

Summary of the Annual Report to the Basque Parliament 2024



ararteko

Herriaren Defendatzailea
Defensoría del Pueblo

www.ararteko.eus

This work is under a [Creative Commons Attribution 4.0 Internacional](https://creativecommons.org/licenses/by/4.0/) (CC BY 4.0) licence



ARARTEKO

Translation: Traductores e intérpretes S.A. - TISA
Vitoria-Gasteiz, 2025

Índex

I. Presentation.....	4
II. Activity of the Ararteko in figures.....	11
1. An overview of the most relevant data on the Ararteko’s actions	11
2. Data by areas	13
3. Figures on the administrations concerned.....	15
4. Status of the cases being processed in 2024.....	16
5. Own initiative actions.....	18
6. Activity of the direct assistance bureaus.....	18
7. Sociological statistics: territorial distribution of cases, profile of complainants and channels for submitting complaints.....	19
III. Featured material areas of action.....	21
▢ Children and young people.....	21
▢ Social inclusion	22
▢ Health	23
▢ Education.....	23
▢ Housing	25
▢ The environment.....	25
▢ Security.....	26
▢ Public sector personnel	26
▢ e-Government, data protection, transparency and good governance.....	26
▢ Legal regime, public administration goods and services	28
▢ The treasury.....	29
▢ Groups deserving special public attention.....	29
IV. Other instruments of the Ararteko to foster better public policies and good governance	33
1. Studies	33
2. Ararteko summer course: ‘The challenges of educational equity and schooling in the Basque Country’	35
3. Other publications	36
4. Conferences and events	38
5. XXXVII Conference on the Coordination of Ombuds Offices of the Spanish State: The Work of the Ombuds Offices in Promoting the Right to Good Governance.....	40
6. Relations with social organizations	41
7. Institutional statements	41
V. European and international dimensión of the Ararteko’s activity	42
1. The European and international external outreach activity of the Ararteko.....	42
2. Internal activity: the integration of European and international law into the work of the institution.....	46
3. Communication on European and international developments in the field of human rights	48

I. Presentation

Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seek equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.

Eleanor Roosevelt

The activity of the Ararteko has grown notably, exponentially and almost uninterrupted since its establishment. This increase is clearly evident when looking at the number complaints and citizen inquiries registered by the Ararteko, which, over the past decade, has experienced an extraordinary 66% rise.

In 2024 as well, the growth in the Ararteko's activity once again reflects this consistent and sustained upward trend. A comprehensive look at the Ararteko's actions this year reveal that these have increased by 7.4% compared to the previous year, reaching a total of 14,608 actions. This figure represents the sum of all actions carried out by the institution in its core mission of safeguarding people's rights in the Basque Country. Of the total actions mentioned, around 10,150 correspond to the work of the Ararteko's three citizen advise bureaus, which provide individualised attention and assistance to the public. This represents a 6,7% increase compared to the same activity the previous year. Growth has also been very significant in terms of processed complaint files, which reached

4,310 in 2024 —a 10.6% increase on the previous year. Likewise, it is worth highlighting that in 2024 the Ararteko also increased its proactive activity, with 28 actions initiated at the institution's own initiatives: these include own initiative investigations, inspection visits and the monitoring of compliance with its recommendations.

This brief **quantitative overview** showcases that Basque citizens have developed and maintained a strong and lasting awareness of and trust in the mission carried out by the Ararteko.

This data must be considered alongside other indicators that may provide additional insight into the **institution's effectiveness**. Despite the significant increase in workload in 2024, due to the growing number of complaints and citizen inquiries, the **average processing time for case files** was under 63 days. Moreover, in terms of the outcomes of



the institution's interventions, it is worth noting that in 2024, **the administration involved corrected or modified its actions** in response to citizen complaints in nearly 90% of cases. In the vast majority of these, the administrations chose to amend their conduct without the need for a formal recommendation from the Ararteko—a figure that highlights the productive dialogue maintained by the Ararteko with the concerned administrations through the complaints process.



In 2024, the **cooperation of the various public administrations** from which information was requested generally followed a pattern of relative normality, with few exceptions. However, there are still instances where some administrations demonstrate a clear lack of diligence, which reflects a disrespectful attitude toward the oversight function of this institution and, by extension, toward the rights of individuals filing complaints. The Ararteko remains vigilant to prevent such situations from recurring, as they undermine the quality and effectiveness of the protection of citizens' rights and freedoms in the Basque Country. When administrations fail to cooperate, the Ararteko has tools at its disposal to remind them of their duty to collaborate —tools it uses with discretion, always weighing the factors that affect administrative management, with the clear goal of

providing an effective and timely response to those who have submitted a complaint.

All in all, the **Ararteko's overall assessment of this period is clearly positive**, which serves as a strong incentive to continue the important work of guaranteeing the rights of Basque citizens and ensuring the proper functioning of public administrations of the Basque Country.

Regarding the **areas** in which the Ararteko intervened in 2024, **social inclusion** stands out once again. This area confirms its upward trend from previous years, with a 10% increase compared to last year. However, **the interventions that saw the most growth in 2024 were those related to the health area**, regarding the services provided by the Basque healthcare system. These interventions experienced a **spectacular 69.6% increase over the previous year**, making it the second area with the most case files processed in 2024.

Furthermore, the number of cases concerning **groups that deserve special public attention** continues to rise. When combining the areas of family, childhood and adolescence, and the rights and integrity of women, they collectively represent some of the most frequent subjects of complaints submitted to the institution. Following these, **areas in which the Ararteko was most active in 2024** were public administration goods and services, and—ranked in this order—education, public sector personnel, housing, and the environment, with only slight differences in volume among them.

In any case, the data once again underscores the significant weight of case files related to the safeguarding of social rights for people in the Basque Country.



Special mention should be made of the **activity of the Ararteko's three citizen advice bureaus**, which play a vital role for both the public and the institution's proper functioning. As previously noted, in 2024 the Ararteko directly handled a total of 10,150 requests for in-person assistance and telephone advice—a significant increase of over 7% compared to the previous year. Citizens who visit the Ararteko offices in Bilbao, Donostia, and Vitoria-Gasteiz receive personalized and specialized attention, which helps direct complaints and inquiries either for further processing by the Ararteko itself or, if they cannot be formally accepted, for the person to pursue their rights through the appropriate authority. It is important to highlight that the citizen advice bureaus support the evaluation of whether a case is viable while also offering initial qualified advice to the public.

In 2024, a landmark document proposing institutional reform was finally published, titled "**Considerations and Proposals for a Reform of the Institution of the Ararteko**". This document,

prepared by the institution itself, was submitted in July to the Speaker of the Basque Parliament and subsequently shared with all political groups represented in the legislature. It explores several aspects to be considered for a future reform of the institution, with the aim of modernizing it—given that the current Law of the Ararteko is 40 years old. As announced the previous year, this reform initiative is grounded in the Law 3/1985, which created and regulates the institution of the Ararteko. The proposal aims to bring a renewed, contemporary vision of the institution's role and mandate into the Basque legislative framework, aligning it with the most advanced international standards for Ombuds institutions, particularly the Venice Principles. The goal of the proposed reform is **to consolidate and reinforce the Ararteko, given its essential role in upholding democracy, the rule of law, good governance, and ultimately, the protection and promotion of human rights and fundamental freedoms.**

In 2024, the **Ararteko also hosted the Ombuds Coordination Days**, a meeting that served to strengthen collaboration between the State and regional ombuds institutions. The central theme of the event was the promotion of **good governance** as a guiding principle in all administrative actions and as a standard that shapes citizen relations with public authorities. These sessions emphasized the key role played by ombuds institutions in fostering the right to good governance; once again, young people from the Ararteko's Youth Council participated actively in the event.

In addition, the Ararteko published **two significant studies** in 2024, both aimed at **raising public awareness and improving the protection of the rights of women and LGTBI people**, respectively. The first, titled “**Sexist Attitudes among the Adolescents and Youth of the Basque Country**”, was released in October 2024 and presented to the Speaker of the Basque Parliament at the same time. This study examines the persistence of sexist attitudes among young people in the Basque Country and offers a set of conclusions designed to promote societal change and enhance public policy —particularly in support of women's right to equality and the prevention of gender-based violence. As part of the preparation of the report, the Ararteko also organized a **citizen forum** in May 2024 to present and discuss the initial findings of the study, providing a space for public dialogue, especially with young people and other key representatives of Basque society.

Secondly, it is worth mentioning the publication, also in 2024, of the study titled “**Hate Speech and Attitudes against LGBTI People in the Basque Country**”. With this sociological research, the Ararteko has gained a deeper understanding of the prevailing social attitudes in Basque society regarding LGTBI individuals and has drawn a series of conclusions that can serve as guidelines for improving public policies aimed at better protecting the dignity and rights of LGTBI people.

It is common knowledge that the Ararteko institution has always maintained particular concern regarding **school segregation** and the consequences this reality entails for equity and social cohesion in the Basque

Country —values it has consistently sought to preserve and promote through its interventions. Precisely for this reason, in 2024 it organized a summer course titled “**The Challenges of Educational Equity and Schooling in the Basque Country**” which addressed the main challenges facing an education system striving to be equitable. The course also provided a comparative perspective on the measures that could be proposed to tackle the complex challenge of school segregation.



In fact, among the many complaints received in the **field of education** in 2024, those concerning student admission stand out. The Ararteko has sought to establish certain general criteria in these cases, analyzing the scope and limits of the right to choose a school and a linguistic model, particularly within the framework of educational planning and the existing school offer. The Ararteko has determined that this right may be subject to limitations depending on the specific challenges presented in each individual case.

Housing continues to be an **area of major concern for citizens**, as observed by the Ararteko in 2024. In particular, access to public housing or subsidized accommodation again accounted for the highest number of complaints in this area. The Ararteko also notes a growing trend in claims related to the subjective right to access dignified and adequate housing, as well as to housing-related financial assistance, such as housing benefits or subsidies as part of the Gaztelagun program.



The right to adequate housing is regarded in our society as a fundamental pillar for social cohesion and independent living, and as a **central component of the social welfare**. The Ararteko stresses the need for a firm commitment to public policies that ensure the effective realization of the right to housing, especially for young people and groups at risk of social exclusion. To this end, the Ararteko reiterates, among other recommendations, the call for Basque public administrations to expand the public rental housing stock and to improve inter-administrative coordination between housing and social services departments, as a guarantee for the protection of the most vulnerable individuals and as an essential tool to prevent housing exclusion.

The **environment** was also an area where the Ararteko had to respond intensively to various citizen concerns in 2024. **Noise** continues to be the environmental issue that generates the most complaints. The Ararteko has emphasized that excessive ambient noise may violate fundamental rights such as the inviolability of the home, family life, and health. Accordingly, it has proposed the pursuit of a new leisure model that promotes more sustainable human activities, compatible with the right to rest. In addition to the Ararteko's repeated insistence that all public administrations respond to requests for **environmental information**, a notable development in 2024 as regards the **climate emergency** was the issuance of **General Recommendation of the Ararteko 1/2024, of 21 February**, which includes proposals for the regulation of Low Emission Zones in Euskadi. These zones are considered essential measures for improving air quality and reducing greenhouse gas emissions in urban areas, ultimately contributing to improved public health and climate change mitigation. Furthermore, in September 2024, the Ararteko organized a **citizen forum** on "Sustainable Urban Mobility", where institutions, experts, and civil society representatives discussed the challenges and opportunities of sustainable mobility.

As previously noted, **the most significant increase in complaints received in 2024 occurred in the area of health**, which saw a far higher rise than other sectors.

The complaints reveal a high level of dissatisfaction and frustration among citizens, who are feeling the effects of strain on the healthcare system.

Around 25% of the complaints relate to excessive delays in scheduling first-time and follow-up appointments in both primary and specialized care, as well as in conducting certain diagnostic tests. Citizens turning to the Ararteko express the perception that the Basque health system has progressively deteriorated in recent years and feel that the quality of care no longer meets expectations. The Ararteko emphasizes the urgent need for Osakidetza (the Basque Health System) to be equipped with sufficient material and human resources to guarantee the effective exercise of the right to health for the Basque population. This requires better planning and increased budgetary allocations to support a robust public healthcare system —one that has stable healthcare personnel and sufficient resources, and that is built on the principles of equity, quality, and accessibility. The Ararteko trusts that the Basque Health Pact, under development at the time of this report, will provide effective responses to the challenges posed in ensuring health protection in the Basque Country.

The **protection of the rights of children and adolescents** also remains a core priority for the institution. The number of complaints in 2024 affecting children and adolescents across different areas reached 623. This figure is in addition to the 12 own initiative investigations in the area of child protection. Notably, many of these focused on social services for children in vulnerable situations —especially the reception of unaccompanied migrant minors in Bizkaia, where there was a significant increase in arrivals that placed considerable strain on the system. The Ararteko also monitored the care

provided to children and adolescents under the guardianship of Public Protection Entities. The Ararteko has also continued in 2024 to monitor school segregation and the effects of the measures implemented by the Department of Education in certain localities.



The **Ararteko's international outreach** was consolidated in 2024, a year that confirmed the upward trend in activity aimed at this goal, particularly within the European context. The Ararteko's regular participation in international forums has enabled the sharing of its experience and the identification of good practices that can be transferred to the institution. In 2024, the institution also strengthened its ties with other Ombuds institutions and human rights organizations —most notably through participation in the conference and general assembly of the International Ombudsman Institute in The Hague, as well as through meetings in Strasbourg with various Council of Europe authorities, leaders in human rights protection and promotion. A European and international perspective was also evident in many of the Ararteko's stances in individual complaint procedures and in its inter-institutional relations. This demonstrates that the practice of integrating European and international perspectives into rights protection is being consolidated in the institution and, by

applying more demanding standards, this represents real progress in the improvement of citizens' rights.

By the end of 2024, it had become clear that we are living in a time of **serious international tension**, in which **human rights and the system of guarantees that supports them** —rooted in the rules of international law— are being increasingly questioned; indeed, there are worrying signs of a possible dismantling of that framework. As Ararteko, I feel compelled to make a broad appeal to the Basque society —whom the law has tasked me with serving— and to its institutions, to pro-

mote a collective reflection on the responses we in Euskadi can offer in the face of this alarming trend. It is essential to defend the international human rights system, which, as a set of minimal ethical standards, forms the essential foundation for peaceful human co-existence. The Ararteko will continue to work daily for the protection of those rights and for the development of an equal and democratic society, where individuals and their inalienable dignity remain at the heart of all political action.

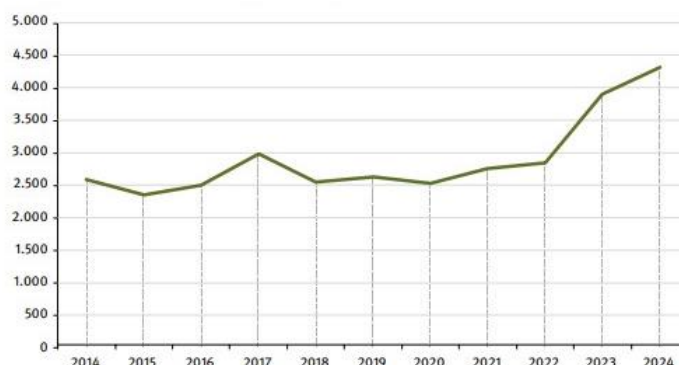
Manuel Lezertua Rodríguez
Ararteko - Ombudsman of the Basque Country

II. Activity of the Ararteko in figures

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

The activity of the Ararteko has grown significantly, exponentially, and almost uninterrupted since its creation, except for the year of the Covid-19 pandemic and a few other specific circumstances. This upward trend is clearly demonstrated by the number of complaints and inquiries registered by the institution, which has experienced an extraordinary 66% increase over the last decade.

*Graph 1. Evolution of the number of complaints and inquiries registered 2014-2024**



* It should be noted that these figures also include the so-called class complaints, which comprise groups of complaints on the same matter.

In 2024, this upward trend continued, with the number of complaints and inquiries registered by the institution reaching 4,310, representing an increase of 10.6% compared to the previous year. The same occurred with the activity of the three citizen advice bureaus, which saw a notable rise of 6.7%. Furthermore, the actions initiated by the institution itself exceeded the number from the previous year, reaching 28 actions, including own initiative investigations, inspection visits, and the monitoring of compliance with the recommendations of the Ararteko.

Graph 2. Registered complaints and inquiries, actions of the citizen advice bureaus and own initiative actions of the Ararteko in 2024



A comprehensive look at the Ararteko's actions shows an increase of approximately 7.4% compared to the previous year, with a total of 14,608 actions. This figure reflects the sum of all actions carried out by the institution its mission to safeguard the rights of people in the Basque Country. The contents of these actions will be referenced in greater detail throughout the annual report.

Table 1. Total actions by the Ararteko in 2024

In person assistance at the three citizen advice bureaus	4,134
Information and advice given by telephone	6,016
Registered complaints and inquiries (different reception channels)	4,310
Meetings with public administrations and CSOs	70
Participation in external activities	34
Own initiative actions	28
International activities and with other ombuds institutions	11
Open events	5
Total	14,608

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 efficiency —standing at nearly 90%. This figure represents the percentage of cases in which, during the processing and resolution of citizen complaints, the intervention of the Ararteko led the relevant administration to amend the conduct that gave rise to the complaint. It is worth highlighting that, in the vast majority of instances, the administrations corrected their actions without the need for a formal recommendation from the Ararteko. This underscores the effectiveness of the dialogue fostered between the institution and the administrations through the complaint procedure.

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

	%	%
Incorrect action resolved		89.94
No recommendation	94.14	
Recommendation accepted	5.59	
Suggestion accepted	0.27	
Incorrect action not resolved		10.06

2. Data by areas

This section presents data on the distribution of complaints and inquiries by thematic area, as well as those submitted on behalf of groups that deserve special public attention.

2.1. Distribution of cases by area

In 2024, **social inclusion** was the thematic area with the highest number of cases, accounting for **15.82%** of the total. This continues the upward trend of recent years, with a 10% increase over the previous year. Issues related to Lanbide's (Basque Employment Service) management of economic benefits, such as the RGI (Minimum Income Guarantee) or the IMV (Minimum Living Allowance), remained especially prominent, with 403 recorded cases. The **health sector**, related to the services provided by the healthcare system, registered the most significant increase —up by **69.9%**— and was the second area with the highest number of processed cases in 2024, representing 13.34% of the total.

Cases **explicitly** concerning **groups that deserve special public assistance** also continued to rise. **When combined**, the areas of **families, childhood and adolescence, and equality and integrity of women** represented **9.11%** of all complaints submitted to the institution. Following these were other areas marked by considerable activity, such as public administration goods and services (8%)—particularly in relation to local authorities—followed closely (with minimal differences) by education, public sector personnel, housing, and the environment. Once again this year, the data demonstrates the significant importance that the Ararteko places on safeguarding the social rights of the people of the Basque Country.

Table 3. Distributed by the cases processed by area

Area	No.	%
Social inclusion	523	15.82
Health	441	13.34
Legal regime, public administration goods and services	266	8.05
Groups requiring priority assistance: people with disability, elderly people, immigrants, prisoners, etc.	230	6.96
Education	221	6.68
Public sector personnel *	219 (673)	6.62
Housing	218	6.59
The environment	217	6.56
The Treasury	191	5.78
Security	172	5.20
Urban planning	143	4.33

eGovernment, data protection, transparency and good governance	132	3.99
Public works, transport and infrastructure	86	2.60
Organisation of economic activity	75	2.27
Linguistic rights, culture and sports	56	1.69
Children and young people	39	1.18
Justice	29	0.88
Families	23	0.70
Labour and social security	16	0.48
Women's equality and integrity	9	0.27
Total**	3,979	100

*In this area, 673 people filed a complaint on the same issue, which was then processed as a class action, as a single case. The total number of complaints by area includes the 673 of the class complaint, but the percentage does not take them into account.

**The total number of complaint files processed is obtained after subtracting the files dismissed or sent to other ombuds offices from the total number of files registered.

***The data broken down by sub-areas can be consulted on the Ararteko website, in the document with the complete statistics.

2.2. Contribution to the 2030 Agenda Sustainable Development Goals (SDGs)

The 2030 Agenda for Sustainable Development is a global commitment made by 193 countries, adopted through [United Nations General Assembly Resolution 70/1 of 25 September 2015](#). It is a comprehensive action plan aimed at eradicating poverty, protecting the planet and ensuring prosperity for all, while also striving to strengthen universal peace and access to justice. The 2030 Agenda is structured around 17 Sustainable Development Goals (SDGs), which operate in an integrated and indivisible way.

Ombuds institutions such as the Ararteko play a key role in the implementation of the SDGs through their efforts to strengthen the rule of law, promote good governance, and protect and uphold human rights and fundamental freedoms. This role was formally acknowledged by the [United Nations General Assembly](#) in 2024, when it recognised the contributions of Ombuds institutions toward achieving the SDGs, particularly SDG 16 on building effective, accountable and inclusive institutions.

The following chart is intended to provide a visual representation of the complaints and inquiries submitted by citizens to the Ararteko, alongside the corresponding SDG they are most closely related to.

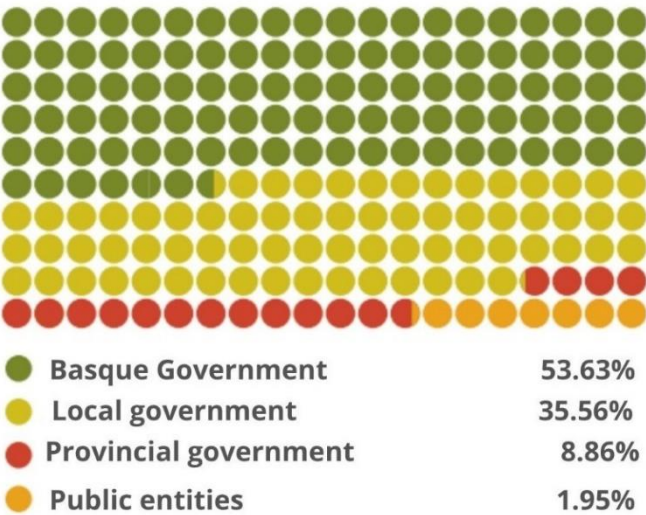
Graph 4. Cases classified by SDGs



3. Figures on the administrations concerned

In 2024, as in previous years, the Basque Government administration accounted for the largest number of cases handled by the Ararteko —over 53%—, although this represents a decrease compared to the previous year. Cases related to the actions of local administrations increased to 35.56%, while those concerning provincial administrations and public entities remained at similar levels to the previous year. Combined, the Basque Government and local administrations account together for nearly 90% of the total cases.

Graph 5. Distribution of the cases processed by the administrations in question



4. Status of the cases being processed in 2024

4.1. Rejection and referral of registered complaints and inquiries

As part of the case processing procedure, the Ararteko conducts a preliminary assessment of complaints and inquiries submitted by citizens to determine—prior to any intervention—whether the matter falls within its remit. In accordance with the Ararteko Act, reasons for not admitting complaints or inquiries include conflicts between private individuals, matters that are subject to judicial proceedings or have received a final court judgment, or other issues outside the Ararteko's oversight capacity.

When a complaint is rejected for any of these reasons, the institution aims to provide the complainant with the greatest possible assistance. If the Ararteko is not competent to address the issue, it guides the person toward the most appropriate channels or bodies for resolving their concern. It is worth highlighting the significant drop—over 68%—in the number of complaints rejected compared to the previous year.

Table 8. Classification of rejected complaints and inquiries by inadmissibility criteria

No prior administrative complaint filed	131
Outside the jurisdiction	44
In court	18
Formal defect	15
Need to wait for legal deadlines	10
Matter between private individuals	8
Anonymous	7
Evident absence of irregularity	6
Duplication with the Spanish Ombudsman	5
More than a year has passed	2
Lack of legitimate interest	1
Total	247

Additionally, in cases where complaints or inquiries relate to actions by the central government or another autonomous community—outside the Ararteko's jurisdiction—the institution refers them to the Spanish Ombudsman or the relevant regional ombuds institution. In 2024, in addition to cases referred to the Spanish Ombudsman, two complaints were sent to the Procurador del Común of Castilla y León and one to the Síndic de Greuges of the Valencian Community.

Complaints referred to the Spanish Ombudsman	81
Complaints referred to other (regional) ombuds institutions	3

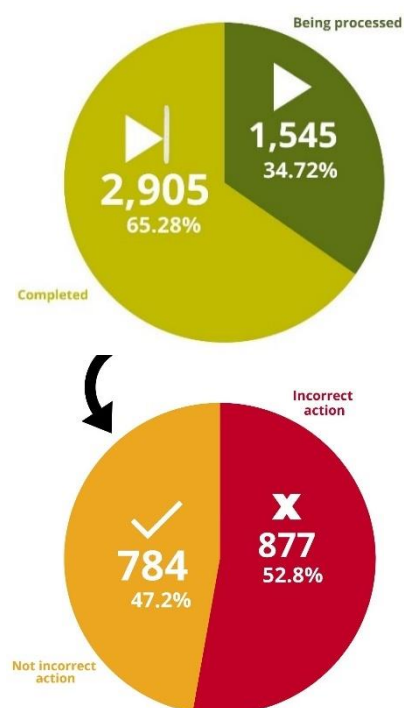
4.2. Case processing status in 2024

In 2024, the Ararteko closed more complaint cases than in the previous year, finalizing a total of 2,905 cases, while 1,545 remain in process. Among the resolved cases where the Ararteko assessed the appropriateness of administrative action, some form of improper conduct by the administration was found in 877 cases—nearly 53%. In contrast, no administrative fault was found in 784 cases, accounting for slightly more than 47%. These figures are very similar to those of the previous year.

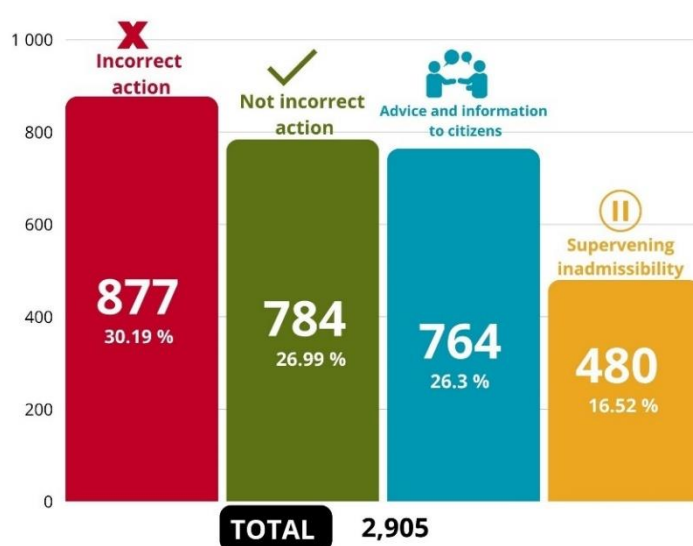
Moreover, among the closed cases, a significant number involved the Ararteko advising and informing citizens of their rights and guiding them on how best to exercise them. These advisory cases increased by 25.45% compared to last year.

It should also be noted that once case processing has begun, certain circumstances may prevent the Ararteko from continuing its investigation—for example, overlapping proceedings with other ombudsman institutions or the initiation of judicial proceedings after the complaint has been filed. These cases are categorized as “inadmissibility due to supervening circumstances.”

Graph 8. Status of the cases



Graph 9. Cases settled in 2024



5. Own initiative actions

In 2024, the Ararteko carried out **28 own initiative actions**, including **16 own initiative investigations**, **6 inspection visits** and **6 follow-up initiatives** related to previous recommendations or specific matters. Notably active areas included child protection and social inclusion, followed by areas concerning people in prison, the environment and security.

Table 9. Distribution of ex officio cases by area

Area	Nº	%
Children and adolescents (at risk)	7	25
Social inclusion	6	21.4
People in prison	4	14.3
The environment	3	10.7
Security	3	10.7
Families	2	7.1
Education	1	3.6
The Treasury	1	3.6
Justice	1	3.6
Total	28	100

6. Activity of the direct assistance bureaus

In person is often the public's first point of contact with the Ararteko and plays a vital role in providing the guidance that people frequently need when dealing with the issues that have led them to seek help. In person assistance is especially important for serving individuals and groups in vulnerable situations. It allows their voices to be heard and ensures that the legal system is explained in a way that is accessible and tailored to their needs —including clearly informing them when their claims may not be legally supported. In addition to face-to-face service, the direct assistance bureaus also offer telephone advice, thereby enhancing accessibility for all citizens.



In 2024, the Ararteko responded to a total of 10,150 requests for face-to-face and telephone assistance—a notable 7% increase from the previous year. The 4,134 in person appointments approached pre-pandemic levels, while the 6,016 telephone consultations marked a significant rise. The Bilbao office, serving the largest population area (Bizkaia), stood out with the highest level of activity among the three offices, with a 33% increase in interventions in 2024.

Graph 10. Number of people given face-to-face assistance and advice by telephone at in-person assistance offices



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

7.1. Territorial distribution of cases

This section illustrates the geographical origin of the citizens who file complaints or inquiries with the Ararteko. As in the previous year, in 2024 both Bizkaia and Gipuzkoa saw a greater number of complainants residing in municipalities outside the provincial capitals, with figures exceeding 60%. In contrast, in Araba/Álava, over 78% of the cases were initiated by residents of Vitoria-Gasteiz.

Table 10. Distribution of cases according to whether the complainant lives in the provincial capital or other municipalities of the province

ARABA/ÁLAVA	Nº	%
Vitoria-Gasteiz	675	78,12
Other municipalities	189	21,88
Total	864	100

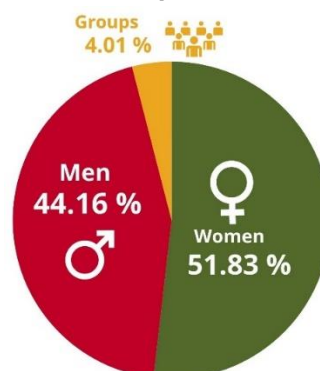
BIZKAIA	Nº	%
Bilbao	734	32
Other municipalities	1.560	68
Total	2.294	100

GIPUZKOA	Nº	%
Donostia/San Sebastián	407	36,76
Other municipalities	699	63,24
Total	1.106	100

7.2. Profile of the complainants

The sociological analysis of the complaints filed in 2024 shows no substantial changes compared to previous years, apart from a slight increase in the number of complaints and inquiries submitted by men.

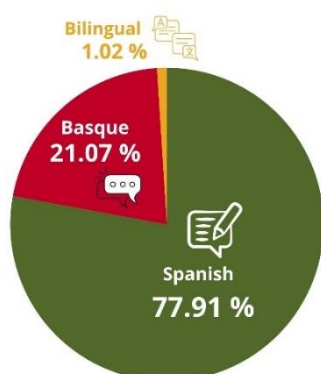
Graph 13. Distribution of complaints and inquiries received according to the characteristics of the complainants



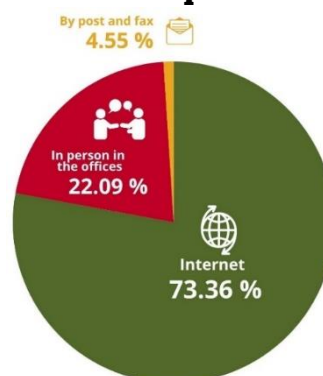
A sex-based analysis of the complaints submitted to the Ararteko reveals that women stand out as the primary complainants in certain areas. Notably, within the group of Roma people and other cultural minorities, all complaints were filed by women. Women also initiated the majority of complaints in the following areas (in this order): public sector personnel (72%), education (68.3%), justice (62%), and elderly people (61%). These figures suggest that these areas either have a particular impact on women or are key areas of concern for them in terms of public administration actions. Conversely, the areas that predominantly concern men as complainants include prisoners (68%), digital public administration (65%), and economic regulation (63%). These findings merit attention from a gender equality perspective, as they may reflect stereotypical divisions in the types of concerns that affect men and women.

Another notable finding regarding who files complaints in different areas is that the two topics with the highest number of group complaints were the environment and gender equality—both with over 20% of complaints submitted by groups. This underscores the crucial role of organized civil society in advocating for these issues.

7.3. Language used to submit the complaint or query



7.4. Channel used to submit complaints and inquiries



III. Featured material areas of action

★ CHILDREN AND YOUNG PEOPLE

Protecting the rights of children and young people is a fundamental strategic goal of the work of this institution. Therefore, the Ararteko has a specific work unit in this area, the Office for Children and Adolescents, and annually submits a [separate report](#) on childhood and adolescence to Parliament. The most relevant content of this report is set out below.

In 2024, the number of complaints submitted by citizens in which the presence or involvement of children and adolescents is expressly cited, that is, those in which we reliably observe that there is an impact on children, exceeded **620**. **They accounted for over 14%** of the total cases filed with the institution of the Ararteko.

These figures show that the Ararteko is firmly committed to defending children's rights; it therefore has an internal unit, the Office for Children and Adolescents, specifically dedicated to this task, and which prepares a separate annual report on matters relating to this function, also in the possession of the Basque parliament.

However, in addition to protecting our children and adolescents from any violation of rights, such as education, health, housing, dignity and physical and moral integrity and so on, this institution has particularly focused on **actively promoting the right of children and adolescents to participate in**



public life, and especially in all those matters that concern them; the **right to be heard in all the decisions** affecting them turns our children into **active members of society**; it implies a recognition of their **ability to influence the definition of their own destiny and to choose**, among different options, those that best respond to their own desires and criteria. The right to participate, or the right to be heard, is **unfortunately the most forgotten right in the course of adult life**; however, its promotion marks the **differential milestone in the decisive application of the Convention on the Rights of the Child**, since it turns children and adolescents into **key players and active members of society**.

The **Children and Young People's Council**, in which young people from all the provinces of the Basque Country take part, is the body through which the Ararteko wishes to **realise and channel that right**. During 2024, the activity of the Council has been intense, with numerous interventions by

its members in activities of the institution, such as studies, conferences or forums, of which we give a more detailed account in the aforementioned Report of the Office of Children and Adolescents.

Notable milestones of this participatory council, which reflects the importance of promoting this right that

makes our children and young people key players, were both their participation in the ombuds coordination day organized by the Ararteko, and their participation in the simplified process of monitoring compliance of the Convention on the Rights of the Child in Spain.

★ SOCIAL INCLUSION



The area of social inclusion, which confirmed its upward trend of previous years, was, once again, the one which received the most complaints, with a total of 523 cases. Issues related to Lanbide's management of economic benefits, such as the RGI or the IMV (403 cases), continued to stand out. Among the complaints related to the **economic benefits of the Basque Income Guarantee System (RGI)**, special mention should be made those **relating to the calculation of income from subletting** (which are currently expressly included among those that are computed for the purposes of determining the amount of the RGI) **or those relating to the quarterly procedure for**

updating the amount of the RGI (which, in its new design, makes it difficult for Lanbide to consider possible variations in revenues).

In that regard, the Ararteko was able to verify that the regulatory reform enacted by [Decree 173/2023, of 21 November](#), approving the Income Guarantee Regulations, which came into force on 1 January 2024, has led to changes that have had a direct impact on these issues. This has led to numerous requests for the Ararteko to intervene, since these changes can be detrimental to socially vulnerable people. Thus, among other problems, calculating income from subletting to work out the RGI may make it harder for the people in question to access housing and the new procedure for quarterly updating of income is detrimental to those whose income fell during those periods, which the Decree does not envisage. In the Ararteko's opinion, the new design of these tools resulting from the aforementioned reform should be rethought, so that effectiveness in the management of public resources and the impact of these procedures on situations of special vulnerability are better weighted.

★ HEALTH

The most significant increase in complaints received in 2024 was in the health area, which increased well above the rest of the areas (almost up 70% on the previous year); the complaints stood at a total of 441, making it the second area with the most cases processed in 2024.



The complaints received reveal that a significant degree of discontent among citizens, who bear the brunt of the **strain on the health care system** and the **waiting lists for some specialities**. Around 25% of the complaints in this area were to do with **excessive delay in getting first and successive appointments for primary and specialised care**, as well as for certain **diagnostic tests** to be performed.

Complaints were also received about the lack of primary care medical staff in practically all the OSIs (Integrated Health Organisations) that make up the Osakidetza [Basque Healthcare System] structure. The Ararteko has stressed the pressing need for the Osakidetza to have the necessary material and human resources to ensure the effective exercising of the right to health of Basque citizens, as part of greater and better planning and budgetary allocation.

In any event, the Ararteko is confident that the implementation of the **Basque Health Pact** will allow effective responses to be provided to the challenges posed by protecting health in the Basque Country.

★ EDUCATION



The area of education was also in the spotlight in 2024. A significant number of complaints were received and issues included the **admission and schooling of students**, **freedom of**

choice of school and language model and **commitment to fight segregation**; scholarships or **grants at different levels of education** (university and non-university); **home schooling**,

particularly for students with special educational needs (such as serious illnesses); or the **charging of fees for educational services in private direct-grant centres**.

As regards the **student admission and schooling processes**, the Ararteko has noted that the education authority tries to solve those situations in which there is a clear error or there are circumstances where special admission or schooling measures are advisable (sometimes as a result of the intervention of this institution as well) before the start of the school year; However, the authority has failed to find a timely solution regarding the resources resulting from its centre allocation decisions, leading to the aggravating factor that families are forced to send their children to school at the beginning of the school year, without knowing at which school they will end up being given their permanent place.

Furthermore, there is still a need to continue reflecting on the effectiveness of the measures adopted so far and, particularly, on **whether the aim of a more balanced distribution of students in vulnerable situations among**

the various centres that are part of the Basque Public Education Service is fulfilled, an issue where adequate educational planning or programming is yet again fundamentally important.

Accordingly, the **Ararteko decided in 2024 to open ex officio proceedings** in a case which had been of interest in recent years; one such was that of **Ordizia in Gipuzkoa, a town under great demographic pressure from immigration**, where there are both a publicly funded school and a private direct grant school, where the Ararteko assessed the effectiveness of the public policies and the possibility of new strategies resulting in more inclusive, balanced and cohesive education, and avoiding situations of school segregation. The final outcome of this case, recently published (in 2025), concluded that the problem had not been solved, and recommended that the Basque Ministry of Education adopt and foster the necessary corrective measures ensure a balanced distribution of students and avoid situations of school segregation in the two schools receiving public funds in the town.



★ HOUSING

The number (218 cases), as well as the type of issues raised in the complaints received as regards housing in 2024, reflect that this is an **important matter of concern for Basque citizens**; specifically **access to subsidised or social housing** yet again accounted for the largest number of complaints in this area. The Ararteko noted an upward trend in the number of complaints about the **subjective right of access to decent and adequate housing, and financial assistance** for housing.

Yet again this year, the difficulties faced by people in a **housing emergency situation after the loss of their habitual residence** are highlighted, which entail the possibility of being entitled to being housed **via the emergency procedure**, when social services assess that there is a special need for housing, based on the social vulnerability of the family in question. The Ararteko ruled on this matter in **General Recommendation 4/2024, of 18 September** and reiterated the need for the

direct award **procedure to have greater legal security and certainty**, by restricting its subjective scope, specifying the procedure guarantees, establishing the rights and powers of the parties involved, and **fostering proper coordination** between the local councils, the provincial Housing delegation and the Basque Government's Housing Office, in order to provide effective solutions to serious emergency housing situations for people with accredited vulnerability.

Considering that housing is a **cornerstone of social welfare**, a basic element for social cohesion and independent living, the Ararteko, in his interventions in this area, has chosen to remind the public authorities of the importance of **being firmly committed to public policies that guarantee the effectiveness of the right to housing**, particularly in the case of young people and for those groups at risk of social exclusion.

★ THE ENVIRONMENT

The **environment** was likewise an area in which the Ararteko had to answer many different concerns of citizens in 2024, with 217 cases open in this area. Thus, on the one hand, **noise** continued to be the environmental problem that generated the most complaints. The Ararteko has insisted that **an excess of ambient noise can violate fundamental rights**, such as the right to the sanctity of the home, family life and health, and proposes that **a new leisure model be sought** that favours more sustainable human activities and compatible with the right to rest.

On the other hand, in addition to the Ararteko repeatedly insisting that all public administrations process and respond to **environmental complaints** and to requests for **environmental information**, it should be noted that as regards the **climate emergency**, the Ararteko has drawn up the *General Recommendation of the Ararteko 1/2024, of 21 February*, with a series of proposals to regulate low emission zones in the Basque Country.

★ SECURITY



Finally, it should be noted that, in the area of security, most (117) of the 172 complaints registered in 2024 were to do with traffic sanctions. As regards the other issues addressed in this area, it is worth referring especially to those related to **policing**, which have had a greater impact on citizen rights. The issues raised included ones to do with **filing complaints and reports** and the **police treatment of citizens**, both by Ertzaintza (Basque Police Force) and local police officers. Complaints were also made about **body searches and asking for identification on a public thoroughfare**.

Without going into details, it should be noted that the Ararteko addressed

relevant aspects of policing, such as the need for **internal investigation of complaints** (shortcomings continue to be detected, such as the lack of sufficient investigation and the absence of clear and precise action protocols); **oversight of the use of force, checking the reports and administrative complaints with respect to the alleged facts**, the grounds for the actions and the **code of ethics**.

With regard to **police treatment**, special mention should be made of the emphasis on courtesy and of avoiding comments or attitudes that people may perceive as vexatious, disrespectful or abusive. Furthermore, the Ararteko recalled the duty for a rapid response and to avoid delaying tactics that hinder the exercising of rights.

On many of these issues, the Ararteko recalled the doctrine consolidated in **General Recommendation 7/2011, of 28 October, on the guarantee system for police actions and practices** among other aspects.

★ PUBLIC SECTOR PERSONNEL

The area of public sector personnel accounts for a significant part of the Ararteko's work, with a total of 219 complaints filed in 2024 (673 including collective complaints), which represents 6.62% of total activity. Notable topics include issues related to temporary employment in public administrations, workforce planning and resources, recruitment processes, staff substitutions, working conditions, occupational risk prevention, and work-life balance.

Throughout the year, the Ararteko has observed progress in the **processes for stabilizing temporary employment**, while also highlighting ongoing deficiencies in workforce planning and vacancy coverage, particularly in the education and healthcare

sectors. The Ararteko has reiterated the need to ensure well-designed recruitment processes —free from contradictions nor ambiguities and based on clear and accessible criteria.

Other issues include **recognition of previous service, internal promotion, work-life balance, cases of workplace harassment, and the normalization of the use of the Basque language**. Attention has been drawn to the **lack of effective measures against discriminatory situations**, especially those affecting women due to maternity, breastfeeding, or childcare responsibilities.

One of the most notable cases involved a candidate who was unable to take part in a recruitment exam due to giving birth on the same date. The Ararteko defended her right to a maternity-related deferral, which was ultimately accepted by the examining board. Another case involved lack of clarity in terms of a merit-based competition for a municipal position, and an unjustified reassignment of a teacher's post, which the Ararteko requested to be reviewed.

Finally, the Ararteko has called for **greater transparency, better coordination among administrations, and improved support for participants in recruitment processes**, emphasizing the importance of a fair, inclusive, and well-managed civil service.

★ e- GOVERNMENT, DATA PROTECTION, TRANSPARENCY AND GOOD GOVERNANCE

A total of 132 cases were handled in this area in 2024, representing 4% of the total number of cases processed by the Ararteko.

In 2024, a central concern in the areas of digitalization of public administration, personal data protection, transparency, and good governance was the **mandatory use of appointment systems to access in-person public services**. Several decisions were issued recommending that the employment agency or provincial councils, among others, offer appointment systems as an optional, not mandatory, requirement, as a way of preventing digital exclusion and ensuring access to public services.

Another key focus has been the defense of **data protection in high-risk contexts**, particularly highlighted in a

study on video surveillance in public spaces in the Basque Country. This study was presented at a conference on Surveillance and Public Safety held in Bilbao in 2024. It evaluated the use of both mobile and fixed recording devices by local (municipal) and Basque police, warning of risks to privacy and proposing improvements in transparency, proportionality, regulation, and staff training.



Regarding transparency, the Ararteko responded to multiple citizen complaints about denied or unanswered requests for public information. The institution emphasized the need to comply with decisions from the Basque Commission for Access to Public Information and reminded that access must be granted via properly reasoned decisions, without unjustified fees.

Complaints were also raised concerning the **right not to submit data already held by other administrations**, revealing the need to improve

interoperability. One notable case involved access to historical biological data, where the Ararteko stressed the importance of applying the weighting criteria set out in archival and documentary heritage regulations and urged the Department of Culture to take responsibility for historically valuable cases.

Lastly, the Ararteko stressed that digital administration must be developed **without excluding vulnerable groups, preserving the right to in-person access and simplifying administrative language**.

★ LEGAL REGIME, PUBLIC ADMINISTRATION GOODS AND SERVICES

In this area, 266 cases were processed in 2024 (mainly concerning local administrations), making up 8.05% of all cases managed by the Ararteko.

The issues covered include various aspects of how public administrations function —such as **management of public assets, liability for damages caused by public services, and the right of citizens to participate in public affairs**.

In many of these cases, the Ararteko had to insist that public administrations respond within a reasonable time

to citizen requests. The overuse of "**negative silence**" (a legal fiction used when the administration fails to respond to citizen's requests) was criticized as an improper

substitute for the legal obligation to provide an answer.

A recurring issue was the **lack of clear reasoning and justification in administrative decisions**.

The Ararteko urged administrations to make greater efforts to explain their positions clearly, even when exercising **discretionary powers**. Many of the concerns raised did not fall within the legally prescribed scope of essential service delivery but rather **related to the quality or quantity of service** —such as street cleaning frequency, number of lawn cuts per year, opening hours at cultural centers, or waste collection schedules. These are areas where administrations have broad discretion, but that does not exempt them from the duty to justify their decisions in a sufficient and reasoned way.



★ THE TREASURY

The area of treasury saw notable activity in 2024, especially focused on overseeing tax procedures at the municipal and provincial levels. A total of 191 cases were managed, representing 5.8% of the total handled by the Ararteko.

One key area was the **unjustified delay in resolving economic-administrative claims**, particularly at the municipal level. The Ararteko intervened in these cases to urge timely handling of such procedures and to remind municipalities that their economic-administrative tribunals must be sufficiently resourced, both in human and technical terms, to effectively protect citizens' rights.

Cases of **improper enforced collection** were also addressed, such as a municipal garnishment for tax debts that had already expired. In such cases, the Ararteko recommended the refund of wrongfully collected amounts and emphasized the need for municipalities to conduct thorough reviews before initiating enforcement actions.

Another significant area involved **material errors in tax administration procedures**, such as duplicate charges or wrongly assigning debt responsibilities. The Ararteko called for these cases to be reviewed and for prompt reimbursement of overcharged amounts.

Similarly, there were notable interventions related to the **lack of transparency in calculating and collecting public fees and charges**, particularly when services were outsourced. The Ararteko urged administrations to provide clear information about fees, payments made, and the criteria used.



Overall, the Ararteko emphasized the importance of tax administration being conducted with **legality, proportionality, transparency, and efficiency**, underlining that the exercise of public authority must always respect the **rights of taxpayers**.

★ GROUPS DESERVING SPECIAL PUBLIC ATTENTION

The work areas of the Ararteko are structured by a division of subject areas, which is also complemented by a **cross-cutting approach**, taking into account how these issues affect different groups that deserve special attention due to their special circumstances as the result of being socially overlooked.

These are people who, **due to certain circumstances or conditions in common to different groups, are socially overlooked or experience discrimination**, in such a way that they must face **special difficulties or obstacles to exercise their citizenship**.

rights, while at the same time they are in a potential situation of greater social vulnerability.

This chapter **first** addresses (in the first section), the **aspect of equality for women**, in other words, for **half of humanity**. Women can hardly be treated as just another group; they are present in all human activities and, consequently, also in those groups referred to in this chapter. However, it is important **to consider the cross-cutting approach in terms of equality based on gender**. Therefore, the Ararteko also has a specific area on women's equality and integrity, which deals with those cases where it is found that the very **fact of being a woman is a reason for being overlooked or for discrimination or is relevant** to examine the administrative action where the Ararteko is intervening.

1. Women's Equality and Integrity

In 2024, the most **significant complaints** were to do with issues related to **women's demand to be present and recognized in all areas of economic and social life**. On the one hand, the need to promote the **visibility of women in sport** was yet again raised, particularly in those male-biased sports, such as Basque pelota, in which girls and young women struggle to enter areas that were practically closed to them until now. Furthermore, the **lack of implementation of the principle of balanced gender representation** in administrative bodies was raised again.

2. Families

The Ararteko found that the **financial aid to families with children** approved pursuant to the 2023 decree was being **processed correctly**, partly thanks to the streamlining of the procedure. In any event, the institution expressed its desire that **such aid be extended to other age ranges**. The Ararteko also reiterated the need to advance in the development of **innovative tax measures**, to continue to progress towards the universal coverage of the family support model. Finally, large families continue to have problems with the criteria for managing the **large family status**; this is exacerbated in the cases of families where the parents are separated or blended families.

3. People with disabilities

In 2024, complaints regarding **urban accessibility and transport** were recurrent; these included incorrectly placed waste containers and obstructing the way and making it difficult for people with reduced mobility to use them; or the lack of public transport services that guarantee accessibility throughout the travel chain. In the field of **education and the civil service**, there were also complaints about shortcomings in non-university education for students with special educational needs linked to a disability, as well as about access to public employment for persons with intellectual disabilities.

4. Elderly people and people in a situation of dependency

In 2024, the number of complaints related to this group increased significantly. Despite the improvement in the processing time of **dependency assessments**, complaints were still received challenging the assessment of the degree of dependency or due to the denial of benefits. Furthermore, there were a greater number of complaints regarding **residential homes**, either due to the lack of places or due to the treatment of the residents or their personal belonging. In any event, the Ararteko yet again noted that the **elderly with dependency needs prefer to remain in their homes**, which means that effective measures are needed to help them stay at their own place.

5. Immigrants and cultural diversity

In 2024, there were a high number of complaints about the **difficulties to be entered and remain on the municipal register**, a *sine qua non* condition to access social services and welfare benefits. Foreigners find it hard to meet the requirements to be able to register because they do not have a valid home or address for the purposes of being entered on the municipal register. This has led to false welfare or registration applications being made. In addition, the institution has received numerous complaints about the difficulties to obtain appointments for essential administrative procedures, such as applications for international protection, residence and work permits, and the issuing of foreigners' identification cards (TIE), which have been referred to the Office of the Spanish Ombudsman.

6. Roma and other cultural minorities

In 2024, a high number of complaints were about the exercising of the **right to adequate and safe housing**; the Ararteko has therefore recommended overcoming situations of segregation and substandard housing. The institution has also received complaints from Roma families regarding the denial of welfare benefits due to the **impossibility of submitting the required documentation, to lack of knowledge essential procedures or non-compliance of the requirements and obligations** to be entitled to such benefits.

7. Lesbian, gay, bisexual, transgender, and intersex

The Ararteko receives few complaints in this area, which can be seen as proof of the success of the legal reforms of recent years and of public policies in this area. However, problems continue to arise around the application *Law 4/2023, of 28 February, on the real and effective equality of trans people and to guarantee the rights of LGTBI people*, in particular, with regard to **requests for sex change by foreigners**.

8. People in prison

During 2024, the Ararteko initiated three ex officio proceedings, one for each **death that occurred in the prisons** of the Basque Country in the year. The institution has also followed up on its recommendation to the Basque Government on the implementation of **closed regime** modules in the Basque Country, where the need to establish the as yet undefined legal concept of *arraigo* (being settled in a place) is particularly important in order to avoid administrative arbitrariness in transfers. The validity of the recommendations in the 2014 extraordinary report entitled '[Social and health care for the mental health of persons deprived of liberty in the Autonomous Community of the Basque Country](#)'. Finally, the Ararteko stressed the need to mainstream the **gender and childhood perspective** in prison policy.

9. Victims of terrorist groups, other victims of political violence and remembrance

During 2024, the Ararteko and the highest officials of the Basque Government discussed the delay in the processing of applications for recognition of victims in the context of politically motivated violence in the Autonomous Community of the Basque Country, between 1978 and 1999. Furthermore, institution has continued to contributed to different **restorative justice initiatives and projects that promote remembrance, peace and coexistence**.

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

1. Studies

1.1. Sexist attitudes among the youth and adolescents of the Basque Country



The Ararteko, in conjunction with the EDE Foundation, conducted the ‘[Sexist attitudes among the youth and adolescents of the Basque Country](#)’ study. This research has allowed the Ararteko to better understand the phenomenon of sexist attitudes among the youth of the Basque Country and to extract a series of conclusions, in order to use them as a basis for recommendation to improve public policies in this area. This study is part of the institution's work foster and promote the right to equality based on sex

and defending the rights of women who have suffered gender-based violence.

The study used a combination of research techniques to collect the information, including a documentary review, an online questionnaire aimed at young people between 15 and 29 years old, the running of several discussion groups with young people and a citizen forum, organized by the Ararteko with people of different ages and profiles. Five aspects were taken into account for the analysis: gender stereotypes and social pressure; couple dynamics and sexuality; gender equality and sexist discrimination; gender-based violence against women; and equality policies and feminism.

The results of the research revealed that young people continue to have to deal with gender stereotypes, despite being more aware of their existence. Furthermore, the perception of sport as an area where sexist stereotypes are most strongly presented is confirmed. An imbalance is also seen in

the distribution of domestic and care tasks, along with more marked social pressure on girls in terms of physical attractiveness. As regards couple dynamics, they are currently more diverse and flexible, although some myths of romantic love persist. The main source of information about sex for young people is the internet, followed by friends and teachers. However, the absence of educators providing guidance makes it easier for the internet – especially pornography – to play a relevant role in emotional-sexual education. The study also reveals that most young people recognise gender-based violence as a major social problem, although the differences by sex are significant.

The need to innovate in training methodologies on sexuality and equality, for young people to be more involved in designing and rolling out of these initiatives, and to prioritise a comprehensive approach stand out among the content and guidelines for action recommended by the Ararteko to the Basque authorities. The institution of the Ararteko also wants to highlight the importance of eliminating the trivialization of low-intensity sexist violence, offering tools for young people to be safer on social media, and working beyond formal education, with families and in leisure spaces.

1.2. Study on hate speech and attitudes against LGBTI people

The Ararteko, in conjunction with the Errotik, has produced a [study on 'Hate speech and attitudes against LGBTI people in the Basque Country'](#). Thanks to this sociological research, Ararteko has managed to better understand the social attitudes present in Basque society in relation to LGBTI people and to draw a series of conclusions, which can serve as guidelines to improve public policies aimed at protecting the dignity and rights of LGBTI people.

The study has integrated several research techniques, such as documentary review, a street survey aimed at the general population (from 15 to 55 years old), the running of several focus groups and an interview with two experts in the field.

The results of the study reveal that Basque society is a society open to diversity, favourable to progress aimed at guaranteeing the rights of LGBTI people, and that – aware of the discrimination suffered by this group – it takes a position against violence and hate speech based on sexual orientation and gender identity. However, the study found educational deficiencies and a lack of awareness of respect for diversity among the general population, as well as a certain resistance to sexual and gender diversity, with differences according to sex, age and group. Furthermore, it warns of the significant presence of hate speech on social media, of sex-based differences in the spread of LGBTI-phobic attitudes and of LGBTI-phobia as an expression of social relations in groups of men.



1.3. Study on video surveillance for citizen security in the public sphere of the Basque Country



This study, whose content was referenced in the Ararteko's 2023 annual report to the Basque Parliament, was published in January 2024. In this study, the Ararteko analysed the use of different video surveillance systems in public places and the degree of compliance by the public administrations of the Basque Country of the legally established safeguarding system. A more extensive reference to the main conclusions of the study can be found at the following [link](#).

2. Ararteko summer course: 'The challenges of educational equity and schooling in the Basque Country'

On 4 and 5 July, the Ararteko organised the course entitled 'The challenges of educational equity and schooling in the Basque Country', as part of the XLIII UPV/EHU Summer Courses and which was held at the Miramar Palace in Donostia / San Sebastián.

The course organized by Ararteko addressed the main challenges facing an educational system that seeks to be equitable. Specifically, the presentations offered an approach to the debate on equity from an international perspective and provided an overview of the measures that can be considered in the face of the difficult task of fighting against school segregation. The course also featured specific experiences, such as the renowned one in Ireland to measure social disadvantage, and the acclaimed Flemish model, with local platforms for schooling. Moreover, the course showcased the approach followed in Catalonia in the fight against school segregation, at the same time allowing for a deepening of the measures adopted in the specific case of the Basque Country. Finally, the course sought to provide a look to the future, with a round table that analysed and assessed the challenges that educational equity will have to face in the Basque Country.



The [publication](#) contains the papers of the course organised by the Ararteko, as part of the XLIII Summer Courses of the University of the Basque Country (UPV/ EHU), at the Miramar Palace in Donostia-San Sebastián in July 2024. On this occasion, the institution of the Ararteko fostered reflection and debate on the challenges of educational equity and schooling in the Basque Country. The course devoted special attention to the problem of school segregation, without overlooking that the mandate derived from the right to education is to ensure inclusive and equitable quality education.



3. Other publications

3.1. Considerations and Proposals to Reform the Institution of the Ar- arteko



This document entitled ***Considerations and Proposals for a Reform of the Institution of the Ararteko*** was prepared by the institution of the Ararteko itself and delivered by its incumbent, in July of this year, to the speaker of the Basque Parliament and, subsequently, to all the political groups represented in the legislative assembly. It addresses different aspects to be taken into account with a view to a future **reform of the institution, aimed at adapting it to the present day.**

The **legal basis** of the proposed reform, driven by the Ararteko himself, lies in the First Transitional Provision

of Act 3/1985, which *created and regulates the institution of the Ararteko*; its Section 1 provides for the possibility that the Ararteko – from two years after the law has come into force – propose to the Basque Parliament, in a reasoned manner, those modifications that the Ararteko deems necessary

As the *Venice Principles* on the Protection and Promotion of the Ombudsman Institution establish, the proposed reform aims to **consolidate and strengthen the institution of the Ar-arteke, given its essential role in strengthening democracy, the rule of law, good governance and, ultimately, to protect and promote human rights and fundamental freedoms**. Therefore, Venice Principle No. 25 calls on the States to take all necessary actions, *including constitutional and legislative adjustments*, to ensure the proper conditions to strengthen and develop those institutions. This principle also motivates and inspires all of the main strands for the reforms proposed here.

The considerations set out in the document are based on the **experience accumulated** over the 40 years of the

Ararteko fulfilling the mission in the current Act 3/1985; on the imperatives of **new legislation** that has emerged over that period; as well as on **European and international standards** in the field of human rights and human rights institutions, which are committed to **configuring stronger institutions for the defence of rights and adapted to the evolution of social demands and the requirements of our time**.

The aforementioned considerations **are not intended to exhaust the reform possibilities, or to supplant the role of the legislator when formulating a legal reform** of the institution (hence no draft document is proposed), but simply to draw attention to those aspects that, in the opinion of this institution, deserve to be considered in a future reform.

After each reflection, a series of **specific proposals for institutional reform** are set out, which, for the most part, will require to be implemented through a **legal reform**, but which, in some

cases, may also be addressed by means of a **reform of the Ararteko's regulations, or through other instruments of its own**. Moreover, in some cases, the proposals are also aimed at fostering **reflection on possible reforms of state laws, or, where appropriate, on the best way to give a statutory fit to the institution of the Ararteko**, to guarantee its existence and the fulfilment of its mission, and making it unavailable to the legislator

A separate document, entitled ***Proposals Overview***, sets out the **specific proposals** arising from the considerations and reflections presented throughout the main document, in accordance with the same systematic scheme set out in its index. The purpose of this *Proposals Overview* is to **facilitate quick and summary reading of the core content** of the main document. However, in order to understand each of their deeper meaning, it is essential to return to the full text where the grounds and rationale are set out in a reasoned manner.

3.2. Publication by the Ararteko of the papers and materials of the 2023 summer course: 'The right to housing and its projection to certain situations of serious residential exclusion or housing precariousness. Intervention of the public authorities in the Autonomous Community of the Basque Country'

This [publication](#) contains the papers of the course organised by the Ararteko, as part of the *XLII Summer Courses of the University of the Basque Country (UPV/ EHU)* at the Miramar Palace in Donostia-San Sebastián on 6 and 7 July 2023. Nowadays, it is undeniable that the right to access decent and adequate housing – in addition to being a human right of its own – has also been enshrined as a guarantee in the effective exercising of other rights, such as to continuous education and training, having a job, exercising the right to vote, access to benefits and public services. Both the most authoritative legal doctrine and the courts of justice have repeatedly highlighted this. In short, access to decent and adequate housing is a basic requirement to enjoy other related fundamental rights.



4. Conferences and events

4.1. Citizens' forum on sexist attitudes of young people in the Basque Country

On 22 May 2024, the Ararteko organised, in Bilbao, the [citizen forum](#) on 'Sexist Attitudes Among the Adolescent and Youth Population of the Basque Country'; the aim was for young people and experts to discuss the initial findings obtained in the field work conducted as part of this study.

After an initial summary presentation of the main results of the study, the forum was organised into four groups to discuss six thematic areas: 1) promoting the value of equality, 2) working for cooperative equality and sustained in alliances, 3) removing sexist stereotypes, 4) redefining the values

and attitudes attributed to women and understanding their social potential, 5) reviewing the concept of dominant sexuality among part of the youth, and 6) understanding gender-based violence as the last resort of sexist values.

The most relevant discussions, ideas and reflections that arose in each of these groups inspired the assessments and proposals, which are included in the Ararteko study on sexist attitudes among the youth of the Basque Country, which is referred to in this same chapter, in the Studies section.

4.2. Citizens' Forum on Sustainable Urban Mobility

On 11 September 2024, the Ararteko organised a [citizen forum on sustainable urban mobility](#), with the aim of reflecting on the right to sustainable urban mobility and its obligations from a citizen perspective. Representatives of the Spanish and Basque governments, the Public Prosecutor's Office, lawyers, academics and social organisations attended the meeting; the discussions were intense and were based on the different presentations and round tables, as well as on the participatory meetings to gather citizen proposals.

The main conclusion of the forum was that there is a real need to transform cities from the perspective of active mobility (pedestrian and cyclist), public transport and reducing motorised vehicles. Low emission zones, urban planning, and people's right to mobility and accessibility were the central themes, with emphasis on promoting transparency, citizen participation and changing the urban model towards more inclusive and healthy cities.

The citizen forum ended with a call to promote debate among all citizens to achieve an urban model with more humane, close, accessible and less polluting cities.



4.3. Event to mark the International Day for the Rights of Children and Adolescents

On 20 November, the Ararteko organised an [event to mark the International Day for the Rights of Children and Adolescents](#), to address proposals to improve alternative care in the Basque Country. The event was attended by young people who were centre stage in a participatory process, organised by the Ararteko, on children in alternative care, along with representatives of the three Provincial Governments, as the authorities in charge of child protective services.



The participatory process on children in alternative care involved the Ararteko Youth Council and 30 boys and girls with direct experience in lack of protection, under the guardianship of one of the provincial authorities. This process was rolled out between the Basque Country and Europe, thanks to the active work of Ararteko in the European Network of Ombudspersons for Children (ENOC). Throughout this process, the group of young people identified different rights at risk, circumstances impacting their lives and possible improvements, to finally develop 10 recommendations for the provincial authorities. Chapter V of this report provides more detailed information on the process under the auspices of the ENOC network.

The event on 20 November marked the end of the work process conducted by the group of young people, who were able to hand over the document with the proposals for improving alternative care in the Basque Country to the child services directors of the three Provincial Governments.

4.4. International Human Rights Day



On 10 December, on the occasion of International Human Rights Day, the Ararteko organised a lecture in Bilbao given by Juan José Álvarez Rubio, Professor of Private International Law at the University of the Basque Country (UPV/EHU), entitled '[European standards regarding the integrity of public institutions](#)'. The Ararteko organised the event with the support of the Bizkaia Bar Association and the High Court of Justice of the Basque Country. The content of the lecture is described in greater detail in Chapter V of this annual report.

5. XXXVII Conference on the Coordination of Ombuds Offices of the Spanish State: The Work of the Ombuds Offices in Promoting the Right to Good Governance

On 29 and 30 October, the [XXXVII Conference on the Coordination of Ombuds Offices](#), was held at the Villa Suso Palace of Vitoria-Gasteiz; an event organised by the Ararteko in 2024 and entitled 'The Work of the Ombuds Office in Promoting the Right to Good Governance'.

This meeting, which is held annually and serves to strengthen cooperation between all the ombuds offices, was attended by the Ombudsman of Spain and the 9 regional ombuds of the State, together with members of their teams.



The central theme of this edition was the promoting of good governance as a cross-cutting issue in the actions of the administrations and of great importance in people's lives and in their relations with the authorities. Good governance is crucial to strengthening citizens' trust in public institutions and to preventing the deterioration of the democratic system. Its recognition and application are essential to ensure quality, efficient and equitable public management.

Precisely, the Ombuds Offices play a fundamental role in promoting the right to good administration, acting as guarantors of the rights of citizens and proposing improvements for the functioning of public administrations

The conference was also attended by six young people from the youth councils of the ombuds offices of Andalusia, the Canary Islands, Catalonia and the Ararteko, who presented specific suggestions to improve good governance from the youth perspective. These suggestions had been made months earlier to reflect on how young people relate to the administration, during the meeting in Barcelona with the 12 young people from the youth councils of the aforementioned ombuds office.



The technical conclusions and the policy statement published by the heads of the participating ombuds offices can be consulted at the following [link](#).

6. Relations with social organizations

In 2024, the Ararteko continued to work with social stakeholders who, inter alia, promote the defence of the environment and sustainable mobility, education, democratic memory, the rights of people with disabilities, the elderly and prisoners. Furthermore, the institution collaborated closely with representatives of the Roma people and with migrant associations.

7. Institutional statements

In 2024, the Ararteko made six 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. The content of each of these 2024 statements can be accessed below:

- [International Women's Day](#)
- [World Refugee Day](#)
- [LGTBI Pride Day](#)
- [International Day for the Eradication of Poverty](#)
- [International Day of Persons with Disabilities](#)
- [International Migrants Day](#)



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



EUROPEAN AND INTERNATIONAL AFFAIRS DEPARTMENT

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

In 2024, the Ararteko bolstered the outreach of the institution and its actions in Europe and internationally. The regular participation of Ararteko at different types of international forums, such as events, seminars and other activities to meet and share knowledge, has resulted in extensive institutional activity in networks and in international dissemination and promotion events to share Ararteko's experience and learn about good practices that can be transferred to the institution. Moreover, 2024 also served to consolidate our international relations with other ombuds' offices and with organisations defending human rights; in particular, this included the participation in the conference and general assembly of the International Ombudsman Institute in The Hague, and the meetings of the Ararteko with different authorities of the Council of Europe, leaders in the work of protecting and promoting human rights, in Strasbourg.

1.1. Participation in international networks

- International Ombudsman Institute (IOI)

Thus, the Ararteko actively participated in the [World Conference and General Assembly](#) of the [International Ombudsman Institute \(IOI\)](#), which is held every four years. The institution's participation was key, as the [Ararteko took part as a speaker](#) on the panel dedicated to exploring the role of ombuds offices in protecting the right to the environment, in light of the broader implications that General Comment No. 26 (2023) on children's rights and the environment could have for the general population. Within the scope of the IOI's European region, the Ararteko contributed to the preparation of a proposal for a Guide to Ethical Values and Principles for Ombuds Offices and the Staff of Ombuds Offices, a document that was to serve as a benchmark for all ombuds offices in this international network that wished to incorporate a code of this nature. The Ararteko himself has subsequently incorporated the guidelines contained in this guide, to create his own code of ethics.

- European Network of Ombudspersons for Children (ENOC)



La This institution continued to participate in the [European Network of Ombudspersons for Children](#) (ENOC). Thus, the Ararteko, together with representatives of the Ararteko Children and Young People's Council, participated in the ENOC working group, which designed and supervised the rolling out of the [research study](#) on the rights of children and adolescents in alternative care modalities. This study served as the basis for the ['The protection and promotion of the rights of children and adolescents in alternative forms of care' institutional statement](#). The [spring seminar](#) organised by ENOC gave the Ararteko the opportunity to address the role of ombudsmen in protecting the rights of children with parents in prison, as well as to learn about the experience of the Barnahus Model – Children's House in Tallinn, Estonia). With the Ararteko Children and Young People's Council centre stage, the institution of the Ararteko bolstered its contribution to the [ENYA 'Let's Talk Young, Let's Talk about Protecting and Promoting Children's Rights!'](#) youth participation project, and took part in the [Athens Democracy Forum 2024](#), which this year has addressed the impact of image, social networks and artificial intelligence as current challenges of democracy.



- International Association of Language Commissioners (IALC)

In 2023, the close collaboration established by Ararteko with the [International Association of Language Commissioners](#) (IALC) was shored up. Thus, the Ararteko took part in the IALC [Annual Conference](#) and General Assembly entitled 'Live your language: Increasing the use of minority and official languages', organised by the Commissioner for the Languages of Wales as an in-person event. In the spirit of the exchange of practices within the association, Ararteko organised a webinar to present the results of the VII Sociolinguistic Survey of the Basque Country, specifically, the analysis of the use, knowledge and attitudes towards the Basque Language.

- Ibero-American Federation of Ombudsmen (FIO)

Throughout the year, the Ararteko continued to participate in the different networks and groups organized around the [Ibero-American Federation of Ombudsmen](#) (FIO), specifically in the women's network, the children's network and the group of older people. Furthermore, the Ararteko accepted the invitation to join the migrant working group, which will get underway in 2025.



1.2. Ararteko's meeting with authorities of European institutions for the defence of human rights in Strasbourg

Continuing an initiative undertaken by the Ararteko back in 2023, in October 2024, the [Ararteko was back to Strasbourg](#), accompanied by a delegation from the National Ombudsman of the Netherlands, to meet with authorities of the Council of Europe, leaders in the work of protecting and promoting human rights. The purpose of the meetings was to give impetus to the initiative to create a space for collaboration between the [Council of Europe](#) and European ombuds offices, to strengthen the protection of human rights and consolidate the institutional position of ombuds offices through the dissemination and compliance with the standards set out in the [Venice Principles](#).

1.3. Participation in other international events

In March 2024, the Ararteko attended the [Fundamental Rights Forum 2024](#), organised by [European Union's Fundamental Rights Agency](#) (FRA), three years since it had last been held. The Forum served as a space for dialogue to explore the most pressing fundamental rights challenges facing the European Union. The forum included the viewpoints of a myriad of public and private stakeholders working in the field of protecting and promoting people's rights. The debate focused, in particular, on priority challenges such as climate change, technological advances and threats to democracy and civic space.



The Ararteko's participation in the [international seminar on the future of research on Ombuds institutions](#), organized by the Oñati International

Institute for the Sociology of Law (IISJ) should also be mentioned. The Ararteko opened the seminar with a presentation on the evolution of the role of the institution of the Ararteko and the initiative undertaken for its reform. The seminar brought together leading academics and professionals from several countries, who research the figure of Ombuds institutions from a theoretical and empirical, interdisciplinary and comparative approach. The event served to promote a comprehensive understanding and acquire a global perspective of the phenomenon of Ombud institutions, as well as to prepare a third publication that collects an anthology on existing research on them.

Continuing the intense work carried out in previous years in the field of restorative justice, the Ararteko [was involved in 2024](#) in [EUROsociAL](#), the European Union and Latin America cooperation programme to promote social cohesion. At the express request of the Chilean authorities, and within the framework of the implementation of the Chile Youth Social

Reintegration System, the head of the Ararteko Justice area facilitated awareness-raising and training processes on restorative justice and mediation, aimed at operators in the justice sector (such as prosecutors, judges, public defenders, youth reintegration service), and actively participated in the Regional Seminar on Restorative Justice for Latin America. In addition, since the Chilean system does not have an Ombuds institution or ombudsman's office, the Chilean authorities showed interest in learning from the Ararteko the value of this persona, as a crucial institution in democratic governance.

In the same area, another relevant action was the participation in the [International Conference of the European Forum for Restorative Justice](#) (EFRJ),

entitled 'Restorative Justice Responses in Dark Times'. The head of the area of justice, prisoners and victims of terrorism of the Ararteko presented a workshop on different experiences of restorative justice carried out in the Basque Country.



In addition to this, the Ararteko also took part in international events around other topics of interest, such as children's rights, the area of justice and people in prison, the area of the environment and the area of women's equality.

1.4. Sharing information with other ombuds offices and participation in consultations within the framework of the networks to which the Ararteko belongs

Ombuds offices gather information on legislation or public policies in other jurisdictions, or on the actions of other ombuds offices in the face of certain problems to address new challenges or improve aspects of their own work. In 2024, the institution was responsible for responding to these inquiries within the frameworks of the IALC, the IOI and the ENOC networks. A query on the newly established [Ethics Committee of the Paris Local Police Force](#) was also addressed.

In addition, as part of Ararteko's collaboration with the [Office of the European Ombudsman](#) regarding the [the closure of the cross-border pedestrian bridge between Irun and Hendaye](#), once the European Ombudsman's Office had responded to the Ararteko's consultation, the Ombudsman's Office invited the Ararteko to participate in an exercise to evaluate the exchange between institutions.

1.5. Participation in reports of international human rights bodies

- Within the framework of Spain's sixth periodic report on the application of the European Charter for Regional or Minority Languages, the Ararteko, together with the Ombudsman's Office of Navarre, [met with the with the Charter's Independent Committee of Experts](#), to convey to the Committee information on the situation of the Basque language in the Basque Country. The Committee of Experts included the contributions of Ararteko in the [final report](#).

- Within the framework of the seventh report to Spain on the implementation of the United Nations Convention on the Rights of the Child, the Ararteko submitted, in writing, the [supplementary report to the Committee on the Rights of the Child](#), in order to convey the Basque reality and the actions of the Basque administrations. Furthermore, the Ararteko's Office for Children and Young People had the opportunity to participate, in person, in the [preliminary session held by the United Nations Committee on the Rights of the Child](#), to convey the main concerns and proposals of this institution on the state of the rights of children and adolescents in the Basque Country.

2. Internal activity: the integration of European and international law into the work of the institution

2.1. Technical support for advice on the incorporation of European and international standards in the resolution of complaints

The institution's Office for European and International Affairs has supported the effective incorporation of European and international law into the general activity of legal analysis carried out by this institution, where this perspective has been included in the resolutions issued by the Ararteko in complaint procedures.

This has ensured that the analysis of the different cases takes into account the European and international legal perspective, which is thus reflected in the resolutions in individual complaint procedures, such as

- The incorporation of the case law of the Court of Justice of the European Union on waste management requirements in the case of disused landfills
- The application of the doctrine of the European Court of Human Rights on standards for investigations into complaints in prisons
- The incorporation of the 2023 conclusions of the European Committee of Social Rights on children, the family and migrants with respect to Spain
- The incorporation of the case law of the Court of Justice of the European Union on positive action to achieve effective gender equality
- The legal development of the right of to error of citizens in their relations with the public administration in the French legal system

Furthermore, there are an increasingly number of resolutions of the Ararteko that routinely incorporate and showcase the doctrine relating to European or international standards, which has referred in particular to:

- The interpretation of the European Social Charter concerning the development of the right to adequate housing
- The jurisprudence of the European Court of Human Rights in cases concerning the geographical transfer of prisoners
- The doctrine of the European Court of Human Rights on discrimination applied to the right to health, education and access to housing
- The case law of the Court of Justice of the European Union on the preparation of air quality plans
- The jurisprudence of the European Court of Human Rights regarding access to information on family origins
- European good governance standards
- The incorporation of international law into domestic law and the obligation of the regional administrations to apply said law.

2.2. Support to other units at a consultative level

In addition, different areas or units of the institution have integrated European and international standards, also in matters other than complaints, which a position by the institution is required, such as the institutional reform initiative inspired by the recommendations of the Venice Commission regarding the European Ombuds Offices or Ombudsman Institutions, the framework of the [summer course organized by the Ararteko](#), on **educational equity** and the contribution to an **ethical code of the Ararteko**.

2.3. Support for advice through documentary resources

As regards 2024, four jurisprudence reviews were published ([January-March 2024](#), [April-June 2024](#), [July-September 2024](#), [October-December 2024](#)), which consist of summaries of the most relevant judgments for the legal work of the institution issued by the Court of Justice of the European Union and the European Court of Human Rights during the previous quarter, classified according to the areas of work of the Ararteko for which they are relevant, and with links to the full text of the judgements.



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

The Ararteko rolled out different communication actions with a European and international dimension in 2024 in order to raise awareness among citizens and Basque public administrations of the relevance of the international and European scene for progress in the defence of people's rights-

Throughout 2024, the Ararteko reported on international human rights news by means of a large number of [short notes](#) published on its website, which collect and explain new developments considered to be of special relevance. Information is also shared on the actions carried out by the Ararteko at the international level. These notes have reported, for example, the Ararteko's adherence to the call of the

European Ombudsman's Office encouraging European citizens to participate in the European elections, which took place in the Basque Country on 9 June; it has also issued reports on Spain's compliance with international human rights obligations, such as the one issued by the Council of Europe Group of Experts on Combating Violence against Women and Domestic Violence (GREVIO).

It is worth highlighting the [note referring to the milestone of European Union adopting two Directives](#) that establish minimum and binding standards for bodies that promote equal treatment in order to prevent discrimination and promote equality.

ararteko

Herraren Defendatzalea
Defensora del Pueblo

www.ararteko.eus