



The **Austrian Ombudsman Board (AOB)** was established in 1977 and has since been monitoring and controlling the public administration of the Federal Government and with two exceptions the *Laender* (provinces) and their activities as holder of private rights. The AOB is independent in the performance of its duties as stipulated under Austrian constitutional law. As a constitutional supreme body, the AOB is not bound by directives or orders from legislative or executive bodies. The AOB has the right to obtain information from responsible parties, gather statements from the competent supervisory authorities and the competent highest administrative entities and to examine all files. No administrative body may invoke official secrecy in dealings with the AOB.

Anyone – regardless of nationality or legal age - facing problems with domestic authorities can **file a complaint about maladministration**, particularly if it also involves a violation of human rights. This includes economic, social and cultural rights as well as civil and political rights. However, the AOB can also **initiate ex officio investigative proceedings**.

After completing an investigative proceeding, an official determination of maladministration can be made and publicly reported to the Federal Parliament or the Diets. The AOB can also make **recommendations** to the supreme administrative bodies, make applications to the Constitutional Court, issue statements on government bills and draft laws and advice on amendments to or the passing of laws. The AOB can also request the Constitutional Court to pronounce on the illegality of regulations by a federal authority.

The AOB also participates in a weekly programme on Austrian state television where it discusses its work with representatives of public authorities. Besides various information folders, the AOB recently published a booklet on „Young People and their Rights“, to foster human rights education in schools.

As of 1 July 2012, the AOB has an **additional mandate** under Austrian constitutional law **to protect and promote compliance with human rights** and to undertake preventive monitoring and control. It took on the role of the independent authority in accordance with Art. 16/3 of the Convention on the Rights of Persons with Disabilities and of the **National Preventive Mechanism (NPM)** in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

As NPM, it is the duty of the AOB and the **six independent and pluralistic Commissions** it set up to monitor and control all places where persons are deprived or can be deprived of their freedom. Additionally, the **Human Rights Advisory Council (HRAC)** was established in 2012 to advise the AOB with respect of its new competences. The members of the HRAC are delegated on the basis of parity by the Ministries, *Laender* and NGOs.

Once a year, the AOB submits an **annual report** on its activities both **to Parliament** and the UN **Sub-committee on Prevention of Torture (SPT)**. In addition, the AOB can report on special observations at any time. On a regular basis the members of the AOB inform the respective Diets of the *Laender* about their activities.

The AOB is accredited at the International Coordinating Committee of National Human Rights Institutions as **Austrian NHRI**.

Vienna, 20 March 2015