



9TH INTERNATIONAL CONFERENCE OF OMBUDS INSTITUTIONS FOR THE ARMED FORCES

London, United Kingdom

8-10 October 2016

Conference Statement

As the International Conference of Ombuds Institutions for the Armed Forces (ICOAF) enters its ninth year, the conference has promoted the exchange of experiences and deepened cooperation among Ombuds institutions.

Jointly hosted by the Service Complaints Ombudsman for the Armed Forces of the United Kingdom, and the Geneva Centre for the Democratic Control of Armed Forces (DCAF), the 9th ICOAF took place in London on 8-10 October 2017. The 9th ICOAF focused on the moral compass of the armed forces, and how ombuds institutions can break down barriers to achieve change.

As was the case in previous years, the conference reached out to representatives of ombuds institutions for the armed forces from nearly forty countries. Through this conference, ICOAF has been able to further strengthen its function as a platform for promoting democratic oversight of the armed forces and preventing maladministration and human rights abuses.

This conference statement serves as a compilation of good practices discussed at the conference and does not serve as an obligation to act on or implement these practices. Each ombuds institution possesses specific and unique mandates, and therefore all good practices may not be relevant to all conference participants.

The Conferees declare the following:

Introduction

1. Building on the successes of the previous eight International Conferences of Ombuds Institutions for the Armed Forces in Berlin (2009), Vienna (2010), Belgrade (2011), Ottawa (2012), Oslo (2013), Geneva (2014), Prague (2015) and Amsterdam (2016), the London

Conference sought to strengthen cooperation and share good practices among impartial oversight institutions.

2. We recognise that ICOAF has established itself as an important international forum for promoting and ensuring democratic oversight of the armed forces, with participants sharing common aspirations towards preventing maladministration and human rights abuses.
3. Recognising that each national context is unique, we underline the importance of ongoing international dialogue among ombuds institutions to promote and protect human rights and fundamental freedoms within and by the armed forces.

Maximising the Role of Ombuds Institutions within Ethical and Legal Boundaries

4. Ombuds institutions for the armed forces are characterised by their independence, impartiality and integrity, and are therefore well placed to examine issues pertaining to morals and ethics in the armed forces.
5. Codes of ethics are useful tools to provide clarity on or formalize unwritten standards for professional conduct within the armed forces, especially on ethical dilemmas. When codes of ethics are insufficient, military ethics committees are a useful resource to resolving ethical dilemmas. Ethics committees can include experts on the topic, including ombuds institutions.
6. Codes of ethics and ethics committees are, however, not the only way to contributing to a culture of ethical behaviour in the armed forces. Continuous ethics education and training are necessary to maintain ethical behaviour in the armed forces. Ombuds institutions can contribute to this by raising the need for continuous education, and perhaps in some situations providing it themselves.
7. When there are ethically ambiguous areas that become a source of problems, ombuds institutions can investigate the root of the problem, and issue recommendations to resolve the problem.

Duty of Care: Mental Health

8. The armed forces have a duty of care to its personnel, which includes both physical and psychological support. When this care is not provided, ombuds institutions should be prepared to refer persons to resources available to them. In recurring circumstances, ombuds institutions can investigate why care was not provided, and issue recommendations to prevent future occurrences.
9. Ombuds institutions should ensure that personnel may raise complaints. However, due to a variety of factors, personnel may themselves not seek help. Families of personnel may suffer

just as much from unresolved complaints as the individual. Families are therefore an important point of reference for ombuds institutions to better address the needs of personnel, and receive complaints.

10. Ombuds institutions may also be confronted with persons suffering from mental illness and must be prepared to respond with empathy and professionalism. Ombuds institutions should develop procedures to manage unreasonable conduct.

Building an Inclusive Armed Forces: Addressing the Needs of Diverse Groups

11. The armed forces should represent the ethical values of a society, as well as the diversity of a society. Ombuds institutions can promote diversity by ensuring that existing laws and policies are not applied in a discriminatory manner, and that all persons can freely and actively participate in the armed forces irrespective of their gender, religion, sexual orientation, race, ethnicity or age.
12. In addition to ensuring the laws and policies are non-discriminatory, ombuds institutions should ensure that in practice personnel do not face discrimination due to backwards and deeply rooted attitudes.
13. Ombuds institutions can contribute to diversity in the armed forces by:
 - a. Engaging with leadership to champion these causes;
 - b. Illustrating positive examples and role models within the armed forces of diverse groups;
 - c. Informing and educating themselves on challenges and issues relating to these topics;
 - d. Monitoring the armed forces' compliance with non-discrimination plans, and encouraging the adoption of such plans when they do not exist; and
 - e. Building effective infrastructure to influence the armed forces to change.

Duty of Care: International Missions

14. While only a few ombuds institutions are currently actively involved in international missions, we recognise that each and every international mission should be covered by effective and comprehensive complaint mechanisms to protect both the rights of armed forces personnel and local populations.
15. Since international missions often involve multinational joint command structures and the participation of troops of various countries, ombuds institutions should explore the potential to develop mechanisms to conduct joint activities with ombuds institutions of other countries, including those of troop contributing countries and troop receiving

countries, as well as developing common focal points and standards for ombuds institutions involved in international missions.

(Why) Are Armed Forces personnel reluctant to complain?

16. Complaints are a good thing and complaints are a sign of trust in the system to resolve their complaint.
17. An absence of complaints is a sign of a deficiency in the system, not a perfect system.
18. Ombuds institutions should take efforts to understand the scope of problems in the armed forces, and what barriers (both physical and figurative) that prevent personnel from making complaints, for example, through armed forces attitude surveys.
19. Ombuds institutions should make filing a complaint as simple and user-friendly as possible.
20. Ombuds institutions should maintain their independence and impartiality. When this perception of independence and impartiality is compromised, whether real or not, ombuds institutions should undertake efforts to counteract these perceptions.

Conclusions

21. Future conferences will continue to expand and deepen the cooperation between ombuds institutions.
22. ICOAF remains open to relevant institutions from countries that have not participated in the previous conferences.
23. The tenth ICOAF will take place in South Africa in 2018.

London, 10 October 2017.