

2013 Annual Report

The Ombudsman of Spain made more than 700 recommendations and suggestions to the Administration

- *The 2013 Annual Report registers a record number of resolutions that implied important changes towards the citizens' benefit*
- *A 80% reduction in court fees made the citizens' access to justice easier*
- *The recommendations aimed at making the administrations give priority to the debts payment relative to social spending were gathered by the Providers Plan*

On February 27, The Defensora del Pueblo, Soledad Becerril, submitted the Institution's 2013 Annual Report to the president of the Congress, Jesús Posada, and to the president of the Senate, Pío García Escudero.

The Annual Report details the activity of the Ombudsman Office in a year in which 711 recommendations, suggestions and reminders of legal duties were made to the Administration, a record number.

74.4 % of the recommendations and 78.8 % of the suggestions which have already been answered by the Administration, have been accepted. This has implied important changes for the citizens' benefit.

Last year, the Defensor of Spain filed 33,167 applications: 22,692 were complaints, 347 ex officio actions and 10,128 requests for action of unconstitutionality.

In all, 280,852 citizens wrote to the Institution, 16,422 contacted it by telephone and 3,251 did it in person. In addition, the Ombudsman Office registered 390,622 visits.

During her intervention in the Congress, the Defensora del Pueblo reviewed the work done last year by the Institution and highlighted some of the main accomplished achievements.

Court fees

After the publication of the Court Fees Act, the Defensora del Pueblo made recommendations to the Ministry of Justice in order to modify substantial aspects of this act. Just twelve days after the presentation of the recommendations, the majority of them were accepted and the legislative change took place. Hence, the variable rates were

reduced in a 80 %, the number of people who benefit from legal aid increased -and, thus, were freed of judicial fees- and fixed and variable rates were eliminated for some groups of people.

Social spending received priority attention to in the payments to suppliers plan

Concern about the debts of several administrations with entities that provide social services, the Defensor asked the Ministry of Finance to allocate, in first place, the funds available for the debts payment for those contracted with this kind of assistant services. The extension of the Providers Plan included some of these proposals.

Human trafficking

An update of the report "Human trafficking in Spain: invisible victims (2012)" was submitted in October. From the 27 recommendations made, 25 have been accepted. In this way, coordinated actions have been established together with the international community in order to fight against human trafficking and national mechanisms have been created such as the police plan against human trafficking for the purpose of sexual exploitation or the cooperation agreement between the Ministry of Employment and the Ministry of the Interior in combating illegal employment and Social Security fraud.

Empty public housing

In March, the study "Empty Protected Housing" was published in order to know their number, as well as the causes why they were not occupied. The Ombudsman Office recommended a bigger collaboration between the administrations, in particular autonomous communities and city halls, and to favour rentals with affordable prices against sales. The Ministry of Development has accepted the recommendations made in the new 2013-2016 State Housing Plan.

Preferred shares

In March, the Ombudsman of Spain submitted a report on "Preferred Shares" which included several recommendations to the Government, the National Stock Market Commission and the Bank of Spain to solve the situation of thousands of savers overtaken by the purchase of these financial products. The Subcommittee on Transparency of Financial Products of the Economic Committee of Congress has included almost all the recommendations.

Report on cost-free textbooks

In November, the Institution published the report "Cost-free textbooks: programs, grants, loans and reuse" which recommended promoting the reuse of books, for economic reasons and to encourage the proper use of goods acquired with public money. Since 2008, the State and the Autonomous Communities have allocated 1,211,656,640 Euros to fund aid programs and cost-free textbooks, representing a 45.2 % decrease.

Regulation of personal insolvency

In the report "Economic Crisis and personal insolvency: measures and proposals" (November), the Institution proposed the establishment of a procedure to regulate the personal insolvency of individuals indebted in good faith. The Defensor considers that this procedure would have to be easy, effective and free, and should reconcile the interests of creditors and debtors. In addition, the final resolution should set a release, a payment plan, conditions and the period of validity.

Submission of the VAT return on paper

By the end of 2013, numerous complaints were received concerning the requirement of submitting the Value Added Tax (VAT) return only via the Internet from January 1, 2014 onwards. The Ombudsman Office requested the Tax Agency (AEAT) to allow its submission on paper –as heretofore– given that, in order to meet their tax obligations, citizens need resources that sometimes are beyond their reach, such as a personal computer, Internet and computer skills.

Health care for illegal immigrants

The Ombudsman Office is concerned about the lack of free healthcare for immigrants in an irregular situation, except minors, pregnant women and serious illnesses. Therefore, it has requested full or partial payment exemptions for the subscription to the health care special agreement. It should be noted that some regions have enabled their own procedures to give the necessary attention.

Deprivation of liberty centres

In 2013, the Ombudsman Office as National Preventive Mechanism against Torture (NPM) visited 60 deprivation of liberty centres. It has proposed improvements in all the facilities visited.