

37th SESSION

Congress resolution to endorse the Principles on the Protection and Promotion of the Ombudsman Institution (“The Venice Principles”)

Resolution 451 (2019)¹

The Congress of Local and Regional Authorities of the Council of Europe,

1. Referring to the “Principles governing the institution of the Ombudsman/Ombudsperson at local and regional level” (1999); its Recommendation 61 (1999) and Resolution 80 (1999) on the role of local and regional mediators/ombudsmen in defending citizens’ rights, its Recommendation 159 (2004) on regional ombudspersons as an institution in the service of citizens’ rights, its Recommendation 309(2011) and Resolution 327 (2011) “The office of Ombudsperson and local and regional authorities”,
2. Noting that there are presently Ombudsman Institutions in more than 140 States worldwide, at the national, regional or local level, with different competences,
3. Reiterating that the Ombudsman institution is an essential element of good governance, a valuable safeguard for protecting the individual against administrative abuses and an important instrument for supervising public authorities and fostering public confidence in local and regional administrations,
4. Stressing that as an addition to the right of access to justice through the courts, the entitlement of sub-national authorities to file a complaint before the Ombudsperson strengthens the legal protection of local autonomy laid down in Article 11 of the Charter and hence contributes to upholding the principle of the rule of law,
5. Emphasising the importance of dialogue with the Ombudsmen in member States of the Council of Europe in the context of its activities to monitor the implementation of the European Charter of Local Self-Government and to promote human rights at local and regional level,
6. Having examined the “Principles on the Protection and Promotion of the Ombudsman Institution (“The Venice Principles”) adopted by the European Commission for Democracy through Law “The Venice Commission” at its 118th Plenary Session (Venice, 15-16 March 2019) which contain a set of guidelines to ensure the proper functioning of Ombudsman institution at all levels as an important element in a State based on democracy, the rule of law, respect for human rights and fundamental freedoms and good governance,
 - a. Welcomes the adoption of the Venice Principles by the Venice Commission and their subsequent endorsement by the Committee of Ministers at the 1345th Meeting of the Ministers’ Deputies (Strasbourg, 2 May 2019);
 - b. Endorses the Venice Principles as a relevant international reference text listing the legal principles essential to the establishment and proper functioning of Ombudsman Institutions at all levels of democratic governments;
 - c. Calls upon its Committee on the Honouring of Obligations and Commitments by Member States of the European Charter of Local Self-Government (Monitoring Committee) to promote the Venice Principles among relevant interlocutors during its visits when monitoring the situation of local and regional democracy in member States of the Council of Europe.

¹ Debated and adopted by the Congress on 30 October 2019, 2nd sitting (see Document CG37(2019)15), rapporteur: Harald BERGMANN, Netherlands (L, ILDG).