

LOCAL PUBLIC MEDIATORS IN BULGARIA

Summary

The present brochure is the sixth consecutive publication of CSD on the ombudsman institution since 2000. Previous publications include the collection *Ombudsman Institution: Concept Paper and Draft Law for Bulgaria. Foreign Legislation* (September 2000), 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), and the handbooks *The Ombudsman Institution in Europe and Bulgaria* (September 2003) and *Gender Equality and Ombudsman Institution* (November 2003).

The brochure summarizes the accumulated experience and the good practices of the ombudsman type institutions on local level that have functioned under pilot projects in the period 1998 – 2003. It also presents the first steps in the process of establishing such institutions after their legislative regulation, namely the adoption in 2003 of Article 21a of the *Law on Local Self-Government and Local Administration*, which entitles municipal councils to elect local public mediators for promoting and protecting the civil rights and lawful interests of citizens before the local authorities.

A comprehensive analysis of the legal framework of the ombudsman institution on national and local level (*Law on the Ombudsman* and *Law on Local Self-Government and Local Administration*) is also included together with recommendations and proposals for its improvement. The recommendations for specific legislative amendments, including the incorporation of the ombudsman institution in the *Constitution*, are aimed at achieving the necessary efficiency and independence of the institution in compliance with the established European and world standards and the requirements of the civil society in Bulgaria.

The appendices contain the statutes, rules on organization and activities, and other documents of local ombudsmen that have acted before the adoption of the legal framework (Sofia, Loznitsa, Zavet and Razgrad) as well as documents of local public mediators established or to be introduced in the near future according with the newly amended legislation (Razgrad, Botevgrad, Velingrad).

In addition, the book contains a set of appendices offering a selection of materials that could be helpful for both public mediators and municipal authorities in the process of setting up and further developing local ombudsman type institutions:

- statutes, rules on organization and activities, and other documents of local ombudsman that have acted before the adoption of the legal framework (Sofia, Loznitsa, Zavet and Razgrad);
- documents governing the election and activities of local public mediators established or to be introduced in the near future according with newly amended

- legislation (Razgrad, Botevgrad, Velingrad);
- model rules of organization and activities of the local public mediator;
- a step-by-step guidelines for municipalities on how to establish a local public mediator;
- a presentation on *National and/or Regional/Local Ombudsman*, by Dr. Enric Bartlett, Deputy People's Defender of Catalonia.