

Conference on Upholding Good Governance in Challenging Times

The Role of the Ombudsman

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Honourable Prime Minister, Dr Robert Abela, Leader of the Opposition, Dr Alex Borg, Judge Emeritus Zammit McKeon, distinguished guests, Members of the Association of the Mediterranean Ombudsman, Colleagues Ladies, and gentlemen

As rapporteur, it is my privilege to provide a summary of our key discussions and outcomes over the past two days on the theme: **“Upholding Good Governance in Challenging Times – The Role of the Ombudsman.”**

We have heard invaluable perspectives that, together, highlight the importance of the Ombudsman. The Parliamentary Ombudsman of Malta reminded us of the heart of the mission: **protecting citizens in their everyday interactions with the state**. While the Office is no longer new, I quote *“it does not have an expiry date,”* it remains a dynamic guardian of fairness, rights, and accountability. It not a *toothless institution* and not a *burden on the public purse*. Its strength lies NOT in coercive power, but in the **moral authority and credibility of its recommendations**, which help shape a fairer and more transparent public administration. *When the Office weakens, public trust and good governance erode*. The Ombudsman serves not only as a protector of rights but as a constructive force, rebuilding trust and promoting good governance.

The People's Advocate of Albania and President of the AOM emphasised that good administration is more than a managerial standard; it is a fundamental right and a moral obligation of the State. Since 2016, about 77% of countries have experienced weakening checks and balances, quoting Erinda Ballanca, emphasising the Ombudsman's role as a vital bridge between citizens and the state. Closing the gap between law in principle and law in practice remains an ongoing challenge.

The urgent need to defend the **rule of law, democracy, and human rights**, especially in times of fragile global order was stressed. I quote the Speaker of the House *"these are defining times."* *Ombudsmen must resist unjust authority, uphold professional ethics, and defend truth.* **Courage, vigilance, and solidarity** are essential to safeguarding freedom. Quoting Mandela, do we have the courage and conviction? Again, I quote "Not to comfort the powerful but to confront the; Not to echo governments but to speak with one voice of the people when all other voices are ignored."

The importance of **citizen participation, transparency, and accountability**, even under pressure to simplify or speed up government processes was emphasised. *"In times where power hesitates, the Ombudsman must not."* The speaker reminded us that the Ombudsman is an **independent guardian of truth, justice, and human dignity**, calling on Parliament to protect independence and ensure that recommendations are acted upon.

Across these interventions, common lessons emerged:

- The Ombudsman is an **independent guardian of rights, accountability, and good governance**, especially in times of crisis.
- Its strength lies in **integrity, moral authority, and courage**, not coercive power, or popularity.
- **Transparency, citizen participation, and clear communication** are essential for trust, while **vigilance and solidarity** are crucial in defending the rule of law.

- Cross-border collaboration strengthens human rights, ethical leadership, and justice.

The Ombudsman remains a **timeless pillar of democracy**.

- Following these speeches, four panel discussions built on these insights. [PAUSE 2s] They provided rich perspectives on the challenges and opportunities facing Ombudsman institutions today. They highlighted the importance of the **Ombudsman as both a safeguard of democracy and an agent of change**.

The *first* panel, “Building People’s Trust: The Ombudsman as a Pillar of Democracy in Times of Change,” emphasised that **public trust is the cornerstone of democracy**, fragile in times of political, social, or technological upheaval. Independence, impartiality, and accessibility are essential. As was noted, even respected institutions face declining trust, making the Ombudsman’s role more vital than ever in **providing access to justice and promoting systemic improvements**.

We must also communicate the Ombudsman’s tangible impact – the lives improved, the system reformed, the accountability achieved – to promote trust and transparency.

The *second* panel, “Safeguarding Fundamental Rights: The Ombudsman in the Face of New Challenges,” highlighted the evolving contexts Ombudsmen must address: **digitalisation, artificial intelligence, migration, and climate policy**. Protecting rights must be **proactive**, identifying risks before they cause systemic harm. Ombudsmen act as both **guardians of fairness and advocate for vulnerable populations**, working alongside National Human Rights Institutions to ensure transparency, accountability, and protection. For Malta, (Italy and Rumania) establishing an independent NHRI was identified as a crucial step.

We also examined the Ombudsman’s role in protecting vulnerable groups. Offices from Monaco to Azerbaijan to Georgia support persons with disabilities, older adults, women, prisoners, children, and conflict-affected populations. In Ukraine, the Ombudsman plays a crucial role in

responding to **unlawful deportations of children**, demonstrating how oversight, advocacy, and coordination are essential during crises.

The *third* panel focused on ethical governance and the Ombudsman's role in upholding the principles of integrity, fairness, and accountability in public administration. Speakers emphasised that ethical governance is not only a managerial standard; it is the foundation of public trust and a moral duty of the state. I quote "the lack of trust is the greatest threat to human society in the 21st century" - a powerful warning from the Auditor General reminding us that without trust, democratic institutions falter, and social cohesion unravels. Another speaker rightly observed that "in short, ethical public governance is about governing with values not just rules." This reflects the truth that public service is not a technical exercise but a moral commitment.

Discussions highlighted that Ombudsman institutions play a key role in strengthening integrity across government, ensuring that decisions are made transparently, impartially, and in accordance with law. Institutions such as the Ombudsman's Office, the Commission for Standards in Public Life and the National Audit Office should be considered as giving a public service rather than focus on power.

By promoting accountability, scrutinising maladministration, and recommending systemic reforms, Ombudsmen help prevent corruption, reinforce ethical behaviour, and ensure that public services are delivered fairly to all citizens. Participants stressed that integrity is not maintained by rules alone but requires continuous vigilance, professional ethics, and moral courage. Ombudsmen must show leadership, challenge practices that compromise fairness, and guide administrations to adopt higher standards of governance.

The *fourth* panel focused on "embracing technological innovation: The Ombudsman's role in the age of digitalisation and artificial intelligence." This panel examined how digital technologies and artificial intelligence (AI) are transforming public administration and the Ombudsman's role.

Digitalisation and AI offer unprecedented opportunities: they can improve access to information, strengthen public service delivery, and facilitate citizen engagement. Several mechanisms are already in use or emerging to help the Ombudsman institutions operate more effectively in the digital era. AI-Powerful tools are enabling early detection of systemic issues, complaints, and trend analysis to support investigations and policy recommendations. Digital platforms such as the Barcelona IDEM project are simplifying information, bridging language barriers, and enabling participatory governance, especially for older adults, migrants, and marginalised groups. One innovative approach is the concept of the Ombudsman agent – an AI supported digital assistant designed to interact citizens, provide guidance, answer queries, and facilitate the complaint submission process. This agent can help accessibility and responsiveness.

Yet this raises ethical questions. Technology brings risks - algorithmic bias, exclusion, surveillance, and digital inequality. Ombudsmen must ensure that AI and digital tools do not undermine human dignity, privacy, or access to justice. To this end, Ombudsman institutions are beginning to adapt accountability mechanisms that ensure compliance with human rights, transparency, and data protection requirements. These can include algorithmic audits, impact assessments, digital ethical frameworks, and independent oversight boards.

Across panels, one theme was clear: Ombudsman institutions are more than complaint-handlers - they are guardians of democracy, champions of fairness, and pillars of citizen trust. In times of crisis or rapid transformation, their role is crucial in ensuring that public institutions remain transparent, responsive, and accountable. Looking ahead, Ombudsman institutions must not only adapt to changing contexts but shape them – integrating moral authority, human judgement and AI-powered tools to detect systematic risks early, engage citizens meaningfully and ensure fairness across increasingly complex systems of governance. We must also invest in Ombudsman 2030 – a vision of institutions that are tech-enabled, your-engaged, globally connected, and locally trusted.

In conclusion, our discussions have reaffirmed a timeless truth: **independent, courageous, and adaptable Ombudsman institutions are essential for democracy**. They protect rights, increase accountability, champion transparency, and ensure that no voice is left unheard, especially in times of change.

Let us leave here not only informed but inspired – to defend the truth, empower the voiceless and ensure that justice never becomes a forgotten promise.

Thank you.

Anne Marie Thake

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