



PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION  
**PABSEC**

Doc.: GA53/LC53/REC168/19

**RECOMMENDATION 168/2019<sup>1</sup>**

**“The Role of the Ombudsman Institutions in Strengthening Democracy in the BSEC Member States”**

1. The Parliamentary Assembly of the Organization of the Black Sea Economic Cooperation stresses the paramount importance of effective work of the ombudsman institutions for strengthening democracy and improving the system for human rights protection, and the main task of the ombudsman activity is improvement of public administration and enhancement of accountability of the government to the population.
2. The Assembly welcomes the efforts of the international community in the sphere of promotion of broader observance of human rights and freedoms in fair and balanced manner. The PABSEC reaffirms its commitment to fully observe the maintenance and further realization of human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and the European Convention for Protection of Human Rights and Fundamental Freedoms.
3. The PABSEC recalls its recommendations: Recommendation 82/2005 “Institution of Ombudsman in the BSEC Member States”, Recommendation 69/2003 “Cooperation among the PABSEC Member Countries in Strengthening Good Governance”, Recommendation 50/2001 “Cooperation among the PABSEC Member Countries in Strengthening the Rule of Law” and fully shares the provisions of these documents.

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<sup>1</sup> The Assembly debate on 21 June 2019 (see Doc.: GA53/LC53/REP/19, Report of the Legal and Political Affairs Committee “Role of Ombudsman Institutions in Strengthening Democracy in the BSEC Member States” discussed in Batumi, on 15 May 2019; Rapporteur: Mr. Otar Danelia – Georgia)

*Text adopted by the Assembly in Baku on 21 June 2019.*

4. The Assembly welcomes the fact that in all BSEC Member States the ombudsman institutions are successful and notes that the impartial ombudsman enhances democratic accountability within the states. These institutions, acting as mediating bodies between the individuals and public bodies and serve as a valuable supplementary component of the inspection of the legality and fairness of public administration, so essential for the truly democratic society, good governance and the rule of law.
5. The PABSEC underlines the successful organisation of the First Regional Conference of the Ombudsmen of the BSEC Member States on “The Role of Ombudsman Institutions in Consolidating Democracy” in Istanbul in 2006. In the outcome document the Ombudsmen of Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, Russia and Ukraine expressed the conviction that education for human rights is of vital importance for establishing respect for different cultural values, with a view to achieving peaceful coexistence, social harmony and effective participation in the institution of democracy and that similar events will be useful for attaining the tasks and objectives of the Black Sea Economic Cooperation. The commitment was stated to further continue partnership interaction between the ombudsman institutions in the Black Sea Region and to maintain and strengthen the mechanism for permanent exchange of experience and information.
6. The Parliamentary Assembly notes that although the ombudsman institutions do not have the power to make decisions that are legally binding on the executive or administrative branch, the government responsiveness has particular importance for the credibility and the public reputation of the ombudsman institution. Political and governmental support to ombudsman institution and its recommendations is necessary precondition for its effectiveness.
7. The PABSEC stresses the extreme importance of accountability of the ombudsman institutions to the legislature and members of the public through disseminating annual reports. Every individual is vested with the right to social security and can and must claim the observance of the rights and good administration. In this respect, the ombudsman institutions become a necessary mechanism within the democratic society.
8. **The Assembly, therefore, recommends** that the Parliaments and the Governments of the BSEC Member States:
  - i. *review*, where necessary, legislation referring to national ombudsman institution within the international standards and norms;
  - ii. *secure* the genuine independence and impartiality of the ombudsman institutions in considering violations, as well as preparation and presentation of recommendations and reports;

- iii. *facilitate* prompt access to information for ombudsman institutions that is necessary for the investigation of petitions from the citizens;
  - iv. *make sure* that the ombudsman office is easily accessible for the members of the public along with wide and effective publication of information on the institution's activities, findings, opinions, proposals, recommendations and reports;
  - v. *ensure* broader dissemination of information on ombudsman institutions, especially in the media and promote favourable conditions for the work of ombudsmen;
  - vi. *secure* proper coordination of activities of all specialised ombudsman institutions within a country;
  - vii. *promote* the level of cooperation of the ombudsman institution with other governmental bodies and judiciary;
  - viii. *support* the national ombudsman cooperation with the ombudsmen from the other countries as well as their active participation in the international ombudsman institutions;
  - ix. *enhance* cooperation between the ombudsmen of the BSEC Member States for ensuring coordinated action for exchange of experience and information;
  - x. *consider* the possibility to organise the Second Regional Conference of Ombudsmen of the BSEC Member States in 2020.
9. **The Assembly invites** the BSEC Council of the Ministers of Foreign Affairs to consider this Recommendation.