



MEMORANDUM OF UNDERSTANDING

between

International Ombudsman Institute

and the

OSCE Office for Democratic Institutions and Human Rights

The International Ombudsman Institute, hereinafter referred to as "IOI" on the one part and the OSCE (Organization for Security and Cooperation in Europe) Office for Democratic Institutions and Human Rights, hereinafter referred to as "ODIHR", on the other part, hereinafter together referred to as the "the Parties";

Recalling the Declaration of 1992 Helsinki Summit of the heads of State or Government of the participating States of the Conference on Security and Cooperation in Europe (CSCE) stipulating their understanding that the Conference is a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations and their commitment to improve contact and practical co-operation with appropriate international organizations;

Recalling also the Document of the 1990 Copenhagen Conference on the Human Dimension of the CSCE, identifying the need to facilitate the establishment and strengthening of independent national institutions in the area of human rights and the rule of law;

Recalling also the Document of the 1994 Budapest Summit of the CSCE, recognizing the need for enhance co-operation through the ODIHR with other international organizations and institutions active in the human dimension, including the International Ombudsman Institute;

Recognizing the role of the independent office of ombudsman in promoting and protecting human rights and the rule of law in the OSCE region, e.g. as national human rights institution and/or by investigating and providing redress for justified complaints of individual citizens and amending and improving systems of administration;

Guided by the will to establish between them a mutually advantageous and co-operative relationship, with a view to sharing best practises in the field of control of democratic institutions, including the concept of ombudsmanship, and protection and promotion of human rights;

Recognizing that they share similar objectives to strengthen the concept of ombudsmanship, and encouraging existing and new ombudsman institutions in their work of securing, enhancing and protecting human rights;

Have reached the following understanding:

I. Objective

The objective of this Memorandum of Understanding (hereinafter “Memorandum”) is to outline a general framework for enhancing the co-operation between the Parties in the areas of promotion and protection of human rights, democratic institutions, such as the concept of the ombudsmanship, and the rule of law, within the limits of their competences as set up by their respective mandates, regulations and procedures.

II. Co-operation

1. Co-operation between the Parties may take several forms, including organizing expert meetings, sharing of experiences and best practises and mutual participation in conferences and meetings.
2. Contact Points shall be designated within each Party in order to co-ordinate the activities and the work plan as stipulated in this Memorandum and for institutional contacts with the other Party.
3. Upon concluding this Memorandum, the Parties shall jointly develop a work plan to advance the objective, as to facilitate practical co-operation between the Parties and to ensure its sustaining character. The initial work plan shall be approved by both Parties and have a duration of two years.
4. With a view to achieving the objective, the Parties may also agree to carry out ad-hoc joint activities on the basis of terms and conditions to be jointly agreed as appropriate in each case. Such terms and conditions shall specify the type of participation in such joint activities as well as financial implications, if any, for each of the Parties.

III. Consultation and participation

5. Consultations of any of the Parties shall be organised, when required and when expertise and resources allow it, on issues of common interest by the Parties.
6. Subject to the applicable regulations and procedures in force, the Parties shall consider supporting each other’s initiatives in situations where the respective mandate, expertise and resources allow it.
7. The Parties agree that the participation of representatives of each Party, within the framework of the objective of this Memorandum, upon a request and subject to regulations and procedures in force in each institution, shall be mutually facilitated and encouraged.

IV. Exchange of information

8. The parties agree to assist each other, to the greatest extent possible, in providing consultation to consolidate the role of each Party in promoting and protecting human rights and ombudsmanship throughout the OSCE region.
9. The Parties commit themselves to promote a proactive exchange of information and expertise on relevant matters, subject to arrangements that may be required to preserve the confidential or restricted nature of certain information and documents.
10. The Contact Points within the Parties shall facilitate the exchange of information where necessary, as well as the internal circulation and the transmission of the information required.

V. General and final provisions

11. Nothing in this Memorandum may be interpreted as preventing the Parties from pursuing their respective activities in accordance with their mandates, regulations and procedures.
12. Each Party shall respectively bear, within the limits of available resources, the costs and expenses that the application of this Memorandum entails. Common costs and financial implications, if any, resulting from, in particular, joint activities, advocacy, assistance or promotion, will be subject to specific agreements.
13. The implementation of the work plan foreseen in this Memorandum shall be discussed on the occasion of periodical IOI/ODIHR meetings, with a view of revising it if necessary.
14. Amendments and complements to this Memorandum may be proposed at the initiative of one of the Parties and enter into force when approved by both Parties. The Memorandum may be denounced by one of the parties by giving a written notice to the other. The Memorandum shall be terminated three months from the date of such notice.
15. The Memorandum is prepared in three language versions (English, French, Spanish), one copy in each language version for each Party. The Parties agree that the English version will prevail.

Done in Warsaw, on 19 September 2017.

For IOI

For OSCE/ODIHR



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Günther Kräuter
Secretary General



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Ingibjörg Solrún Gísladóttir
Director