

THE CONSTITUTIONAL STATUS OF OMBUDSMEN AND THE RIGHT TO PETITION IN EUROPE

On 11 December 2002, the offices of national ombudsmen and similar bodies in Europe were contacted by email with the following questions:

- Is the ombudsman or similar office, and/or the right to petition mentioned in the constitution of your country?
- If so, in which way is it mentioned?

The replies received are summarised below:

	Ombudsman/right to petition in Constitution?	In which way is Ombudsman or right to petition mentioned?
Belgium	Yes (right to petition), No (Ombudsman)	Articles 28, 57
Denmark	Yes	Article 55
Germany	Yes	Articles 17, 45c
Greece	Yes (both Ombudsman and right to petition)	Article 103 (Ombudsman), Article 10 (right to petition)
Spain	Yes (both Ombudsman and right to petition)	Article 54 (Ombudsman), Article 29 (right to petition)
France	No	-
Ireland	No	-
Italy	No	-
Luxembourg	Yes	Articles 27, 67
Netherlands	Yes	Article 78a
Austria	Yes (both Ombudsman and right to petition)	Article 148 (Ombudsman), Article 11 (right to petition)
Portugal	Yes (both Ombudsman and right to petition)	Article 23 (Ombudsman), Article 52 (right to petition)
Finland	Yes (both Ombudsman and Chancellor of Justice)	Articles 108, 109, 110, 111, 113, 115, 117
Sweden	Yes	Chapter 12 - Articles 6, 8
United Kingdom	No	-
Norway	Yes	Article 75
Iceland	No	-
Cyprus	No	-
Czech Republic	No	-
Estonia	Yes	Chapter 12
Hungary	Yes (both Ombudsman and right to petition)	Articles 32B, 19, 27, 20 (Ombudsman), Article 64 (right to petition)
Latvia	No	-
Lithuania	Yes (both Ombudsman and right to petition)	Article 73 (Ombudsman), Article 33 (right to petition)
Malta	No	-
Poland	Yes	Articles 80, 208, 209, 210, 211, 212
Slovak Republic	Yes (both Ombudsman and right to petition)	Article 151a (Ombudsman), Article 27 (right to petition)
Slovenia	Yes (both Ombudsman and right to petition)	Article 159 (Ombudsman), Article 45 (right to petition)
TOTALS	Yes=18, No=9	