

## **2. The Ombudsman Institution in Europe and Bulgaria. Handbook (summary)**

The present handbook is the fourth consecutive publication of CSD on the ombudsman institution since 2000. The previous publications included the collection *Ombudsman Institution: Concept Paper and Draft Law for Bulgaria. Foreign Legislation* (September, 2000) and the brochures *Civic Defender and Local Civic Mediators: Concept Paper and Draft Law* (April, 2002) and *European Standards and Ombudsman Institutions in Southeast Europe* (November, 2002). A separate brochure dealing with the recently developed practice in Bulgaria of establishment and operation of ombudsman type institutions on municipal level is in process of preparation and will be published in the beginning of 2004.

The previous publications provided Bulgarian politicians and citizens with information and analysis on the foreign experience in the sphere of legislative regulation and successful operation of the ombudsman institution, proposals for concept paper and draft law for Bulgaria and their improved versions, as well as the debatable aspects and the difficulties with the development and strengthening of the ombudsman institutions in the countries from the region.

The present handbook is aimed to make Bulgarian citizens and the representatives of the central and local authorities familiar with the recently adopted ombudsman legislation, offers an updated review of both the general and specific aspects of the European countries' experience, the initiatives and documents of the Council of Europe referring to the establishment by the Member States of ombudsman institutions on national, regional and local level and the cooperation between the ombudsmen of the Member States and between them and the Council of Europe, as well as the legal framework and the activities of the European Ombudsman as a mechanism for protecting human rights on European Union level.

The handbook (apart from this section) includes the following chapters:

- **The Ombudsman Institution in Bulgaria**
- Legal framework of the ombudsman and the public mediator institutions (the full text of the Law on the Ombudsman and an excerpt of the Law on Local Self-Government and Local Administration regarding the local public mediators)
- Comments and notes on the legal framework by the Task Force with the Center for the Study of Democracy
- **The Ombudsman Institution in Europe**
- The ombudsman institution in the European countries (national ombudsman institutions, local and regional ombudsman type institutions, and specialized ombudsmen)
- Documents and initiatives of the Council of Europe (Resolution (85) 8 of the Committee of Ministers of the Council of Europe on cooperation between the Ombudsmen of member states and between them and the Council of Europe, Recommendation No. R (85) 13 of the Committee of Ministers of the Council of Europe to member states on the institution of the ombudsman, Recommendation 61 (1999) of the Congress of Local and Regional Authorities of Europe with the Council of Europe on the role of local and regional mediators/ombudsmen in defending citizens' rights)
- **The European Ombudsman**
- Brief introduction to the European Ombudsman
- The legal framework of the European Ombudsman (excerpt from the Treaty establishing the European Community, Decision of the European Parliament on the regulations and general conditions governing the performance of the Ombudsman's duties, Decision of the European Ombudsman adopting implementing provisions, Form of Complaint to the European Ombudsman)
- European Code of Good Administrative Behavior
- Summarized review of the activities of the European Ombudsman
- **Glossary of the most often used terms in relation to the ombudsman's activities**
- **Bibliography**

The resources used in the process of preparing the edition included extensive bibliography as well as papers of the CSD Task Force, documents of international, national, regional and other forums on ombudsman issues and ones received by other European countries' ombudsmen, documents of the European Union, the European Ombudsman and the Council of Europe, publicly accessible information from the Internet, etc.

The handbook is expected to support the process of establishing and strengthening the ombudsman institution in Bulgaria, to facilitate the persons that will approach the future ombudsman or similar institutions on local level searching for protection of their rights, to contribute to the improvement of the legal framework of the ombudsman's activities, including through granting the ombudsman with constitutional status together with the positive consequences deriving from that.