## Equal Participation in Political and Public Affairs

Contribution from the Austrian Ombudsman Board (February 2015)



The Austrian Ombudsman Board (AOB) has been monitoring the public administration since 1977. The establishment of the Austrian Ombudsman Board and its legal position is based on article 148a to 148j of the Austrian Federal Constitution and the Federal Law on the Austrian Ombudsman Board. It monitors the entire public administration of the Federal Government and with two exceptions of the *Laender* (provinces). It investigates complaints from citizens and assesses whether the administration is acting within the law and complies with human rights standards or not. If the AOB suspects maladministration, it can also act ex-officio, i.e. investigate possible cases of maladministration without a prior complaint.

Since 1 July 2012, the mandate of the AOB was broadened and it became responsible for the protection and promotion of human rights. It took over the role as National Preventive Mechanism (NPM) in accordance with the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and is responsible for monitoring and controlling public and private institutions and facilities, in which people are or can be deprived or restricted of their personal freedom and liberty. Additionally, it acts as independent authority according to Article 16/3 of the UN Convention on the Rights of Persons with Disabilities.

The AOB assists citizens if they feel they have been treated unfairly by an Austrian authority. Everybody – irrespective of age, nationality or place of residence – can contact the AOB and file a complaint, if he/she believes that there has been an infringement of human rights or a case of maladministration. The AOB guarantees easy access for everybody, free of charge and independent. Complaints can be brought to the AOB's attention personally, by phone, fax or email or by accessing the electronic complaint form available on the AOB website (http://volksanwaltschaft.gv.at/files/va complaintform.pdf).

The AOB always felt a deep moral obligation to promote public awareness on democracy, human rights and the rule of law and to inform the public about the importance of the protection and promotion of citizens and human rights. As NPM the AOB also has the special duty of cooperating with the scientific community, academia and educational institutions, as well as providing information to the public about its activities. In its attempt to fulfill this moral and legal obligation, the AOB puts a special focus on young people and reaches out to pupils and students with a view to creating more awareness among this demographic group and to ensuring a better understanding of citizens and human rights among them.

In September 2014 the AOB inaugurated its new visitor center "VA.TRIUM" to further open its doors and present itself to the public and to welcome all interested parties. The AOB's visitor center is an important and relevant educational and awareness-raising initiative, which marks the beginning of a new era for the AOB. It aims at opening up new ways of informing the public about citizens and human rights and how to make use of those rights. It

encourages citizens to take an active part in the sociopolitical dialogue and fits perfectly into the AOB's daily work and area of expertise and competence.

In the framework of this project, the AOB offers tours of its premises and shares first-hand practical knowledge on citizen, human and children's rights as part of political education, law subjects or history lessons. Since its inauguration in September last year, 21 guided tours have been carried out and a total of approximately 400 people were welcomed to the AOB's new visitor center. So far mainly schools or universities take advantage of this new service offered by the AOB, but guided tours are adaptable and can be offered to various target groups. Following the tour, one of the ombudsmen together with legal experts from the AOB make themselves available to answer questions on the legal practice and on the work performed by the AOB.

Additionally, the AOB intensified its obligation to inform the public. The book "Young People and their Rights" by Ombudsman Gertrude Brinek was made available to all schools for political education classes and is thus an active contribution towards an easier access to the law.



Ombudsman Günther Kräuter, Ombudswoman Gertrude Brinek and Ombudsman Peter Fichtenbauer (from left to right) during the opening ceremony of the AOB's visitor center "VA.TRIUM"



Ombudsman Peter Fichtenbauer, Ombudswoman Gertrude Brinek and Ombudsman Günther Kräuter (from left to right) present the remodeled entrance area

Austrian Ombudsman Board (*Volksanwaltschaft*) <u>www.volksanwaltschaft.gv.at/en</u>