

OMBUDS INSTITUTIONS AND THE ARMED FORCES PROMOTING DIVERSITY

Prepared by Stéphanie Marcia (DCAF) for 9ICOAF

Diversity

Diversity is a term used to refer to different (groups of) people that identify based on a characteristic. Some examples of characteristics around which a diverse group may be structured are visible ones such as race, ethnicity, language, gender, disability, and age, but may also be invisible characteristics such as culture, values, and religion. As each member identifies through a characteristic, both a group identity and an individual identity related to the group are formed. However, though diversity can bring people together, it can also be a reason for exclusion.

Negative consequences of diversity may be the exclusion of people or groups based on their “difference.” Labelling, stereotyping and prejudice are examples of practices that undermine diversity and hinder inclusion. For diversity to become a positive aspect of a society, differences must be treated with respect, and inclusion must be promoted and enabled so to allow each person to fully participate in social life through economic, political and social activities. Sensibility and respect for differences are key in enabling positive inclusion and diversity.

Social Diversity	Social Inclusionⁱ
A society that is composed of groups of people from a variety of backgrounds, ethnicities, races, religions, ages, genders, etc.	The process of improving the terms on which individuals and groups take part in society—improving the ability, opportunity and dignity of those disadvantaged on the basis of their identity

Diversity in the Armed Forces

A positive inclusion of diversity by the security sector is an essential part of successfully establishing democratic institutions. In military institutions there is a trend of certain groups or categories of people being more represented than others. A common example of this in the military is the overrepresentation of men in comparison with women. In many Western European countries there may even be more precise groups such as white, Christian men of upper-middle class or the underrepresentation of certain ethnic or racial groupsⁱⁱ (i.e. British Defence Secretary Michael Fallon acknowledged the need to integrate more ethnic minorities to the UK Armed Forces).ⁱⁱⁱ

Diversity is considered a positive feature not only in terms of social equality, but also because it has improved the quality of the armed forces.^{iv} One reason is because groups with members of different backgrounds enhance problem-solving, are more innovative, and more sensitive to cultural differences.^v Integrating ethnic, racial, gender and language diversity enables the military to address strategic problems in a more comprehensive way. In Afghanistan for example women have proven to be a great added value to the effectiveness of military institutions through community outreach and intelligence gathering.^{vi}

However, inclusion may be difficult in some military environments; women and members of the LGBT community may be excluded or face significant barriers to their equal inclusion in the military. Religious minorities may feel discriminated by not being able to practice their faith because of the lack of a designated place for prayer, uniform requirements,^{vii} dietary restrictions or non-recognition of religious holidays.^{viii} Ethnic and racial groups also may face difficulties integrating or face career development limitations, for example in countries with a history of social cleavages. However, overcoming such difficulties is not impossible. Bosnia and Herzegovina^{ix} is an example of an armed forces that has experience positively integrating three ethnic groups.^x

Important figures for the positive inclusion of diversity in the armed forces are leadership ranks. Because of the institutional culture of authority and hierarchy, senior personnel play an important leadership role. Sending a positive message of inclusion and acceptance for diversity will allow lower ranking personnel to know what behaviour is expected,^{xi} in addition to promoting the inclusion of such behaviour in the institutional culture.

Ombuds Institutions' Role in Promoting Diversity

Ombuds institutions play a role in protecting and promoting diversity and inclusion in the armed forces. Not only through complaints-handling but also through policy recommendations, ombuds institutions are responsible for ensuring that diversity is respected and endorsed in military institutions. Through the promotion of diversity, ombuds institutions will be responsible for insuring equal respect for all groups' human rights. Ombuds institutions can issue also recommendations to revise or abolish discriminatory policies or legislation. An example is that of the Australian Human Rights Commission which conducted a comprehensive review of the barriers that prevented the equal participation of women in the Australian Defence Forces.^{xii} The review found numerous problems and issued many recommendations to parliament to rectify the problem. The German Parliamentary Commissioner, for example, also dedicates a thematic focus in each annual report to monitoring the rights of women in the Bundeswehr, and highlighting some of the greatest challenges.^{xiii} Canada, for example, created an ombuds institution to deal specifically with veteran's issues. The initiative of creating the Veteran Ombudsman represents a difference-sensitive reaction to this group's specific needs. From a gender-sensitive perspective, incorporating gender disaggregated data collection into complaints-handling mechanisms allow one to understand the necessities of men, women and transgender groups.^{xiv} It is also important to advocate for the implementation of gender-sensitive rules (i.e. both maternity and paternity leave) that will allow different groups to have their needs accounted for. Examples such as these demonstrate that ombuds institutions can lead on promoting inclusion in the armed forces.

Though many problems with diversity may be the consequence of a historical past, ombuds institutions have the responsibility to protect equal opportunities and non-discrimination in the armed forces. Thus, it is also important that the institution's staff be prepared to deal with complaints reception, handling, and investigation in a sensitive manner. This is why institutional training is of great importance, since groups that feel discriminated are usually less inclined to complain for fear of retaliation, a topic that will be explored in greater detail in Session 6 on the causes of underreporting.^{xv}

Questions for discussion:

1. Can difference-sensitivity practices create even more space for discrimination?
2. How can ombuds institutions ensure that youth are aware of their services and informed of their rights?
3. How can ombuds institutions play a role in increasing acceptance of persons of all races and ethnicities in the armed forces?
4. How can ombuds institutions ensure that all religions have equal rights to be practiced and respected in the military?
5. How can ombuds institutions assist women in ensuring their full participation in the armed forces?
6. How can ombuds institutions help transgender personnel be accepted in the military environment?

ⁱ *Inclusion Matters: The Foundation for Shared Prosperity*. Washington, DC: World Bank Publications, 2013

ⁱⁱ "Distribution of active-duty enlisted women and men in the U.S. Military in 2015, by race and ethnicity." Chart. Statista - The Statistics Portal. 2017. <https://www.statista.com/statistics/214869/share-of-active-duty-enlisted-women-and-men-in-the-us-military/>.

ⁱⁱⁱ Fallon, Michael. "Keynote speech from Defence Secretary Michael Fallon at the Asian Achievers Awards." Speech, Asian Achievers Awards, September 21, 2015.

^{iv} Forsling, Carl. "Why The Military Needs Diversity." Task & Purpose. April 28, 2015. <http://taskandpurpose.com/why-the-military-needs-diversity/>

^v Lopez, C. Todd. "Army reviews diversity in combat arms leadership." U.S. Army. July 19, 2016.

https://www.army.mil/article/171727/army_reviews_diversity_in_combat_arms_leadership.

^{vi} Bastick, Megan. *Gender and Complaints Mechanisms: a Handbook for Armed Forces and Ombuds Institutions to Prevent and Respond to Gender-Related Discrimination, Harassment, Bullying and Abuse*. Geneva: DCAF, 2015, p.1

^{vii} US Supreme Court ruling of *Goldman v. Weinberger*, 475 U.S. 503 (1986)

^{viii} OSCE, DCAF. *Handbook on Human Rights and Fundamental Freedoms of the Armed Forces*. Warsaw: OSCE Office for Democratic Institutions and Human Rights, 2008, p.87

^{ix} Kurasinski, Lidia. "Bosnia's Defense Reform – A Step Towards Reconciliation?" *Balkan Diskurs*. February 17, 2017.

<http://www.balkandiskurs.com/en/2017/02/17/bosnias-defence-reform-a-step-towards-reconciliation/>.

^x Brijavac, Bedrudin. "Building a Common State Army Forces in Post-War Bosnia-Herzegovina: Assessing its Peace-Building Perspective." *Romanian Journal of European Affairs* 12, no. 1 (March 5, 2012): 27-38., p.31

^{xi} Good example from the Australian Armed Forces : YouTube. June 12, 2013. <https://www.youtube.com/watch?v=QagpoeVgr8U>

^{xii} For more information see: "Collaboration for Cultural Reform in Defence." *Defence Review*. <http://defencereview.humanrights.gov.au/>

^{xiii} *Information from the Parliamentary Commissioner for the Armed Forces - Annual Report 2016 (58th Report)*. Report no. 18/10900. German Bundestag. German Bundestag, 2017. 1-100.

https://www.bundestag.de/blob/501800/c9afdf96dfc06a60f49c60c0ed7111d7/annual_report_2016_58th_report-data.pdf

^{xiv} Buckland, Benjamin S. *Ombuds Institutions for Armed forces and Gender*, Geneva: DCAF, 2014

^{xv} See Cote d'Ivoire's initiative: "Le Médiateur de la République forme ses délégués." *Le Mediateur de la République de Cote d'Ivoire*. June 07, 2017. <http://www.mediateur-republique.ci/index.php?q=article&id=65>.