

PRESS RELEASE

DELEGATION OF OMBUDSMAN OFFICES IN THE BALEARIC ISLANDS DENOUNCE NON-COMPLIANCE WITH THE BALEARIC STATUTE OF AUTONOMY AND THE AUTONOMOUS OMBUDSMAN LAW OF 1993.

OBIA - Balearic Office of Childhood and Adolescence. Director: Josep Lluís Riera

The Ombudsman for Users of the Balearic Islands Public Healthcare System. Ombudsman: Micaela Llull

The Ombudsman's Office of the University of the Balearic Islands (UIB). Current Ombudsman: Antoni Amengual Colom; Ombudsman until May 24: Maria Antònia Manassero.

The Ombudsman's Office of the Menorca Council. Pepa Gil, María Coll, and Alfredo Benosa

The Ombudsman for the Citizens of Marratxí. Ombudsman: Eusèbia Rayó

The Ombudsman for Palma. Ombudsman and Deputy Ombudsman: Anna Moilanen and Vicente Rodrigo

The delegation of ombudsman offices and ombudsmen in the Balearic Islands demand the compliance with the Balearic Statute of Autonomy by delivering a manifesto to all political parties with parliamentary representation to establish the autonomous Ombudsman's Office.

Palma, May 26, 2023. Over the past month, the delegation of ombudsman offices and ombudsmen in the Balearic Islands have visited all political parties with parliamentary representation to demand compliance with the Balearic Statute of Autonomy. The delegation has delivered a manifesto summarizing the conclusions of the 2nd Meeting of Ombudsman Offices in the Balearic Islands held in February, emphasizing the non-compliance with Article 51 of the Statute of Autonomy and the non-compliance with Law 1/1993, of March 10, which established a maximum one-year deadline for the creation of the Ombudsman's Office, an obligation that has been unfulfilled for over 30 years and more than 40 years since the first Statute in 1983.

During these interviews, the need for an autonomous ombudsman's office has been emphasized, as the current ombudsman offices have territorial and sectorial limitations that prevent them from defending the rights of the citizens with legal certainty without overstepping their competences. The delegation has pointed out that "every day, cases come to us that we cannot address due to the limitations of our competences, whether in terms of territory or scope, such as in the field of education, elderly people, individuals with disabilities, and more. In these cases, we are obliged to refer complaints to the Ombudsman or rely on the goodwill of the administrations to cooperate with the ombudsman institutions and resolve citizens' problems. The citizens have the right to an autonomous ombudsman's office, and the administration must comply with the law."

Among other issues, the manifesto emphasizes the recognition of ombudsman offices by the administration and the respect for their work as autonomous and independent institutions. However, they request greater visibility in all areas and adequate resource support.

All political parties, except for VOX, which advocates for delegating the Ombudsman of the People to the Balearic Islands, have acknowledged the historical **debt owed to the citizens of the Balearic Islands in not establishing the autonomous ombudsman's office. The commitment of the parties, regardless of the composition of the new parliament, is to prioritize this issue on their agendas** after taking office following the elections. Nevertheless, the delegation of ombudsman offices will push for **the development of a strategy with a timeline** for the establishment of the autonomous ombudsman's office so that, after 40 years of its absence, this institution can finally become a reality.

For more information, the contact information of the delegation members of the ombudsman offices is provided for interviews, questions, or clarifications:

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- The Ombudsman for Users of the Balearic Islands Public Healthcare System. Ombudsman: Micaela Llull. 971 176 113
- The former Ombudsman of the UIB: M. Antònia Manassero Mas. 971 173 075
- The Ombudsman's Office of the Menorca Council. Pepa Gil, María Coll, and Alfredo Benosa. 971 356 050
- The Ombudsman for the Citizens of Marratxí. Ombudsman: Eusèbia Rayó. 971 788 100
- Anna Moilanen, Ombudsman for the Citizens. City of Palma. 971 44 94 90

THE OMBUDSMAN OF THE BALEARIC ISLANDS THE GREAT ABSENCE

After 40 years since the inclusion of the Ombudsman in the drafting of the first Statute of Autonomy of the Balearic Islands, approved with the consensus of the political forces of that time, many things have changed in our society. The Statute has changed, being modified with the approval of the Chamber in 2007; our society has changed, the parliamentary groups representing us have changed, and even the institutional logo of the Parliament has changed. However, 40 years later, we still do not have an Ombudsman.

During this time, the need for an Ombudsman to defend the rights of the citizens of the Balearic Islands has been evident. Even in March 1993, the first Law of the Ombudsman of our Community was approved. With the same conviction about the Ombudsman, in the new drafting of the 2007 Statute, the institution was retained, for which the Parliament also retained the commitment to appointment.

The legal non-compliance is evident since, during the ten legislatures of our Parliament, no significant process has been initiated for the appointment of a figure that, according to the Statute, aims to "defend the freedoms and fundamental rights of the citizens, as well as to supervise and investigate the activities of the Administration of the Autonomous Community of the Balearic Islands" (Article 51 of the Statute of Autonomy of the Balearic Islands, 2007).

On the other hand, the experience of our ombudsman offices supports the need for an Ombudsman, as every day we encounter citizens who come to our institutions to report situations that would clearly fall within the competence of an Ombudsman, an institution that should be well-equipped to handle what could be an influx of complaints in the first years.

As a result of these and other reflections within the II Meeting of Ombudsman Offices and Ombudsmen in the Balearic Islands held in February 2023, a MANIFESTO was drafted highlighting "the urgent need to appoint the Ombudsman of the Balearic Islands, given the legal vacuum this represents for the citizens and the impact on their rights and freedoms."

With the intention of making this message clear, an institutional meeting was held in April with Mr. Thomàs, President of the Parliament, and with the same intention, we want to convey this message to the political groups that have had parliamentary representation, so that they become aware of the urgency of including the appointment of the Ombudsman in the political agendas of our Community.

To ensure the rights of the citizens in our community, no more legislatures should pass without the establishment of the Ombudsman's Office of the Balearic Islands.

THE DELEGATION OF OMBUDSMAN OFFICES IN THE BALEARIC ISLANDS