

ORGANIC LAW 2/2007 dated 19 March 2007, on Reform of the Statute of Autonomy for Andalusia.

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KING OF SPAIN

To all who would present, see and understand this: know that Parliament has approved, and I am sanctioning, the following organic law.

PREAMBLE

Throughout its history, Andalusia has forged a robust and solid identity that grants it a singular character as a people, settled for thousands of years in a differentiated geographical territory that has served as a space for meeting and dialogue between diverse civilizations. Our valuable social and cultural heritage is an essential part of Spain in which we Andalusians acknowledge each other, and in which we share a common project based on the values of justice, freedom and security enshrined in the Constitution of 1978, the bulwark of the rights and freedoms of all the peoples of Spain.

Andalusia has accumulated a rich cultural heritage due to the confluence of a multiplicity of peoples and civilizations, and has given more than noteworthy example of human admixture throughout the ages.

The intercultural character of customs, habits and modes of life has expressed itself through time against a background of unity that amalgamates a historical pluralism and manifests itself in a collective and learned, dynamic and changing, tangible and intangible cultural heritage, unique among the cultures of the world.

This synthesis casts the profile of an Andalusian personality built on universal, never-excluding values. For Andalusia, located in the south of the Iberian peninsula, is a territory of great diversity in landscape, with important mountain ranges and a great part of its territory articulated around and along the Guadalquivir, open to the Mediterranean and to the Atlantic through an extensive maritime front, constituting a nexus between Europe and the African continent: a frontier space that has facilitated contacts and dialogues between north and south, between the Mediterranean and the Atlantic arcs, where an urban system measured in human terms has arisen as a differential factor.

These, among other features, are not just sediments of tradition; they constitute a means for Andalusian culture to expand in Spain and throughout the world, and represent a contemporary contribution to global cultures. The Andalusian people are thus heirs to a vast foundation for civilization that Andalusia can and should contribute to contemporary society, based on the principles of equality, democracy and a peaceful and just coexistence that cannot be renounced.

The enormous effort and sacrifice of countless generations of Andalusians throughout the ages has seen itself rewarded in the recent democratic period, where Andalusia has more firmly expressed its identity as a people through the struggle for full autonomy. During the last 25 years, Andalusia has lived the most intense process of change in our history and has come closer to the ideal of the free and solidary Andalusia for which Blas Infante – whom the Andalusian Parliament acknowledged as Father of the Andalusian Homeland in April 1983 – tirelessly fought.

That ideal of autonomy is deeply rooted in our contemporary history. The first text reflecting the political volition for Andalusia to constitute itself as a political entity with self-governing capacity is the Andalusian Federal Constitution drawn up in Antequera in 1883. The Ronda Assembly of 1918 approved the Andalusian flag and coat of arms.

During the 2nd Republic, the movement toward autonomy received new impulse. In 1933, the Liberalist Councils of Andalusia approved the Andalusian hymn,

the Pro-Andalusian Regional Council was formed in Seville, and a Statute was projected. Three years later, the Civil War interrupted the path to autonomy, rendering the parliamentary processing of a Statute already in the making impossible.

This vocation on the part of the Liberalist Councils led by Blas Infante to achieve self-government, attain a free and solidary Andalusia within the framework of the unity of Spanish peoples, and claim the right to autonomy and the possibility of deciding their future, emerged years later with greater strength and popular support.

The multitudinous demonstrations of 4 December 1977 and the referendum of 28 February 1980 expressed the will of the Andalusians to place themselves at the vanguard of the aspirations for maximum self-government among Spanish peoples. Andalusia gave an extraordinary example of unity when it came to expressing the unequivocal volition for full autonomy in the face of those who did not accept that we were a nationality on the same plane as those reflected in Article 151 of the Constitution.

Andalusia has been the only Regional Government with a specific source of legitimacy in its access to autonomy – expressed with ballots through referendum – granting it an identity of its own and an unquestionable position in the territorial configuration of the State.

The Andalusian Manifesto of Córdoba described Andalusia as a national reality in 1919, the spirit of which Andalusians fully channelled through the process of self-government reflected in our Magna Carta. In 1978, the Andalusians came out in strong support for the constitutional consensus. Today, in its Article 2, the Constitution acknowledges Andalusia as a nationality within the framework of the indissoluble unity of the Spanish nation.

This entire stream of effort, which the Statute of Autonomy ratified by the Andalusians on the 20th of October 1981 has been a fundamental tool of, permits us today to undertake the construction of a new project that will reevaluate and exploit all the current potentials of Andalusia.

Today, the arguments that cement the coexistence and the aspirations of Andalusians are reborn from a new historical project that should enable us to face the challenges of a new era defined by profound geopolitical, economic, cultural and technological changes that have occurred in the world with guarantees for the position of Spain in the international context. If, during the last quarter-century, intense transformations have taken place in the world, these changes have been particularly accentuated in Andalusia, where, during this period, we evolved from economic and cultural underdevelopment to a panorama similar to those of the most advanced societies, as exemplified by the inversion of our migratory flows.

After almost three decades of exemplary operation, it is evident that the Statute of Regional Governments implanted by the Constitution of 1978 has produced a rapid and effective process of decentralization. Now, after this fruitful phase of autonomous regional experience, reforms modernizing the territorial model have become necessary.

Reforms to further develop self-government, extracting all the decentralizing possibilities that the Constitution offers in order to bring Government closer to the citizenry. Reforms that, at the same time, develop and perfect the mechanisms of territorial cohesion, solidarity and institutional cooperation. This is thus a process of modernizing the State of the Regional Governments that is only possible from a global and plural vision of Spain that Andalusia has always had.

Today, as yesterday, we depart from a basic principle, that which Andalusia formulated 25 years ago, the validity of which it fully upholds: equality does not mean uniformity. In Spain there are singularities and differentiating facts. Andalusia respects

and acknowledges them without a doubt. But with the same firmness, it cannot permit these differences to serve as excuses for attaining certain privileges. Andalusia respects and will respect diversity, but it will not permit inequality, since the Spanish Constitution itself points out in its Article 139.1 that all Spaniards have the same rights and obligations in any part of the State territory.

Andalusia's degree of economic, social and cultural development has been possible thanks to its Statute of Autonomy, a text that has favoured the harmonious coexistence, the political, social and economic development of this land, and the recovery of the self-esteem of a people that, today, has its own voice in a State of Autonomous Governments as established by the Spanish Constitution of 1978. All in all, it aims at a Statute for the 21st century, a legal instrument giving impulse to welfare, equality and social justice within the framework of cohesion and solidarity that the Constitution establishes.

Thus, and as an expression of its collective volition politically represented by Parliament, the Andalusian people ratify the present Statute of Autonomy of Andalusia as a renovation of the commitment manifested on the 28th of February 1980.

PRELIMINARY HEADING

Article 1. Andalusia.

1. Andalusia as a historical nationality exercising the right to self-government acknowledged by the Constitution is hereby established as a Regional Government in the framework of the unity of the Spanish nation in accordance with Article 2 of the Constitution.
2. Its Statute of Autonomy proclaims freedom, justice, equality and political pluralism for all Andalusians as higher values, in a framework of equality and solidarity with the other Regional Governments of Spain.
3. The powers of the Regional Government of Andalusia emanate from the Constitution and the Andalusian people in the terms of the present Statute of Autonomy, which is its basic institutional regulation.
4. The European Union is the referential scope of the Regional Government, which assumes its values and watches over the fulfilment of its objectives and respect for the rights of European citizens.

Article 2. Territory.

The territory of Andalusia includes that of the municipalities of the provinces of Almería, Cádiz, Córdoba, Granada, Huelva, Jaén, Málaga and Seville.

Article 3. Symbols.

1. The Andalusian flag is the traditional flag composed of three horizontal bands of equal width – green, white and green – such as was approved at the Assembly of Ronda in 1918.
2. Andalusia has its own coat of arms approved by the law of its Parliament, reflecting the caption "Andalusia for herself, for Spain and for Humanity", taking account of the resolution adopted by the Assembly of Ronda in 1918.
3. Andalusia has its own hymn approved by the law of its Parliament, as published by the Liberalist Council of Andalusia in 1933.
4. Andalusian Day falls on February 28.

5. The protection befitting the symbols of Andalusia shall be the same as that befitting other symbols of State.

Article 4. Capital City and Seats.

1. The capital of Andalusia is the city of Seville, seat of its Parliament, of its Presidency and of the Council of Government, without prejudice to the fact that these institutions may hold sessions in other parts of Andalusia as respectively established by the Rules of Parliament and the Law.

2. The seat of the Higher Court of Justice is the city of Granada, without prejudice to the possibility that some Chambers may be located in other cities of the Regional Government.

3. By the law of the Andalusian Parliament, agencies or institutions of the Regional Government may establish seats in different cities of Andalusia, except for those seats specified in this Statute.

Article 5. Andalusian Status.

1. For the purposes of the present Statute, those Spanish citizens who, in accordance with general State laws, hold administrative residence in any of the municipalities of Andalusia, shall enjoy the political status of Andalusian.

2. Those Spanish citizens residing abroad who may have held their last administrative residence in Andalusia and who accredit this status in the pertinent Spanish consulate shall enjoy the political rights defined in this Statute as Andalusians. Their descendants registered as Spaniards in the manner provided for by the laws of the State shall also enjoy these rights, if they so petition.

3. The appropriate mechanisms to promote the participation of foreign citizens residing in Andalusia shall be established within the framework of the Constitution.

Article 6. Andalusians Abroad.

1. Those Andalusians abroad and Andalusian communities, as such, established outside Andalusia shall have the right to participate in the life of the Andalusian people and to share it under the terms that the laws may establish in each case. Likewise, the communities mentioned may request for acknowledgement of their Andalusian identity, with the effects provided for by law.

2. For the purposes of promoting and strengthening ties with Andalusians as well as with Andalusian communities abroad, giving them assistance and guaranteeing them the exercise and defence of their rights and interests, the Regional Government may, as the case warrants, formalize agreements with public and private institutions from the territories and countries where these are found, or urge the State to sign international treaties on these matters.

Article 7. Territorial Effect of Regional Government Regulations.

The laws and regulations emanating from the institutions of self-government of Andalusia shall have effect within its territory. They may have extraterritorial effect when such may be deduced from their nature, within the framework of the constitutional structure.

Article 8. Law Proper to Andalusia.

The law proper to Andalusia is composed of the laws and regulations governing subjects over which the Regional Government exercises competence.

Article 9. Rights.

1. All persons in Andalusia shall enjoy at least the rights acknowledged in the Universal Declaration of Human Rights and other European and International instruments of protection of human rights ratified by Spain, in particular in International Pacts on Civil, Political, Economic, Social and Cultural rights; in the European Convention for the Protection of Human Rights and Fundamental Freedoms; and in the European Social Charter.
2. The Regional Government guarantees full respect for the minorities residing in its territory.

Article 10. Basic Objectives of the Regional Government.

1. The Regional Government of Andalusia shall promote conditions to make the freedom and equality of individuals and the groups of which they are members real and effective; it shall remove the obstacles impeding or hampering their self-fulfilment and promote quality in democracy, facilitating the participation of all Andalusians in political, economic, cultural and social life. It shall adopt whatever measures for positive action may be necessary for such purposes.
2. The Regional Government shall foster true equality between Andalusian men and women, promoting parity democracy and the full integration of women in social life, overcoming any labour, cultural, economic, political or social discrimination.
3. To achieve all this, the Regional Government, in the defence of general interests, shall exercise its powers with the following basic objectives:
 1. The achievement of full stable quality employment in all production sectors, with a singular emphasis on upholding health and safety in the workplace, reconciling family and working life, and the special guarantee of work posts for women and the younger generations of Andalusians.
 2. The access of all Andalusians to a permanent quality education that affords them personal and social fulfilment.
 3. The consolidation of an awareness of Andalusian identity and culture through the knowledge, research and dissemination of historical, anthropological and linguistic heritage.
 4. The defence, promotion, study and prestige of the Andalusian linguistic mode in all its varieties.
 5. The exploitation and promotion of the natural and economic resources of Andalusia under the principle of sustainability, impulse to knowledge and human capital, the promotion of public and private investment, and as well the just redistribution of wealth and income.
 6. The creation of the conditions indispensable to make it possible for Andalusians to return from abroad so that they may, with their labour, contribute to the collective welfare of the Andalusian people.
 7. The improvement of the quality of life of Andalusians through the protection of nature and the environment, the appropriate management of water and interterritorial

solidarity in its use and distribution, along with the development of social, educational, cultural and health mechanisms, as well as the implantation of modern infrastructure.

8. The achievement of territorial cohesion, solidarity and convergence between the diverse territories of Andalusia as a way of overcoming the economic, social, cultural and wealth distribution and welfare imbalances between all citizens, particularly those inhabiting the rural communities.

9. Convergence with the rest of the State and with the European Union, promoting and maintaining the relations of collaboration necessary with the State and the other Autonomous Governments and Cities, favouring the defence of Andalusian interests with respect to the European Union.

10. The execution of an effective system of communications to promote human, cultural and economic exchanges, in particular through a system of high-capacity thoroughfares and a high-speed railway network.

11. Industrial development and technology based on innovation, scientific research, public and private entrepreneurial initiatives, self-sufficiency in energy, and the evaluation of quality as a basis for the harmonious growth of Andalusia.

12. The integration of Andalusians into the society of knowledge.

13. The modernization, planning and integrated development of rural communities into the framework of a policy of agrarian reform that favours growth, full employment, the development of agrarian structures, and the correction of territorial imbalances in the framework of European Community agrarian policies that can give impulse to the competitiveness of our agriculture in the European and international contexts.

14. Social cohesion through an efficient system of public welfare, with special attention to the least-favoured social and economic groups and areas, to facilitate their full integration into Andalusian society, and thus prevail over social exclusion.

15. Special care to dependent persons.

16. The social, economic and labour integration of the handicapped.

17. The social, economic, labour and cultural integration of immigrants in Andalusia.

18. The expression of the political, social and cultural pluralism of Andalusia through all the means of communication.

19. Citizen participation in the preparation, implementation and evaluation of public policies as well as individual and collective participation in the civic, social, cultural, economic and political fields, towards an advanced participative social democracy.

20. Social dialogue and agreement, acknowledging the relevant function fulfilled in this by the most representative trade unions and employers' organizations of Andalusia.

21. The promotion of the conditions necessary for the full integration of minorities and, in particular, the gypsy community, towards full social incorporation.

22. The promotion of a culture of peace and dialogue among peoples.

23. International cooperation for the purpose of contributing to solidary development among peoples.

24. The public authorities shall safeguard the knowledge and dissemination of the history of the struggle of the Andalusian people for their rights and freedoms.

4. The public authorities of the Regional Government of Andalusia shall adopt the measures appropriate to achieve the objectives set forth, particularly by giving impulse to the pertinent legislation, the guarantee of sufficient financing and the effectiveness and efficiency of administrative action.

Article 11. The Promotion of Democratic and Civic Values.

The public authorities of Andalusia shall promote the development of full civic and democratic consciousness based on constitutional values and on the principles and objectives established in this Statute as the signs of identity proper to the Regional Government.

To this end, they shall adopt the measures necessary to teach and disseminate knowledge of the Constitution and the Statute of Autonomy.

HEADING I

Social Rights, Public Duty and Public Policy

CHAPTER I

General Provisions

Article 12. Holders.

The addressees of public policy and the holders of the rights and duties contained in this Title are all those persons with administrative residence in Andalusia, without prejudice to what is stipulated as regards the right to participate in public affairs in Article 30, and in accordance with the laws regulating Fundamental Public Rights and Freedoms.

Article 13. Scope and Interpretation of Rights and Principles.

The rights and principles contained in the present Heading do not imply a change in the system of distribution of competences, the creation of new entitlements to competences, or the modification of those already existing.

None of the rights or principles covered under this Heading may be interpreted, developed or applied in a manner that limits or reduces rights or principles acknowledged by the Constitution or by the international treaties and conventions ratified by Spain.

Article 14. Prohibition of Discrimination.

Any discrimination in the exercise of rights, the fulfilment of duties and the rendering of the services covered under this Heading, in particular discrimination owing to sex, ethnic or social origin, language, culture, religion, ideology, genetic characteristics, birth, heritage, handicap, age, sexual orientation or any other personal or social condition or circumstance, is prohibited. The prohibition against discrimination shall not stand in the way of positive actions to benefit disadvantaged sectors, groups, or persons.

CHAPTER II

Rights and Duties

Article 15. Equality of Gender.

Equal opportunities between men and women are guaranteed in all fields.

Article 16. Protection against Gender Violence.

Women have the right to an integrated protection against gender violence, which shall include measures for prevention, assistance and public aid.

Article 17. Family Protection.

1. The social, legal, and economic protection of the family is guaranteed. The law shall govern access to public aid to attend to circumstances befalling the different family types existing according to civil law.

2. All unmarried couples have the right to register their options for cohabitation in a public register.

Within the scope of competence of the Regional Government, the unmarried couples listed in the register shall enjoy the same rights as married couples.

Article 18. Minors.

1. Minors have the right to receive from the public authorities the protection and integrated attention necessary for the development of their personality and for their welfare in the family, at school and in society, as well as the right to receive the social services established by law.

2. The benefit of the minor shall have precedence in the interpretation and application of the laws concerning him or her.

Article 19. Seniors.

Senior persons have the right to receive from the public authorities of Andalusia the protection and integrated attention to promote their personal autonomy and active senior life, giving them access to a decent independent life, social and individual welfare, adequate care for the aged in the scope of health, social and assistance services, and the right to receive benefits under the terms established by law.

Article 20. Living Wills and Dignity in the Face of Death.

1. The right to declare a living will to be respected under the terms established by law is acknowledged.

2. All persons have the right to receive appropriate treatment for pain, integrated palliative care, and the right to full dignity in the face of death.

Article 21. Education.

1. The constitutional right of everybody to permanent and compensatory education is guaranteed through a public educational system.

2. The public authorities of the Regional Government of Andalusia guarantee the rights of parents for their to children receive religious and moral training in accordance with their own convictions. In accordance with the non-denominational character of the State, public education shall be non-denominational.

The public government authorities shall take account of the religious beliefs of Catholicism and all other denominations existing in Andalusian society.

3. Everyone has a right to equal access to the educational centres supported by public funds. The pertinent admission criteria shall be established for such a purpose, in order to guarantee this under conditions of equality and non-discrimination.

4. Free education at compulsory levels is guaranteed, and, under the terms set forth by law, infant education. Everyone has the right of equal access to the public system of grants and scholarships for studies on the levels that are not free of charge.

5. Free textbooks are guaranteed in compulsory education at the centres supported by public funds. The law may extend this right to other educational levels.

6. Everyone has the right of access to occupational training and permanent education under the terms established by law.

7. The public universities of Andalusia shall guarantee access to everyone under conditions of equality, under the terms established by law.
8. The educational plans of Andalusia shall incorporate the values of equality between men and women and cultural diversity in all the walks of political and social life. The Andalusian educational system shall encourage entrepreneurial capacity among students, multilingualism and the use of the new technologies.
9. The general educational system shall be complemented by specific training appropriate to Andalusia.
10. Persons with special educational needs shall have the right to their real integration into the general educational system, in accordance with the provisions of law.

Article 22. Health.

1. The constitutional right to the protection of health through the universal public health system provided for by Article 43 of the Spanish Constitution is guaranteed.
2. The patients and users of the Andalusian health system have the right to:
 - a) Access to all the system services.
 - b) The free choice of doctor and health centre.
 - c) Information regarding the services and features of the system as well as the rights they are entitled to.
 - d) Be adequately informed regarding the progress of their illness before giving their consent to be subjected to medical treatment.
 - e) Respect for their personality, human dignity and privacy.
 - f) Genetic counselling and preventive medicine.
 - g) The guarantee of a maximum timeline for access to services and treatments.
 - h) Avail of a second orientative opinion about their illnesses.
 - i) Access to palliative care.
 - j) The confidentiality of their health data and their genetic characteristics, as well as access to their clinical records.
 - k) Receive specialized geriatric assistance.
3. Persons with mental illness, suffering chronic and disabling diseases, and belonging to specific groups acknowledged as health risks have a right to special and preferential health action plans and programs.
4. The terms, conditions and requirements for the exercise of the rights provided for in the preceding sections shall be established in accordance with law.

Article 23. Social Services.

1. Everybody's right to equal access to the benefits of a public system of social services is guaranteed.
2. Everyone has the right to a basic income that guarantees decent conditions of life, and to receive it, in case of need, from the public authorities, in accordance with the provisions of law.

Article 24. Handicapped or Dependent Persons.

Persons with a handicap and who are in a position of dependence have the right of access to the aid, benefits and quality services with public guarantee necessary for their personal and social development under the terms set forth by law.

Article 25. Housing.

So as to favour the constitutional right to decent and adequate shelter, the public authorities are obliged to the public promotion of housing. The law shall regulate access to this as well as to the aid facilitating it under conditions of equality.

Article 26. Labour.

1. In the exercise of the constitutional right to employment, all persons are guaranteed:
 - a) Free access to the public employment services.
 - b) Access to public employment under conditions of equality, in accordance with the constitutional principles of merit and capability.
 - c) Access to occupational training.
 - d) The right to rest and leisure.
2. Trade unions and employers' organizations are guaranteed the establishment of the conditions necessary to fulfil the functions that the Constitution acknowledges them. The law shall regulate the institutional participation of the most representative trade unions and employers' associations of the Autonomous Region in the scope of the Council of Andalusia.

Article 27. Consumers.

The consumers and users of goods and services are guaranteed the right of association as well as the right to information, training and protection under the terms established by law. Likewise, the law shall regulate the mechanisms of participation and the catalogue of consumers' rights.

Article 28. The Environment.

1. All persons have the right to live in a well-balanced, sustainable and healthful environment, as well as to enjoy the natural resources, the surroundings and the landscape in conditions of equality, with the duty to employ these responsibly in order to prevent their deterioration and to preserve them for future generations, as determined by law.
2. This right is guaranteed through an adequate protection for biological diversity, ecological processes, natural heritage, landscape, water, air, and natural resources.
3. Everybody has a right of access to the environmental information availed of by the public authorities in the terms provided for by law.

Article 29. Access to Justice.

Within the scope of its competences, the Regional Government guarantees quality in the services of Justice Administration, attention to victims and the access to free justice.

Article 30. Political Participation.

1. In keeping with Article 5, Andalusians have the right to participate in the public affairs of Andalusia under conditions of equality, either directly or through representatives, in the terms established by the Constitution, this Statute and the laws. This right includes:
 - a) The right to elect the members of the representatives bodies of the Regional Government and to present themselves as candidates to these.
 - b) The right to promote and present law-making initiatives before the Parliament of Andalusia and to participate in the preparation of the laws, either directly or through collective entities, in the terms established by the Regulations of Parliament.
 - c) The right to promote calls for popular consultations on the part of the Council of Andalusia or the Municipalities, in the terms established by law.
 - d) The right to individual and collective petitions in writing, in the manner and with the effects provided for by law.

e) The right to participate actively in Andalusian public life, for which the necessary mechanisms of information, communication and acceptance of proposals shall be established.

2. The Council of Andalusia shall establish the appropriate mechanisms to extend the rights envisioned in the preceding section to the citizens of the European Union and the foreigners residing in Andalusia within the framework of the Constitution, without prejudice to the rights of participation guaranteed them by the regulations governing the European Union.

Article 31. Good Government.

The right to good government under the terms set forth by law, which includes the right of everybody before the Public Administration – whose action shall be proportionate to such ends – to participate fully in the decisions affecting them, obtaining from these true information, and the assurance that their affairs shall be dealt with objectively and impartially and resolved within a reasonable interval, as well access to the files and records of the public institutions, corporations, bodies and agencies of Andalusia, whatever their support, is guaranteed, with the exceptions that the law may establish.

Article 32. Protection of Data.

The right of all persons to the access, correction and cancellation of their personal data in the hands of the Andalusian public authorities is guaranteed.

Article 33. Culture.

All persons have the right of equal access to culture, to the enjoyment of the cultural, artistic and natural heritage of Andalusia, and to the development of their individual and collective creative capacities, as well as the duty to respect and preserve the Andalusian cultural heritage.

Article 34. Access to Information and Communication Technologies.

The right to accede and to use the new technologies, and to participate activity in the society of knowledge, information and communication through the means and resources provided for by law is acknowledged.

Article 35. Sexual Orientation.

Everyone has the right to respect for his or her sexual orientation and his or her gender identity. The public authorities shall promote policies to guarantee the exercise of this right.

Article 36. Duties.

1. Within the scope of its competences, and without prejudice to the duties established in the Constitution, the Statute establishes, and the law shall regulate, the obligation of all persons to:

- a) Contribute to sustaining public expenses in accordance with their income.
- b) Preserve the environment.
- c) Collaborate in situations of emergency.
- d) Fulfil the obligations deriving from citizen participation in electoral administration, respecting what is provided for in the general electoral regime.
- e) Make responsible and solidary use of public benefits and services and collaborate in their appropriate operation, maintaining due respect for the rules established in each case, as well as for the other users and for the personnel charged with providing them.

- f) Care for and protect public property, particularly that of historical, artistic and natural character.
 - g) Contribute to the education of their children, particularly in compulsory education.
2. Companies carrying out their activity in Andalusia shall adjust themselves to the principles of respect and preservation for the environment provided for in Heading VII. The Andalusian Administration shall establish the pertinent inspection and sanctioning mechanisms.

CHAPTER III

Guiding Principles of Public Policy

Article 37. Guiding Principles.

1. The powers of the Regional Government shall orient its public policies towards guaranteeing and ensuring the exercise of the rights acknowledged in the preceding Chapter and attaining the basic objectives set forth in Article 10 through the effective application of the following guiding principles:

- 1. The rendering of quality public services.
- 2. The struggle against sexism, xenophobia, homophobia and war-mongering, particularly through education in values that promote equality, tolerance, freedom and solidarity.
- 3. The access of the aged to decent and independent living conditions, ensuring them social protection and providing incentives for an active senior life and their participation in the social, educational and cultural life of the community.
- 4. Special protection for persons in situations of dependence that will enable them to enjoy a decent quality of life.
- 5. Autonomy and social and professional integration for the handicapped in accordance with the principles of non-discrimination, universal access and equal opportunities, including the use of languages that will permit them to communicate and the total elimination of barriers.
- 5. The use of the Spanish sign language, which shall be a subject of teaching, protection and respect, and the conditions that will permit the deaf opting for this language to attain equality.
- 7. Social care for persons suffering alienation, poverty or social exclusion and discrimination.
- 8. The integration of the youth in social and working life, favouring their personal independence.

9. The labour, economic, social and cultural integration of immigrants.

- 10. Quality employment, the prevention of occupational risks and promotion in work.
- 11. Full working equivalence between men and women as well as conciliation between their working and family life.
- 12. Impulse to collaboration with economic and social agents.
- 13. The promotion of entrepreneurial capacity, research and innovation. A need to encourage the work of Andalusian universities in these fields is acknowledged.
- 14. The promotion of the tourist and agro-food sectors as strategic economic elements of Andalusia.
- 15. Access to the information society by promoting training and encouraging the use of technological infrastructures.
- 16. The strengthening of civil society and the promotion of associations.
- 17. Free access of all persons to culture and respect for cultural diversity.
- 18. The preservation and revaluation of the Andalusian cultural, historical and artistic heritage, particularly Flamenco.

19. Responsible, solidary, sustainable and quality consumption, particularly in the food sector.
 20. Respect for the environment, including landscape and natural resources, guaranteeing the quality of water and air.
 21. Impulse to and the development of renewable energies, energy savings and energetic efficiency.
 22. The rational use of land, adopting whatever measures may be necessary to prevent speculation and promoting the access of needy groups to protected housing.
 23. The social, cultural and religious coexistence of all persons in Andalusia and the respect for cultural diversity, beliefs and convictions, promoting intercultural relationships with full respect for constitutional values and principles.
 24. Care for the victims of crimes, particularly those deriving from terrorist acts.
 25. Civic care and protection in emergencies, catastrophes and public calamities.
2. The foregoing principles shall, moreover, be oriented towards overcoming situations of inequity and discrimination for persons and groups that may arise from their personal or social circumstances or any other form of alienation or exclusion.
- Thus, their implementation shall facilitate access to the pertinent services and benefits, and shall establish the cases of free service for the most economically disadvantaged.

CHAPTER IV

Guarantees

Article 38. Commitment between public authorities and individuals.

The prohibition against discrimination contained in Article 14 and the rights acknowledged in Chapter II are binding upon all Andalusian public authorities and, depending on the nature of each right, upon individuals, and shall be interpreted in the sense most favourable to their full effect. Parliament shall approve the pertinent laws for implementation, which shall respect, in any case, the content of the same established by the Statute and shall determine the benefits and services concerned, as the case may warrant, in the exercise of these rights.

Article 39. Jurisdictional Protection.

Those acts of the public authorities of the Community that violate the rights mentioned in the preceding article may be subject to appeal before the pertinent jurisdiction, in accordance with the proceedings established by the procedural laws of the State.

Article 40. Effectivity of the Guiding Principles.

1. The acknowledgement and protection of the principles guiding public policy shall inform Andalusian legal and regulatory norms, court practice and the lines of action taken by public authorities, and may be alleged before the magistrates and courts as provided for by their laws of implementation.
2. The public authorities of the Regional Government of Andalusia shall adopt the measures necessary for the effective fulfilment of these principles, as the case may warrant, by giving impulse to the pertinent legislation, the guarantee of sufficient financing and the effectiveness and efficiency of administrative action.

Article 41. Defence of Rights.

It corresponds to the Andalusian Ombudsman or woman to watch over the defence of the rights set forth under the present Heading, in the terms of Article 128.