service) of the need to maintain more proportionate mechanisms in situations of greater vulnerability, although its recommendation was not accepted. This is a legitimate and necessary reform, but its generalised application may, in certain cases, undermine the purpose of the Guaranteed Income Scheme (RGI) and compromise its role in providing social protection against exclusion.

2. HEALTH

Secondly, **health** continues to be a major concern for the public. Health accounted for 10.56% of all cases processed and was the most common area of concern raised through the citizen support and guidance service. This was largely due to problems arising from delays in primary care and waiting lists for specialist consultations and surgery, as reflected in the growing proportion of complaints relating to these issues within the overall number of health-related complaints. The Ararteko's work in this area reflects the increasing pressure on healthcare services, the public dissatisfaction caused by delays, and the need to strengthen staffing and organisational resources to ensure equal access to care throughout the Basque health system. The objective challenges of the current context, and the efforts being made to protect and improve standards of care that one can neither wish nor can afford to relinquish, cannot be



overlooked. In this regard, it should be acknowledged that the measures introduced by Osakidetza (Basque Health Service) to recruit and retain medical staff have not always received the necessary support from other public administrations with shared responsibilities. There also remains scope for improvement in achieving a more balanced territorial distribution of certain services, where significant disparities persist. In addition, the Ararteko has drawn attention to a number of specific situations, including delays in the traumatology service at Basurto Hospital and in the Gender Identity Unit at Cruces Hospital. The effective management of healthcare services remains one of the key challenges in strengthening public confidence in public services.

3. EDUCATION



Thirdly, **education** remains a key area of the Ararteko's work because of its impact on social cohesion, equality and economic development. The education system faces significant challenges arising from demographic change, migration and the technological environment, and must adapt to these trends by ensuring high-quality, inclusive and equitable education and promoting lifelong learning opportunities for everyone, in line with the fourth Sustainable Development Goal.

4. HOUSING

Fourthly, **housing** must also be mentioned. The complaints received by the Ararteko continue to show that the lack of adequate housing remains a persistent source of vulnerability and inequality, and also underlies many complaints relating to the operation of social services. The report once again highlights the shortage of public rental housing and the difficulties faced by a growing proportion of the public in accessing decent and adequate housing, with direct consequences for the enjoyment of other rights. In light of the Ararteko's work in this area, it can be concluded that housing has become a structural and persistent concern, rather than a temporary one, for many families and groups across the Basque Country.



5. ENVIRONMENT

In the area of **the environment**, it is clear that the public is calling not only for stronger environmental protection, but also for better environmental governance. The report identifies a number of recurrent issues, including the failure to issue express decisions within the prescribed time limits, shortcomings in the handling of environmental complaints and requests for environmental information, and deficiencies in the effective enforcement of environmental inspection and compliance measures. In addition, noise pollution remains the main cause of complaints in this area, highlighting the need to strengthen local authority action and institutional coordination to protect the right to rest and quality of life.

6. URBAN PLANNING AND THE RIGHT TO THE CITY

The concerns raised by the public in relation to **urban planning and the right to the city** should also be highlighted. Many complaints stem from the failure to respond to reports of planning breaches, delays in the processing of cases, and shortcomings in the enforcement of planning law. The report reiterates the need for adequate resources to ensure the effective exercise of planning powers and to fulfil the obligation to provide an express response to members of the public. The new legislation in this area adopted in 2025 (Act 6/2025 on urgent measures in housing, land and urban planning) introduces procedural simplifications and other changes whose implementation will need to be monitored closely to ensure that streamlining procedures does not weaken the necessary safeguards.

7. INFRASTRUCTURE AND MOBILITY

In the area of **mobility and infrastructure**, the complaints received by the Ararteko reflect a public demand for better and safer and public services, particularly in relation to pedestrian safety, accessibility and the provision of an effective administrative response. The report also highlights the importance of continuing to advance interoperability and the introduction of a single ticketing system across the Basque Country, allowing any transport cards issued in one of the historic territories to be used across all transport networks, as a necessary step towards a more integrated public transport system for people across the three territories.



8. E- GOVERNMENT, DATA PROTECTION, TRANSPARENCY AND GOOD GOVERNANCE

The area of **e-government, data protection, transparency and good governance** addresses cross-cutting issues affecting the relationship between the public and all public authorities. In its work in this area, the Ararteko continues to emphasise that the digital transformation can only fulfil its purpose if it makes it easier for people to exercise their rights, rather than becoming a barrier to accessing benefits and public services.



The year 2025 was marked by the beginning of the implementation of the European Artificial Intelligence Regulation. In the Ararteko's view, the challenges arising from the use of artificial intelligence by public authorities lie in ensuring appropriate risk management, preventing bias, ensuring transparency, maintaining data protection safeguards, and protecting fundamental rights, particularly in areas with a significant social impact. This preventive approach is essential to ensuring that innovation remains aligned with the public interest and the protection of people's rights.

9. PERSONS WITH DISABILITIES

With regard to **persons with disabilities**, the report reiterates the importance of ensuring that public action is guided by a human rights-based approach, in order to address the implications of equal rights for persons with disabilities across a range of areas, including inclusive education, the removal of barriers to employment and universal accessibility. As the Ararteko has emphasised on previous occasions, accessibility is an indispensable condition for the autonomy and independent living of persons with disabilities.

10. OLDER PERSONS

Protecting the rights of **older persons and people in situations of dependency** presents immediate challenges for increasingly ageing societies such as our own. These include ensuring the territorial cohesion of social services, supporting people to remain in their own homes, the sustainability of care, preventing unwanted loneliness, and tackling both the digital divide and ageism. It is essential to link the quality of care with the right to determine one's own life project and to ensure that services are adapted to people's needs, rather than requiring people to adapt to services.



11. MIGRANTS AND REFUGEES

With regard to **migrants and refugees**, the report highlights the continuing difficulties they face in effectively accessing certain rights, including housing, social inclusion, healthcare and education. It also points to problems relating to municipal registration, as well as the disproportionate representation of migrants and refugees among people experiencing homelessness and housing exclusion.



IV. Other instruments of the Ararteko to foster better public policies and good governance

1. Family support policies in the Basque Country: Analysis and proposals



This study identifies persistent weaknesses and updates a series of proposals and recommendations aimed at improving the public response to the contemporary needs of families in the Basque Country. Its main findings point to a reduction in family size in the Basque Country and a decline in the number of nuclear families with children, alongside an increase in single-person households and in the population aged over 65. They also show that single-parent families are particularly vulnerable to poverty and inequality. This study confirms the need to increase public spending on families and children in order to bring the Basque Country into line with most EU Member States.

It also highlights the persistence of inequalities in care, which continues to be provided predominantly by women, and identifies housing as the main concern for families in the Basque Country. Building on an Ararteko report published in 2014, the study provides a solid basis for improving the institutional response to families through better coordination of benefits, work-life balance measures, taxation and children protection policies, in the context of demographic change and increasing diversity in family structures.

2. Ararteko summer course: Towards ethical artificial intelligence: Challenges for human rights and data protection

On 3 and 4 July, the Ararteko, alongside the Basque Authority of Data Protection, organised the course entitled *Towards ethical artificial intelligence: Challenges for human rights and data protection*, as part of the XLIV UPV/EHU Summer Courses and which was held at the Miramar Palace in Donostia / San Sebastián.

The course addressed the impact and uses of AI in areas of significant social and institutional importance, including education, public safety, healthcare and public administration. The sessions explored the ethical and legal principles underpinning the development and use of artificial intelligence, with particular emphasis on its impact



on fundamental rights and the protection of personal data. They also examined the role of public authorities and oversight bodies in the deployment of algorithmic systems, highlighting the need to balance technological innovation and public accountability, as well as the risks associated with bias, discrimination and the lack of transparency in automated decision-making. The course also explored the practical application of artificial intelligence in the public sector, drawing on concrete examples and a risk-based approach. In addition, it devoted significant attention to analysing the impact of artificial intelligence and digital technologies on children and young people.

3. Lecture by Fabián Salvioli on Human rights in a context of exceptional international tension

On 21 March, the Ararteko organised a lecture in Bilbao delivered by the Argentinian lawyer and academic Fabián Salvioli, former Chair of the United Nations Human Rights Committee and former Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. The lecture, entitled *Human Rights in a context of exceptional international tension*, was organised in collaboration with the UNESCO Chair in Human Rights and Public Authorities at the UPV/EHU. A more detailed account of this lecture is provided in Chapter V of this report.

4. Collaborative activities with other ombudsman institutions

4.1. Collaboration to advance the Sustainable Development Goals (SDGs) and the 2030 Agenda

The Ararteko has demonstrated a strong commitment to the Sustainable Development Goals (SDGs) and the 2030 Agenda, promoting a process of reflection to assess its own contribution to their implementation. The sharing of this experience with other ombudsman institutions in Spain led to an initiative, promoted by the Ararteko of Navarre, aimed at reaching an agreement expressing the joint commitment of the participating institutions to advancing the 2030 Agenda and the SDGs. In this context, on 14 May 2025, the regional ombudsman institutions of Andalusia, the Canary Islands, Catalonia, the Basque Country and Navarre met in Pamplona to sign the *Collaboration agreement between ombudsman institutions to advance the sustainable development goals and the 2030 Agenda*, accompanied by an institutional declaration reproduced later in this chapter.



4.2. Collaboration to promote a culture of restorative justice

Also in 2025, the Ararteko, together with the regional ombudsman institutions of Andalusia, the Canary Islands, Catalonia and Navarre, met in Barcelona to sign the [Agreement on the culture of restorative justice, dialogue, conciliation, agreement and reparation](#), an initiative promoted by the Ombudswoman of Catalonia. This agreement marks an important milestone in promoting mediation and restorative justice within the network of ombudsman institutions and reinforces a line of work that the Ararteko has consistently promoted in the Basque Country as one of its strategic priorities.

4.3. XXXVIII Coordination Conference of Ombudsman Institutions: Vulnerability in the classroom

On 28 and 29 October, the [XXXVIII Coordination Conference of Ombudsman Institutions, organised by the Justicia of Aragón, under the title *Vulnerability in the classroom*](#), was held in Zaragoza. The annual conference was attended by the Spanish Ombudsman and the heads of the nine regional ombudsman institutions in Spain. This year's conference focused on the situation of the most vulnerable pupils in the education system, examining, from a broad and multidisciplinary perspective, the main challenges facing the Spanish education system in relation to inclusion, equity and pupil wellbeing

5. Institutional statements

In 2025, the Ararteko made 11 institutional statements, by means of which the position of the institution is published in relation to certain issues that affect, in general, the human rights of groups or people who require public policy actions or social awareness.

- International Women's Day
- International Roma Day
- International Noise Awareness Day
- World Environment Day
- LGBTI Pride Day
- World Mental Health Day
- International Day for the Eradication of Poverty
- International Day for the Elimination of Violence against Women
- International Day of Persons with Disabilities
- Human Rights Day
- Institutional declaration by the Ombudsman Institutions on the 2030 Agenda



V. European and international dimension of the Ararteko's activity

During 2025, the Ararteko's European and international activity was characterised by the consolidation and expansion of a long-term strategy aimed at strengthening cooperation with counterpart institutions and European and international human rights bodies, while also integrating European and international standards across all areas of its activity. This approach has strengthened both the Ararteko's international profile and its capacity to protect the rights of the public more effectively.

1. The European and international external outreach activity of the Ararteko

At the international level, one of the Ararteko's most significant milestones in 2025 was its participation in the first High-level Conference for Ombudsperson Institutions and National Human Rights Institutions of the Council of Europe, held in Strasbourg in March. This participation followed the Ararteko's earlier efforts to promote the creation of a structured framework for cooperation between the Council of Europe and European ombudsman institutions, with particular emphasis on promoting and implementing the Venice Principles. The conference highlighted the key role of ombudsman institutions in the European rule of law framework and opened up new avenues for cooperation with human rights promotion and protection bodies and other guarantee institutions, such as the Venice Commission.

The Ararteko has also continued to strengthen its presence within the main European and international networks of ombudsman institutions. Of particular note is its participation in the European Network of Ombudsmen (ENO), where it has strengthened its cooperation with the European Ombudsman through its involvement in strategic consultations and the network's annual conference. In this forum, the Ararteko made a significant contribution to the discussion on the practical barriers to the free movement of European citizens.



The Ararteko has also expanded its engagement with the other international ombudsman networks of which it is a member, including the IIO, ENOC, FIO and IALC. As part of this work, it participated in the IIO Europe Ombudsman Learning Acad-

emy, a forum for training and the exchange of good practice, which provided an opportunity to reflect on innovative approaches to managing relationships with users of the Ararteko's services. The Ararteko's international dimension has also been strengthened through its collaboration with other ombudsman institutions on consultations and joint statements. The institution also contributed to reports prepared by international human rights bodies, helping to bring the reality of the Basque Country to the attention of international human rights forums.

2. The European and international internal outreach activity of the Ararteko

Internally, the Ararteko has continued to make progress in the systematic integration of European and international law into its day-to-day work. The Ararteko's European and International Affairs Department has continued to operate as an internal unit providing technical support to the institution's legal departments, ensuring that EU law and the case law of the Court of Justice of the European Union, the jurisprudence of the European Court of Human Rights, and the views of the United Nations human rights treaty bodies are consistently reflected in the reports, studies and decisions concluding the case files handled by the Ararteko.

This work has focused in particular on incorporating EU law into the examination and resolution of the complaints and enquiries submitted to the Ararteko, with notable results, particularly in areas such as the environment. In the immediate future, the Ararteko intends to strengthen this commitment, building on the European Ombudsman's initiative to bring together the ENO network around this shared objective.

The European and international perspective has also informed the study published by the Ararteko in 2025, *Family support policies in the Basque Country: Analysis and proposals*, further consolidating the institution's commitment to integrating European and international standards into all of its policy positions.

3. Communication on European and international developments in the field of human rights

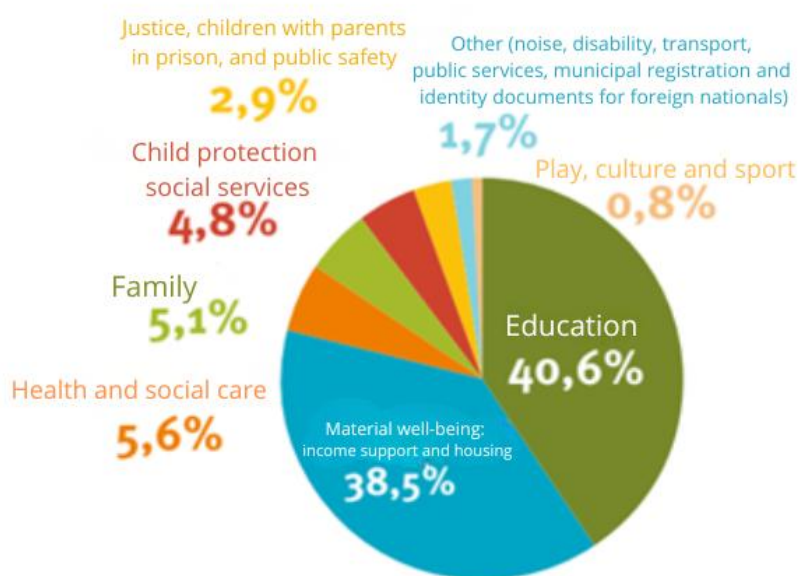
Finally, the Ararteko's European and international engagement was also reflected in its communication and awareness-raising activities. Throughout the year, the institution published news updates and reflections on significant developments in the international human rights arena, as well as institutional declarations marking important occasions and commitments, such as Human Rights Day and the signing of the *Collaboration agreement between ombudsman institutions to advance the Sustainable Development Goals and the 2030 Agenda*. The organisation of a lecture on the state of human rights in the current context of international tension also formed part of this commitment to raising awareness among the people of the Basque Country, and particularly young people, of the importance of the human rights system at a time of international instability, when serious violations of human rights continue to occur.



VI. Children and young people’s rights department

1. Are rights being violated? A diagnosis in the light of the Ararteko's activity

Graph 6. Distribution of complaints submitted by children and young people by subject



- Number of complaints: In 2025, the Ararteko registered 660 complaint cases in which children and young people were expressly mentioned or otherwise involved. This represents 18.22% of all complaint case files submitted to the institution. Only one complaint was submitted by a person under the age of 18.
- Right to an adequate standard of living: During 2025, a significant new issue, reflected in the number of complaints received, arose from the introduction of the DEU procedure (procedure for determining the deduction amount), which increased deductions to recover overpayments, thereby reducing the income available to meet basic needs. Complaints relating to access to adequate and appropriate housing remained broadly unchanged compared with previous years.
- Right to education: The Basque education system continued to be shaped by demographic trends, particularly the declining birth rate, which has led to a sharp fall in pupil numbers and the need to adjust the availability of school places. The

equity of the education system continues to be challenged by persistent problems of school segregation and the management of public funding in the publicly funded private school sector, including cases of overfunding. In terms of direct support for pupils, there has been a growing demand for resources to meet specific educational support needs, whether arising from disability, behavioural disorders or high ability. At the same time, administrative rigidity has given rise to disputes concerning basic services such as school transport. Finally, the education system continues to face the challenges associated with digitalisation, which has generated new complaints relating to the cost of repairing devices, access to inappropriate online content, and the impact of screen use on young people's mental health.



- ✚ Right to be protected from all forms of violence or abuse: Complaints received in 2025 concerning the work of child protection social services showed no significant changes, either in number or subject matter, compared with previous years. With regard to unaccompanied migrant children, the Ararteko's work focused on the support provided to those arriving at emergency reception facilities shortly before reaching the age of majority.
- ✚ Right to a family: Despite the administrative simplification introduced by Decree 27/2023, a number of complaints relating to child benefits were still received. The most common issue concerned the requirement for joint registration on the municipal register as the sole proof of cohabitation, which created difficulties in cases of temporary interruptions to cohabitation, usually following a change of address. The legislation also gives rise to more complex family situations, such as those involving non-custodial parents with child maintenance obligations who have formed a new family and are unable to count all of their children when applying for benefits for a third child. Cases involving children born through surrogacy also continue to present significant legal complexity. Large families continue to face difficulties arising from outdated legislation that does not adequately reflect the diversity of contemporary family structures. A notable new area of complaint concerned transport cards for the children of separated parents, following the introduction of free public transport for children under the age of 12. Complaints were also received concerning the shortage of places and admission procedures in early childhood education and care services for children aged 0–3.



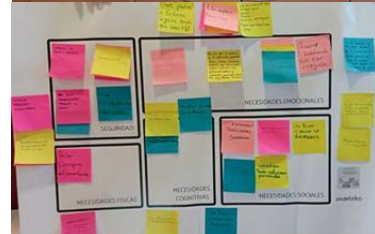
- ✚ Right to health: Once again, the largest number of complaints in this area concerned excessive waiting times for initial appointments in primary and specialist care, as well as for certain diagnostic tests. This problem is directly linked to staff shortages at some health centres. In the field of mental health, complaints

focused on the limited availability and frequency of therapy sessions offered by Osakidetza's (Basque Healthcare System) mental health services, reflecting shortages of psychiatrists and clinical psychologists. A particularly significant complaint in 2025 concerned the suspension, the previous year, of the children and young people's mental health service at Irún Mental Health Centre, which serves the Bidasoa region.

- ✚ Children's rights in the justice system: Work continued to encourage the Basque prison system to adopt a cross-cutting approach to children's rights. Particular attention was given to the transfer of a female prisoner to a prison outside the Basque Autonomous Community following the application of the closed regime, which prevented visits from her son.



- ✚ Right to play, rest and participate in artistic and sporting activities: Once again, the Gipuzkoa Provincial Council's "Multikirola" (multi-sport) programme featured prominently in the Ararteko's work in this area, not only because of the complaints received. Following the judgment of the Basque Country High Court annulling the requirement for children under the age of 13 to participate in the Multikirola programme in order to join sports clubs, a working group on school sport was established, to which the Ararteko was invited to contribute. Its purpose was to review the model for introducing children to sport in Gipuzkoa in light of current circumstances and evolving social expectations.



- ✚ Right to non-discrimination: Non-discrimination and equal opportunities are one of the four guiding principles of the Convention on the Rights of the Child. Despite the legal recognition of equality and the dignity of every person, discrimination continues to affect Basque society, preventing some individuals and groups from developing their full potential. Children with disabilities, children of foreign nationals and Roma children, among others, continue to experience discrimination that, in some cases, has a significant impact on their opportunities to lead fulfilling lives.

2. 15 years of the Ararteko's Children and Young People's Rights Department



Special mention should be made of the 15th anniversary of the Ararteko's Children and Young People's Rights Department, celebrated in 2025. To mark the occasion, a commemorative event was held at which

the institution reaffirmed its long-standing commitment to placing children and young people at the centre of the protection of rights, giving them their own voice

and a dedicated forum for participation through the Ararteko's Children and Young People's Council.

The decision to establish a dedicated administrative body within the Ararteko to protect and promote the rights of children and young people was based, first and foremost, on the mandate of the United Nations Convention on the Rights of the Child. This international treaty makes it unequivocally clear that children are, above all, holders of rights. At the same time, it recognises that, because of their material and emotional dependence on adults, children are particularly vulnerable. Their vulnerability is further compounded by the difficulties they face in defending their own rights, since they do not enjoy political rights, most notably the right to vote. In addition, as early as 2002, the Committee on the Rights of the Child had already recognised the role of national human rights institutions in promoting and protecting children's rights, recommending that they establish either a specialised commis-

sioner or a dedicated section or division to reflect both children's status as rights holders and the particular vulnerability recognised by the Convention.

These considerations led to the establishment of the Children and Young People's Rights Department in 2010. From the outset, its work has been guided by the three strategic objectives that have continued to shape its activities over the past 15 years:



1. Handle complaints submitted by children and young people, or complaints directly affecting them, while ensuring that a child rights perspective is integrated into the institution's day-to-day work. In carrying out this role, it is important to recognise that children and young people do not generally seek assistance from an institution such as the Ararteko. Many are unlikely even to know that it exists or what its role is. Identifying possible violations of children's rights therefore requires more than waiting for complaints to be submitted: it means going to where children are, listening to them, and engaging with the people and organisations that work to protect their interests. The Ararteko uses a range of tools to achieve this, including inspection visits to residential and socio-educational facilities, meetings with organisations working with children, and thematic studies.

2. Promote a culture of rights among children and young people and within society as a whole. The development of educational materials, awareness-raising and outreach programmes, and participation in forums for reflection and debate are some of the means through which the Ararteko pursues this objective.



3. Ensure that the voices of children and young people are heard in all matters affecting them that fall within the Ararteko's remit. The principal mechanism for ensuring that children and young people can express their views is the Children and Young People's Council. Comprising almost thirty young people from across the Basque Country, the Council serves as the Ararteko's permanent participation body.

3. Participation in ENOC and the ENYA project

The Ararteko continued its close collaboration with the [European Network of Ombudspersons for Children](#) (ENOC). Together with representatives of the Ararteko's Children and Young People's Council, it participated in the working group responsible for designing and overseeing the preparation of a research study on the protection and promotion of children's right to physical health. The [study](#) formed the basis of the [institutional declaration *The protection and promotion of children's right to physical health*](#). The [ENOC Spring Seminar](#), organised in collaboration with the European Migration Network (EMN), gave the Ararteko an opportunity to examine in greater depth the challenges posed by the EU Pact on Migration and Asylum in relation to the provision of quality care for child asylum seekers. Representatives of the Ararteko, together with representatives of the Síndic de Greuges de Catalunya and the Ombudsman of Andalusia (both members of ENOC), and with the collaboration of the Diputada del Común of the Canary Islands, participated as panellists in a session on the challenges of providing quality care for migrant and asylum-seeking children in Spain, with particular emphasis on the responsibilities of the public authorities in Andalusia, Catalonia, the Basque Country and the Canary Islands.

The Ararteko also strengthened its contribution to the ENYA youth participation project, [Let's Talk Young, Let's Talk About Protecting and Promoting Children's Right to Physical Health](#), placing the Ararteko's Children and Young People's Council at the heart of the initiative. Two participants in the reflective process organised by the Ararteko, one boy and one girl, attended the ENYA Forum, held in Croatia on 1 and 2 July. There, they presented the work carried out in the Basque Country and, together with the other participants, agreed on a series of recommendations. Subsequently, one representative from each delegation attended the ENOC Annual Conference, held in Bucharest on 17 and 18 September, where the recommendations agreed by the young participants at the Forum were presented for incorporation into the institutional declaration ultimately adopted by the members of the network (see the summary prepared by the Ararteko). In this way, the participatory work carried out through ENYA becomes an integral part of ENOC's broader process of reflection.



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