

Association des Ombudsmans de la Méditerranée ●

جمعية الأمبودسمان المتوسطيين ●

Asociación de Ombudsman del Mediterráneo ●

Association of Mediterranean Ombudsmen ●



**SECOND MEETING OF THE MEDITERRANEAN
OMBUDSMEN NETWORK
Marseilles, 18-19 December 2008**

Resolution

1. The second meeting of the Mediterranean Ombudsmen network was devoted to the topic "*Mediterranean Mediators: challenges of a common area*". The meeting, held in Marseilles (France) on 18 and 19 December 2008, was organised by the Mediator of the French Republic in collaboration with Wali Al Madhalim of Morocco and the Spanish People's Defender. This meeting was attended by 28 institutions and organisations, representing the mediation institutions in the Mediterranean basin, Human rights institutions or institutions acting as mediators in the States of the region where an Ombudsman does not yet exist, as well as representatives of international and regional organisations supporting the initiative.

2. The Mediterranean Ombudsmen thanked the Mediator of the French Republic for the excellent organisation of the event and for their hosts' warm hospitality. This gratitude was also extended to the Senator and Mayor of Marseilles.

They received with satisfaction the declarations of the Mediator of the French Republic, of the Moroccan Wali Al Madhalim and the Spanish People's Defender, as well as the interventions of the representative of the United Nations High Commissioner for Human rights, the representative of the International Organisation of Francophone countries, the representative of the League of Arab States, the Chairman of the Association of African Ombudsmen and Mediators, the French ambassador on a mission for the Union for the Mediterranean, and other speakers.

The participants were very pleased with the richness and range of everybody's intervention, and the fruitful deliberations.

The second meeting of the Mediterranean Ombudsmen network adopted the following resolution:

3. *Considering* the draft resolution of the UN General Assembly's third commission dated 6 November 2008 on the "the role of Ombudsmen, Mediators and other national institutions for the promotion and protection of Human rights", which encourages member States to create Mediators, Ombudsmen and other national institutions that promote and protect Human rights, or to reinforce and create, if necessary, the mechanisms of cooperation between these institutions where they exist, in order to coordinate their action; This resolution also encourages member States to organise communication campaigns, especially in order to make the general public understand better the importance of these mediation institutions;

4. *Thanking* Morocco for presenting this text before the United Nations General Assembly, and *calling* for the creation of a Group of Friends of Mediators and Ombudsmen within the UN organisation, and *wishing* that a debate be opened on the importance and role of these national mediation institutions before and during the 65th session of the 2010 general assembly;

5. *Very pleased*, in this 60th anniversary of the Universal Declaration of Human rights, with the role assigned to the mediation institutions in the promotion and protection of Human rights, both within international and regional authorities and at the national level;

6. *Considering* the declaration of the first meeting of Mediterranean Ombudsmen held in Rabat (Morocco) from 8 to 10 November 2007;

7. *Recognising the fact* that, to exercise their mandate, the mediation institutions must be attentive to and at the service of any person who deems himself/herself prejudiced by public authorities, and be largely accessible and transparent;

8. *Underlining the fact* that this mission must be exercised independently of the authorities, and that the conditions necessary for this independence must be created;

9. *Considering* that the mediation institutions, in their desire to correct injustices, play an important role in the effort to stop any possible malfunctions in administrative authorities, and promote good governance;

10. *Recognising the fact* that mediation institutions contribute to the creation and reinforcement of the rule of law, democracy and proper exercise of Human rights;

11. *Expressing* its wish to participate actively within the framework of the "Paris Principle" of the UN General Assembly resolution dated 20 December 1993, when they are part of national institutions for the promotion and protection of Human rights or when they are closely associated with these latter;

12. *Convinced* that freedom and peace within the Mediterranean area are facilitated by dialogue between citizens, mutual understanding, tolerance, the fight against injustices and poverty, and respect of Human rights;

13. *Claiming* to have the ancestral values of the Mediterranean area, and to be the melting pot of cultures and religions, the cradle of democracy, fruitful exchanges and fraternity between human beings;

14. *Acknowledging the fact* that the mediation institutions concerned can contribute to the implementation of democracy, fundamental rights and freedoms, in order to encourage and accompany social peace in each country, and peace in the region;

The Mediterranean mediation institutions have agreed to:

15. Take initiatives to support the implementation of the conclusions of the three round tables held at the Marseilles meeting concerning:

The place of Ombudsmen in the institutional landscape:

There were enough reasons for an in-depth reflection on the basic problem of relations between justice and political decisions. Prime among them was an issue that determines to a large extent the function of Ombudsmen, then the alternatives in day-to-day activities and the reference criteria which must be taken into account in order to solve the problems raised by the territoriality of standards.

Which levers for the promotion of Democracy and Human rights?

The promotion of democracy is intrinsically linked to the promotion of Human rights, especially in countries in transition to democracy. The Ombudsman is one of the major players in this coalition, in his or her additional function which consists in defusing and easing tensions and conflicts, but also in looking into Human rights violations and not just malfunctions in public administrations. It was underlined that the Association of Mediterranean Ombudsmen should use its solidarity to support some of its members in difficulty.

Ombudsmen and migrations in the Mediterranean area:

There was a high level of awareness on the part of all the participants regarding the large number of problems that affect the activity of Ombudsmen in this field. This would be an excellent departure point for the aspirations and objectives of the Association of Mediterranean Ombudsmen.

16. Reinforce and animate the website dedicated to the mediation institutions in the Mediterranean basin, among others, by creating a secure area and a network of liaison officers making it possible to exchange information and good practices and create a database on the institutions' various activities

17. Create and see to the running of a training programme for the institutions' staff wishing to participate, and conduct studies and research on topics of general interest

18. If necessary, assist parliaments and governments to create mediation institutions in the Mediterranean countries where they do not yet exist

19. Organise a Mediterranean meeting at least every two years in a country wishing to host it, on jointly adopted topics of general interest

20. Engage now in discussions aimed at creating a regular and effective partnership with international organisations and institutions that support the activities of the Association (Office of the United Nations High Commissioner for Human rights, International Organisation of Francophone Countries, League of Arab States, Union for the Mediterranean, Human rights Commissioner of the Council of Europe, European Ombudsman, Association of African Ombudsmen).

The Mediterranean mediation institutions have also decided to:

21. Create the Association of Mediterranean Ombudsmen and adopt its statutes

22. Join and support the Association as quickly as possible.

Compiled in Marseilles
on 19 December 2008