



INTERNATIONAL CONFERENCE OF OMBUDS INSTITUTIONS FOR THE ARMED FORCES  
SICOAF | OSLO, NORWAY | OCTOBER 2013

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CONFERENCE REPORT



## WELCOME REMARKS

1. Olemic Thommessen, President of the *Storting* (Parliament of Norway)
2. His Excellency Ambassador Theodor H. Winkler, Director of the Geneva Centre for the Democratic Control of Armed Forces
3. Kjell Arne Bratli, Parliamentary Commissioner for the Norwegian Armed Forces
4. Corporal Grunde Almeland, Spokesman for the Conscript Soldiers, Norway

## TRACK A: VETERANS

### PANEL 1. VETERANS: CURRENT STATUS, CHALLENGES AND FUTURE TRENDS

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The first panel of the conference sought to explore current issues and identify some of the main challenges with which veterans are confronted. It also sought to identify some future trends in ICOAF participating states, including those states that have suffered from civil war. In particular, the session explored the following questions:

- How do states define veterans?
- To what extent are benefits linked to the definition of a veteran and do all veterans (including dependants) have equal access to benefits (e.g. health care)?
- What are the main challenges and obstacles for veterans? What are the different challenges facing male and female veterans?
- Which are the future issues and trends with regards to veterans?

Robert Mood, Major General and Head of Veteran Affairs of the Ministry of Defence of Norway, discussed the fact that the 6000 veterans of WWII and NATO flag operations in Norway have not always been properly recognised or supported by society. He noted that Parliament had introduced, in 2011, a comprehensive action plan for veterans, involving six ministries. One of the main results of this action plan was that when a military unit returns from a mission, they stay together for a 2–3 day debriefing and decompression period in a hotel, together with medical and other professionals. He noted that relevant actors had now become better at helping soldiers to transition to day-to-day life, something that has been particularly important given the more difficult operations in which Norway was and is engaged. Robert Mood remarked that, on the positive side, veterans in Norway are often better off than similar groups elsewhere, something that is perhaps related to the high levels of average education among Norwegian soldiers. He also noted that veterans who had served together in particularly harsh environments were (perhaps counter-intuitively) better off than others due to the close bonds of comradeship that had developed.

Tomasz Oklejak of the Office of the Human Rights Defender of Poland, discussed the recent history of Polish military engagements abroad, noting that 100,000 living soldiers have participated in 80 foreign military missions. He noted that, until 1997 when a new law was adopted, this group was not considered as veterans—a term that was restricted to those who had defended Poland directly. Tomasz Oklejak remarked that healthcare (both physical and psychological) was the most pressing issue, along with financial support and housing.

## PANEL 2. THE ROLE OF OMBUDS INSTITUTIONS IN RECEIVING AND INVESTIGATING COMPLAINTS FROM VETERANS

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The second panel of the conference focused on the role of ombuds institutions with regards to veterans. Discussions focused on a number of questions, including: what is the mandate of ombuds institutions with regards to veterans? Do other institutions exist that are mandated to receive and investigate complaints from veterans? How does the ombuds institution appreciate and use relations with military associations with regards to veterans? What are the most common complaints of veterans? Did the ombuds institution conduct thematic investigations in the area of veterans? And what are frequent recommendations of the ombuds institution in this area and are they followed up by the armed forces?

Helmut Königshaus, Parliamentary Commissioner for the Armed Forces of Germany, noted that in his country the issue of veterans is sometimes difficult because of historical issues. More recently, however, he noted that Germany has veterans from conflicts in Afghanistan and elsewhere. He argued that there is still a lack of formal procedures and guarantees in place to help veterans and to provide for their wellbeing, particularly because responsibilities are fragmented across different areas of government ministries.

Saša Janković, Protector of Citizens (Ombudsman) of Serbia, spoke about the lack of status that war veterans have in Serbia. In particular he noted that shame relating to recent conflicts means that there is neither moral nor social recognition for veterans. Indeed, he suggested that they are seen by society as symbols of defeat. Nevertheless, he argued that Serbian veterans are paying the full price of war and that much more needed to be done.

## PANEL 3. THE WAY AHEAD FOR IMPROVING THE ROLE OF OMBUDS INSTITUTIONS IN THE AREA OF VETERANS

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The third panel of the conference sought to be forward looking with a view to improving the functioning of ombuds institutions in the area of veterans. Some of the questions that the panel addressed included:

- What are best practices with regards to policies, activities, treatments, benefits for veterans in your country?
- What did work and what did not work?
- What lessons and best practices, if any, has the ombuds institution learned on account of the experience with receiving and investigating veterans related complaints?
- Which recommendations can you formulate on the basis of your experiences?

Guy Parent, Veterans Ombudsman of Canada, informed attendees that the Canadian definition of veteran includes anyone who has served honorably in the armed forces. His office was created in 2007 and has a mandate to deal with all 1 million veterans in Canada. He noted that the main issues confronting veterans are: health care benefits, disability pensions and awards, and the new veterans' charter. Guy Parent suggested that a key issue is a lack of understanding among veterans of what benefits are available and that he hoped the new veterans' charter would help to address some of these issues.

Ton van Ede, Lieutenant-General and Inspector-General of the Netherlands' armed forces, noted that veterans, following a new law in 2012, include active duty personnel who have served in operations abroad. He suggested, however, that financing of veterans programmes had not always been managed effectively and that too much funding for certain programmes had created problems.

Hans Born, speaking for DCAF, discussed complaints and, in particular, the issue of how ombuds institutions can deal effectively with issues about which they receive few or no complaints. Under-reporting might affect issues such as Post Traumatic Stress Disorder (PTSD) and that for various reasons veterans might be hesitant to complain in case of short comings in the care for this group of (former) personnel from the side of the ministry of defence.

## TRACK B: GENDER

### PANEL 4. THE ROLE OF WOMEN IN THE ARMED FORCES: CURRENT STATUS, CHALLENGES AND PROSPECTS

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The fourth panel of the conference was also the first session on gender and the armed forces. It explored current roles, legal frameworks and practices relating to women in the armed forces and sought to identify some of the key issues and challenges. In particular, the panel discussed:

- Current status of women in the armed forces, in terms of numbers, positions, exclusion from certain units/positions, and trends;
- Main challenges for women working in the armed forces, including harassment and sexual violence;
- Integration of women and its contribution to operational effectiveness;
- Current situation, experiences and roles of women in military operations abroad, including frontline and combat operations.

Elizabeth Broderick, Sex Discrimination Commissioner of Australia, discussed the issue of retention rates among women in the Australian armed forces, as well as the issue of advancement and why service in certain roles does not lead to promotion to senior positions. She discussed her research on over sixty military establishments and, in particular, the resistance with which her work has been met, particularly among those who view discrimination as somehow part of military culture (often those in the middle ranks). In this regard, she noted that some have viewed her work on discrimination as “political correctness gone mad [and a] leftist feminist agenda [designed to] lower standards.” On the standards question, she made the interesting argument that Australian military personnel are already drawn from a small talent pool in that most soldiers are men from English speaking households (which is only 40% of Australians). She concluded by suggesting that change needs to come from the leadership and that women need some level of differential treatment, because systems build on male norms already treat men and women differently.

Ingrid M. Gjerde, Colonel and Commander of the Norwegian Defense University College and former Commander of the Norwegian Armed Forces in Afghanistan, discussed in her presentation some of the resistance that equal participation by women had faced in the Norwegian armed forces. In particular she noted that many had expressed the concern that women and men fighting together would lead to problems, due to the fact that men would apparently react differently in such situations (for example, to defend a female colleague). She noted that in the Norwegian experience this had proven to not be the case. Charlotte Isaksson, NATO Gender Advisor, noted that a large number of states have already, or are in the process of, abandoning restrictions on roles that women can play in the armed forces. She argued that these restrictions continue to have a serious negative impact on the ability of women to reach leadership positions but that UN Security Council Resolution 1820 regarding sexual violence in conflicts and UN Security Council Resolution 1325 on the inclusion of gender perspectives in operations had provided some impetus for reform.

### PANEL 5. GENDER AND OMBUDS INSTITUTIONS

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Panel 5 continued the discussion of Gender and ombuds institutions and elaborated on the role of ombuds institutions in protecting and promoting the human rights of women serving in armed forces as well as the extent to which women do not come forward, even when there are clear grounds for a complaint. It also addressed the phenomenon of underreporting and ways in which ombuds institutions could address the issue. The panel also touched on the role of ombuds institutions with regard to women in military operations, including frontline and combat operations.

Susan Atkins, Service Complaints Commissioner of the United Kingdom, discussed the problematic issue of reporting harassment within a hierarchical organization. She noted that a lack of confidence in the chain of command—particularly due to poor handling of previous complaints—led many to simply stay silent. Atkins went on to argue that many servicewomen see improper behavior as somehow an inevitable cost of serving and worry that speaking out will lead to isolation and victimization. She suggested that ombuds institutions need to work to help create confidence among women to bring cases. Ombuds institutions should be careful to conclude that no complaints implies that no problems exist.

Megan Bastick, DCAF Gender and Security Fellow, underlined the importance of complaints for bringing attention to human rights and dealing with individual gender-related issues. She also noted that many barriers still exist to filing complaints on sexual harassment and abuse. She remarked that many still lack confidence that complaints will be taken seriously. Finally, she argued that changing policies and procedures, so that they align with best practices, can make a huge difference.

## TRACK C: CAPACITY DEVELOPMENT

### PANEL 6. ICOAF, DCAF AND INTERNATIONAL CAPACITY BUILDING

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The final panel of the conference explored the current status and activities as well as possible future approaches for bilateral/international cooperation between ombuds institutions with a view of strengthening these institutions. The panel included presentations by Lieutenant-General (Ret) Themba Matanzima, Military Ombud, South Africa; Major-General (Ret.) Pierre Daigle, Ombudsman for the Department of National Defence, Canada; and Riina Turtio, Research Assistant, DCAF; and was moderated by Hans Born, Deputy Head Research and Senior Fellow, DCAF. The panel dealt with the greatest capacity needs of ombuds institutions (both old and new); the most useful and least useful activities in terms of strengthening ombuds institutions; the focus and activities of future international cooperation; the role of ICOAF in strengthening the functioning of ombuds institutions; and the elements that should be included in a possible handbook on gender and ombuds institutions.

Pierre Daigle, Ombudsman for the Department of National Defense and Canadian Forces, noted that the main capacity development challenges faced by his office could be divided into external factors, including the need to:

- Review mandate and reinforce independence;
- Increase visibility and awareness; and
- Expand the office's network and level of influence.

Among internal challenges, he noted the need to: attract and retain highly qualified people; increase efficiency (digitization and systemic investigation process); and develop performance measurements and demonstrate value added.

Lieutenant-General (Ret) Themba Matanzima, Military Ombud, South Africa, identified a number of essential activities to strengthen capacities of ombuds institutions, which included focusing on both national and international cooperation and coordination mechanisms. Capacity development should also include a political process that seeks to situate an ombuds institution strategically and in line with the expectations of the people, the military and other branches of government. In this sense, capacity development must be measured in terms of the impact it has in encouraging effective and accountable governance systems within the armed forces.

Riina Turtio, project assistant for the DCAF ombuds institutions programme, focused on several key capacity gaps identified by her research on ombuds institutions in the OSCE region (jointly undertaken by DCAF and the OSCE Office of Democratic Institutions and Human Rights). In particular, she noted that among the biggest challenges ombuds institutions face is insufficient financial and human resources, as well as insufficient powers to investigate complaints. She also suggested that one of the powers that many ombuds institutions lack relates to enforcement, noting that most cannot force officials or service personnel to cooperate with their investigations and do not have the legal powers necessary to enforce implementation of their recommendations.