

20th Anniversary of the Greek Ombudsman Event & Conference

Opening speech to celebrate the completion of 20 years in operation of the Greek Ombudsman by Peter Tyndall 20 February 2019

Mr President, Mr Speaker, Ombudsman, distinguished guests.

It is a great pleasure and privilege to be here this evening celebrating the 20th anniversary of the Office of the Greek Ombudsman. It is particularly appropriate that we should be doing so in Athens, the home of democracy, where it was first practiced in 508 BC.

According to American political scientist Larry Diamond, democracy consists of four key elements: a political system for choosing and replacing the government through free and fair elections; the active participation of the people, as citizens, in politics and civic life; protection of the human rights of all citizens, and a rule of law, in which the laws and procedures apply equally to all citizens. The Ombudsman has a vital role to play in at least two of these elements, protecting human rights and promoting the rule of law. As such, the Ombudsman has evolved to become one of the fundamental pillars of modern democracy.

Greece itself, of course, did not enjoy uninterrupted democracy, and the current democratic era dates back only to 1974. More recently, Greece has faced huge challenges, particularly those of the financial crisis, with its devastating effect on the Greek economy, and immigration, where Greece has been in Europe's front line in dealing with the large influx of refugees and asylum seekers. The role of the Ombudsman in protecting and sustaining democracy in the face of these challenges is of great significance.

Greece has been very well served by the individuals who have held the post of Ombudsman since the Office was created, three of whom I have had the pleasure of working with, Mr Potakis, Ms Spanou, who served on the European Board of the IOI, and Mr Diamandourous, in his former capacity as European Ombudsman. The Office was also served with distinction by Mr Kaminis who is himself a former member of the IOI European Board. It is very pleasing that all four should be with us for our conference.

The current Ombudsman, Andreas Potakis, is also a member of the European Board of the IOI. He has been a highly effective and pro-active Ombudsman who works tirelessly for the interests of the people who rely on public services and the state in a time of great challenge, building on the substantial foundations put in place by his predecessors.

The role of the Ombudsman in protecting human rights and promoting the rule of law has become even more important across the globe in recent years. In well-established democracies, during periods of prosperity and political stability, the role of the Ombudsman is generally in dealing with routine instances of maladministration. The Ombudsman ensures that people who suffer injustice through the action of the providers of public

services receive redress, and that services are improved for the benefit of all users through learning from complaints. The core business of the Ombudsman, in this traditional role, is investigating complaints and improving services. This role continues to be important and to form a large part of the work of the Greek Ombudsman, but it is no longer sufficient of itself.

The rise of populism, discrimination on grounds of gender, disability, ethnicity or sexuality for example, together with the growth of xenophobia and outright racism mean that respect for the rights of individuals and the rule of law is facing more challenges than ever internationally. In this context, the role of the Ombudsman is even more significant. The Ombudsman must seek to address the imbalance of power between the individual and the state. While always remaining objective, and embodying fairness, it is necessary to ensure that the people in the most vulnerable circumstances in our communities have access to justice and fair treatment, and that their rights are vindicated. This is equally true in addressing the impact of austerity.

It is no surprise that the work of the Ombudsman in the everyday matters concerning the people of Greece have taken on a new significance in the context of austerity. At times like these, access to social security benefits and pensions are critical, and ensuring that people receive their entitlements is a major concern. Equally access to healthcare, and issues around health insurance are hugely significant to ordinary people who see the Ombudsman as a route to redress when other avenues are closed. Many of those who approach the Ombudsman would face insuperable barriers, not least of cost, in pursuing their cases through the courts.

The role of the Ombudsman in the time of austerity has been reflected in a very significant increase in the number of complaints received in recent years. It shows that the Ombudsman is seen as a highly relevant institution by people in Greece and that the Office enjoys their trust and confidence. That such an increase should arise when resources are at a premium required the Office to be ever more conscious of efficiency and effectiveness in dealing with complaints, which in turn called for innovation and flexibility in managing demand.

A strong, robust Ombudsman Office has a central role to play in protecting the rights of individuals who because of their circumstances are least able to effectively speak out for themselves. Like many Ombudsman Offices, the Greek Ombudsman has always had a focus on the rule of law, but in recent times, the complementary work in defending human rights has become ever more significant.

It is evidently the case that people who do not speak the first language of the state, who may have suffered persecution in their country of origin, who have come to distrust authority because of their experiences in their country of origin and who may be unaware of

their entitlements and how to complain will not of themselves find it easy to come to the Ombudsman. The Ombudsman must of necessity go to them, and this has been one of the major evolutions in the Office.

Greece has been well served by its Ombudsman Office and each of its distinguished post holders. The Ombudsman concept has proved remarkably adaptable since its origins in Sweden more than 200 years ago. Even in the relatively short 20 years of its work in Greece, the Office has had to adapt to a quickly changing public service, social and economic landscape.

The modern Ombudsman resolves many complaints through negotiation, through mediation and through other informal methods. The Ombudsman focuses on securing outcomes for people who come to the Office. The traditional focus worldwide on lengthy investigations culminating in lengthy reports has taken a back seat, but, where this is the most appropriate methodology, it continues to be used. The recent Special Report on the Return of Third-country Nationals is an excellent example of this. Equally, the Ombudsman must be sensitive to trends revealed by complaints and be ready to tackle systemic failures in public administration.

The way in which people interact with the Office has also changed. In the past, most Ombudsman offices received the vast majority of complaints in writing. Now, the very busy call centre, on-line forms and social media play a key role in facilitating access and raising the profile of the Office with users of public services. More than two thirds of complaints are now received on-line.

Ombudsman Offices have also shown themselves remarkably able to take on other complementary functions, and Greece is no exception to this trend. The role of the Ombudsman as national equality agency is a good case in point, as is its role as National Preventative Mechanism under the Optional Protocol to the Convention against Torture.

In taking on these diverse roles, and adapting the Office to the demands, challenges and opportunities it faces, the Greek Ombudsman has never lost sight of its core values which it shares with the global Ombudsman community, the values of independence, fairness, free access and objectivity. The European Ombudsman, Emily O'Reilly, has said that the key characteristic of an Ombudsman is a visceral passion for justice. The Greek Ombudsman has always embodied that passion.

I speak here today as President of the International Ombudsman Institute. The IOI is the only global Ombudsman organisation with more than 190 members in more than 100 countries worldwide. The circumstances in which we operate are diverse, but the values which underpin our work are common. The new challenges that we face are often shared, and the innovation which characterises the community benefits us all. For Ombudsman

Offices to benefit from shared learning, we have to contribute actively to the international sharing of knowledge.

The engagement of the Greek Ombudsman Office in the global Ombudsman community has been active, and very welcome. It has helped the wider community to benefit from the learning of Greece, as well as providing opportunities to Greece to benefit from the innovation and responses to challenges of others. The Office has played a leading part in helping the European Ombudsman community address the issues raised by the influx of asylum seekers and refugees and worked on innovative international collaboration on issues which cross our borders.

Ombudsman staff will tell you that no two days are the same. They will also say that few days turn out as expected, because there are always new challenges. Each case can open up a perspective into the lives of the individuals who approach us. Each user of public services looks to the Ombudsman for justice in their particular circumstances. It's a privilege to be able to put things right for people, to improve public services, to secure people's rights, to fight discrimination and to uphold the rule of law. For twenty years now, the Greek Ombudsman has been effectively undertaking all of these tasks at the heart of Greek democracy. I would like to offer congratulations on behalf of the global Ombudsman community, and to wish Andreas and his successors every success in continuing to do so into the future.