

Fourth International Conference of Ombudsman Institutions for the Armed Forces

23-25 September 2012

Canada



Hosted by the Office of the Ombudsman for the
Department of National Defence and the Canadian Forces

in cooperation with the
Geneva Centre for the Democratic Control of Armed Forces (DCAF)



DCAF
a centre for security,
development and
the rule of law

Canada

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PREFACE

The Fourth International Conference of Ombudsman Institutions for the Armed Forces (ICOAF) held in Ottawa, Canada from September 23-25, 2012, carried ICOAF into new territory, both literally and figuratively: it was the first time this prestigious conference was held outside of Europe and it introduced new ways of promoting and ensuring democratic oversight of the armed forces across the world.

The participation of more than 25 countries represented the largest attendance since the inception of this international gathering in 2009. We welcomed several new countries, including Burkina Faso, Burundi, Czech Republic, Honduras, Ivory Coast, Kyrgyzstan, Russia, Senegal, South Africa, Tajikistan and Tunisia. We also welcomed back a number of participants, such as Argentina, Austria, Belgium, Estonia, Euromil, Finland, France, Germany, Netherlands, Norway, Romania, Serbia, the United Kingdom and, of course, Canada. The presence of so many countries – recent and recurring – shows the increasing effectiveness and strength of ICOAF. And we have largely to thank for this success, the Geneva Centre for the Democratic Control of Armed Forces (DCAF), one of the world’s leading institutions in the areas of security sector reform and governance.

This year’s conference included sessions on capacity development and domestic outreach, with the main objective being to consider the capacity development needs of emerging or recently established ombuds institutions, and how well-established institutions can assist them. As Ambassador Winkler of DCAF pointed out, “Ombuds institutions play an important role in countries in transition, in fragile environments and in conflict situations. This is one way to provide a concrete tool to good governance and also the security sector.”

Every international conference ends with a declaration for moving forward so lessons learned can be put into practice. In previous years, conference participants have helped increase awareness of post-traumatic stress disorder, the support of military families, the need for respectful handling of diversity in armed forces, and the importance of openness and transparency. This year, we recognized the significance of domestic outreach and capacity development in ensuring that ombuds institutions contribute to the effective and accountable governance of armed forces.

At this year’s opening ceremony, Canada’s Minister of National Defence, the Honourable Peter MacKay, highlighted that international cooperation between militaries in the 21st century is not a luxury, but a necessity. He added that, “the same applies certainly to ombuds institutions of our armed forces. They need to continuously adapt to the issues and problems that arise in the world, as our societies and our armed forces continually evolve.” He could not have been more correct. Partnerships such as ICOAF are more than just opportunities to share best practices and lessons learned.

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They are about achieving an essential common goal: to improve and protect the welfare and rights of armed forces personnel on an international scale.

With this in mind, I look forward to continuing the exchange amongst ombudsman institutions around the world as we work towards improving our organizations and the lives of those we serve.

A handwritten signature in blue ink, appearing to read 'Daigle', with a stylized flourish extending to the left.

Pierre Daigle
Ombudsman

CONFERENCE PARTICIPANTS



Argentina

Senora Stella Segado, *National Director, Human Rights Secretariat, Department of Defence*

Doctor Ramiro Riera, *Program Director, Human Rights Secretariat, Department of Defence*



Austria

Abg. Z. NR. a.D. Paul Kiss, *Executive Chairman, Austrian Parliamentary Commission for the Federal Armed Forces*

MinR. Mag. Karl Schneeman, *Head of Office, Austrian Parliamentary Commission for the Federal Armed Forces*



Belgium

Colonel Jacques de Keyser, *Complaints Manager, Belgian Armed Forces*

Major Bertrand Buyse, *Personal Assistant to the Complaints Manager, Belgian Armed Forces*



Burkina Faso

Mrs. Alima Deborah Traore, *Médiateur du Faso*

Mrs. Maminata Ouattara, *Chef de division*

Mrs. Marie-Françoise Ouedraogo, *Directrice de Cabinet*



Burundi

The Honourable Mohamed Rukara, *Ombudsman*

Mr. Leonidas Nijimbere, *Advisor to the Ombudsman*

Ms. Eurydice Gahimbare, *Chief of Protocol, Burundi Ombudsman's Office*

Ms. Else Ntamagiro, *Chargée d’Affaires, Burundi Ombudsman’s Office*



Mr. Pierre Daigle, *Ombudsman for the Department of National Defence and the Canadian Forces*

Ms. Holly McManus, *General Counsel, Office of the Ombudsman for the Department of National Defence and the Canadian Forces*

Mr. Alain Gauthier, *Acting Director General of Operations, Office of the Ombudsman for the Department of National Defence and the Canadian Forces*

Mr. Howard Sapers, *Correctional Investigator of Canada*

Mr. Gary Walbourne, *Director of General Operations, Veterans Ombudsman*



Ms. Lenka Mareckova, *Main Inspector, Protection of Human Rights, Ministry of Defence*



Mr. Indrek Teder, *Chancellor of Justice*

Mr. Raivo Sults, *Advisor to the Chancellor of Justice*

Major Ilmar Kikkas, *Military Ombudsman, Estonian Defence Force*



Colonel (Ret) Bernhard Gertz, *Vice-President of the European Organisation of Military Associations*



Mr. Raino Marttunen, *Principal Legal Advisor, Office of the Parliamentary Ombudsman of Finland*

Mr. Kristian Holman, *Legal Advisor, Office of the Parliamentary Ombudsman of Finland*



France

Mr. Philippe de Maleissye, *Secrétaire général du Conseil supérieur de la fonction militaire*



Geneva Centre for the Democratic Control of the Armed Forces (DCAF)

His Excellency Mr. Theodor Winkler, *Director*

Doctor Hans Born, *Senior Fellow, DCAF*

Mr. Benjamin Buckland, *Researcher, DCAF*



Germany

Mr. Hellmut Königshaus, *Parliamentary Commissioner for the Armed Forces*

Mr. René Hoffman, *Personal Assistant to the Parliamentary Commissioner for the Armed Forces*



Honduras

Dr. Ramón Custodio López, *Comisionado Nacional de los Derechos Humanos*



Ivory Coast

Mr. Gnankan Alexis Ahonzo Avou, *Directeur de Cabinet Civil et Militaire du Ministre auprès du Président de la République, chargé de la Défense*



Kyrgyzstan

Mr. Tursunbek Akun, *Ombudsman of the Kyrgyz Republic*



Netherlands

Mr. Jan Paul Matze, *Quartermaster and National Dutch Veterans Ombudsman*

Lieutenant-General A.C. Oostendorp, *Inspector General of the Royal Netherlands Armed Forces*

Mr. Cornelius Gravemaker, *Staff Officer, Office of the Inspector General of the Royal Netherlands Armed Forces*



Captain Navy (Ret) Kjell Arne Bratli, *Parliamentary Commissioner of the Royal Norwegian Armed Forces*

Mr. Bjorn Gahre, *Director, Office of the Parliamentary Commissioner of the Royal Norwegian Armed Forces*



Mr. Dinu Eugen, *Counsellor, Office of the People's Advocate*



Mr. Georgy Kunadze, *Assistant Commissioner for Human Rights in the Russian Federation*



Mr. Cherif Thiam, *Chargé de Mission – Médiature de la République*



Mr. Saša Janković, *Protector of Citizens, Republic of Serbia*

Mr. Luka Glušac, *Junior Advisor, Office of the Protector of Citizens, Republic of Serbia*



Lieutenant-General (Ret) Themba Matanzima, *South African Military Ombudsman*

Lieutenant-Colonel Molefi Rapoo, *Personal Staff Officer to the Military Ombudsman*



Mr. Nidoev Khusniddin, *Deputy Head of State – Protection for Political and Civil Rights Department*



Tunisia

Colonel-Major Mokhtar Ben Nasr, *Ministry of Defence*

Senior Colonel Major Nouri Ben Taous, *Ministry of Defence*



United Kingdom

Doctor Susan Atkins, *Service Complaints Commissioner for the Armed Forces*

Mr. Darren Beck, *Head of Office, Service Complaints Commissioner for the Armed Forces*

CONFERENCE PROGRAMME

Sunday, 23 September 2012

Dress: Travel attire

- All day Arrival of participants – transfer from the airport to the hotel.
Check-in at Château Laurier (1 Rideau Street, Ottawa)
- All day Registration (Conference registration will take place at the hotel)

Dress: Business casual

- 19:00 – 21:00 Welcome dinner, Château Laurier, Laurier Room
- Hosted by H.E. Amb. Theodor H. Winkler, Director of the Geneva Centre for the Democratic Control of Armed Forces (DCAF)*

Monday, 24 September 2012

Dress: Business dress

- 8:30 Meet in the hotel lobby for transfer to the Government of Canada Conference Centre (Old City Hall), 111 Sussex Drive, Ottawa
- 9:00 – 10:00 **Conference Opening**
- Welcome remarks
- The Honourable Peter MacKay, Minister of National Defence*
- His Excellency Ambassador Theodor H. Winkler, Director of the Geneva Centre for the Democratic Control of Armed Forces*
- Mr. Pierre Daigle, Ombudsman for the Department of National Defence and the Canadian Forces*
- 10:15 – 10:30 Group photo
- 10:30 – 10:45 Coffee break / Media opportunities

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- 10:45 – 10:55 Conference Proceedings
- Mr. Pierre Daigle, Ombudsman for the Department of National Defence and the Canadian Forces*
- 11:00 – 12:30 **Panel 1: Domestic Outreach**
- Session A: Defining and Applying Domestic Outreach
- 12:30 – 13:30 Lunch
- 13:30 – 15:00 **Panel 1: Domestic Outreach**
- Session B: Measuring Satisfaction and Effectiveness of Domestic Outreach
- 15:00 – 15:15 Coffee Break
- 15:15 – 16:30 **Panel 1: Domestic Outreach**
- Session C: Current and Future Practices of Domestic Outreach
- 16:30 Transfer of participants to the Château Laurier
- Dress: Dinner attire**
- 18:15 Gather in hotel lobby for transfer to Museum of Civilization
- 19:00 Reception and dinner
- Hosted by Mr. Pierre Daigle, Ombudsman for the Department of National Defence and the Canadian Forces*
- 22:00 Transfer of participants to the hotel

Tuesday, 25 September 2012

Dress: Business dress

- 8:30 Meet in the hotel lobby for transfer to the Government of Canada Conference Centre (Old City Hall), 111 Sussex Drive, Ottawa

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9:00 – 10:30	Panel 2: Capacity Development Session A: Experiences of Newly-formed Institutions and Challenges Faced During and After Establishment
10:30 – 10:45	Coffee Break
10:45 – 12:00	Panel 2: Capacity Development Session B: Existing Methods and Practices of Capacity Development
12:00 – 13:00	Working lunch
13:00 – 14:00	Panel 2: Capacity Development Session C: Future Cooperation in Capacity Development
14:00 – 14:15	Coffee Break
14:15 – 14:45	DCAF Presentation on <i>Ombuds Institutions for the Armed Forces: A Handbook</i> and on the ICOAF.org website
14:45 – 15:00	Announcement of the Fifth International Conference of Ombudsman Institutions for the Armed Forces <i>Mr. Kjell Arne Bratli, Parliamentary Commissioner of the Royal Norwegian Armed Forces, Norway</i>
15:00 – 15:45	Consolidation of the final conference statement
15:45 – 16:00	Closing ceremony Conclusions and adoption of the conference statement <i>Mr. Pierre Daigle, Ombudsman for the Department of National Defence and the Canadian Forces</i>
16:00	Final transfer of participants to hotel

OPENING CEREMONY

Pierre Daigle: Good morning, bonjour. Honourable Peter Mackay, Minister of National Defence, His Excellency Mr. Theodor Winkler, Director of the Geneva Centre for the Democratic Control of Armed Forces, Vice-Admiral Bruce Donaldson, Vice-Chief of Defence Staff, military attachés, fellow ombudsmen, delegates and distinguished guests, let me first begin by introducing myself. I'm Pierre Daigle and I am the Ombudsman for the Department of National Defence and the Canadian Forces, and this year's co-host of this international conference. I'm extremely pleased to welcome you to the 4th International Conference of Ombudsman Institutions for the Armed Forces and a special welcome to our new member countries who are with us for the first time.



Pour un grand nombre d'entre vous, ce fut un long voyage. Votre participation ici aujourd'hui témoigne de votre engagement et de votre dévouement envers ceux que vous servez et qui vous tiennent à cœur, envers tous nos hommes et nos femmes en uniforme qui servent partout dans le monde et je vous remercie infiniment d'être parmi nous aujourd'hui. I would like to acknowledge and express my sincere appreciation to my own Department of National Defence and the Government of Canada for recognizing the importance of this event and providing their financial support. Monsieur le Ministre, merci de votre appui à bien vouloir promouvoir l'importance de cette rencontre internationale.

When I was approached by the Geneva Centre at the 2010 conference in Vienna and asked to co-host this initiative, I knew it would be a significant undertaking, but one that would be tremendously worthwhile. It is an honour and a privilege to co-host with the Geneva Centre for the Democratic Control of Armed Forces and Ambassador Winkler. I thank you for your guidance through the collaborative efforts of our two offices.

Over the next two days, we'll be sharing best practices and lessons learned as it relates to outreach and capacity building. We meet together here with a common goal: to improve and protect the welfare and rights of armed forces personnel on an international scale. So I'm looking forward to the next two days with you and as we move forward to sharing our experience and building on the concept of ombudsman institutions together. Je souhaite ardemment que ces quelques jours sauront vous apporter les bénéfices que vous espérez tout en profitant un peu du bon temps que la région peut vous offrir.

So welcome again and now it's my privilege to introduce to you our co-host of this conference, Ambassador Theodor Winkler.

His Excellency Theodor Winkler: Minister, heads of ombudsmen institutions, generals, excellencies, ladies and gentlemen, dear friends, it is a pleasure and privilege and an honour for me to welcome you here in Ottawa to join our Canadian co-host in providing you a warm welcome to this beautiful city with beautiful weather as if prepared specifically for us. I'm delighted that you've come in great numbers to Ottawa to attend this important event. Representatives of the ombuds institutions, inspector generals, parliamentary and independent commissioners of 25 states have gathered for the conference. Some of you have come indeed a very long way and accepted many hours in airplanes and buses.

This 4th Conference brings together, as a result, representatives from all over the world, from North and Latin America, from Europe, Africa and Asia. Let me say a particular warm welcome to the new participating states, namely Senegal, Burundi, Tunisia, South Africa, Kyrgyzstan, Tajikistan, Honduras and Russia. Your presence shows that DCAF continues to gain in strength. I hope that this morning, these meetings that start here in Ottawa will be rewarding to you. You're more than welcome.

This conference is a renewed opportunity for new institutions as well as firmly established institutions in the area of ombuds operations to share points of view and experience. This year, the debates will focus on two main issues relating to your work. First, domestic outreach, drawing from existing experience and challenges, we will discuss what outreach is, how it should be defined and applied as well as common elements that exist between our practices in this area. Secondly, we will address the issue of capacity development, understood as a process whereby ombuds institutions strengthen, create and adapt capacity over time. A DCAF background paper on this topic is being distributed to you.

Finally, the objective of tomorrow's work is to consider the capacity development needs of those seeking to establish an ombuds institution or that have recently created such an institution. Of course, also the well-established institutions will be taken care of.

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Capacity development needs within ombuds institutions themselves will be our topic, but also how established institutions can assist emerging institutions in this difficult task, because ombuds institutions, I believe, play an important role in countries in transition, in fragile environments and in conflict situations. This is one way to provide a concrete tool to good governance and also the security sector and I'm particular grateful to the government of Canada and to you, Minister, personally for having made this possible. I think this is a worthwhile undertaking.



DCAF will contribute to this conference in three ways. First, je suis honoré – on vous présentera plus tard dans les procédures de la conférence la publication d'un manuel relatif aux institutions d'ombudsmans des Forces armées. Concrétisé par Monsieur Buckland avec Will McDermott, ce manuel examine les institutions d'ombudsmans et leur rôle dans la promotion et la protection des droits de l'homme ainsi que de la prévention des abus potentiels. Le manuel compare différents modèles institutionnels et met en évidence leurs avantages respectifs.

Deuxièmement, suite à vos demandes, nous avons conceptualisé un site Internet dédié aux institutions d'ombudsmans qui vous permettra de vous documenter sur ce site et de vous y échanger. Troisièmement, DCAF et l'Organisation internationale de la Francophonie ont décidé de coopérer dans une série d'études sur la situation des institutions d'ombudsmans des Forces armées dans trois pays africains, notamment en Afrique occidentale : le Burkina Faso, le Sénégal et le Burundi. Trois études rédigées par des experts vous ont été distribuées ou plutôt vont vous être distribuées, qui mettent en évidence la situation dans ces pays respectifs et je tiens à remercier les autorités de ces trois pays pour leur coopération « inestimable ». Nous tenons à vous remercier.

J'aimerais conclure en exprimant ma vive reconnaissance évidemment à Monsieur Pierre Daigle, Ombudsman des Forces Armées du Canada, et son équipe imbattable.

C'était un plaisir de travailler avec vous. Nous sommes dans les meilleures mains possibles, merci infiniment. Nous espérons que cette quatrième conférence reprend la torche si on peut ainsi dire des trois conférences précédentes à Berlin, à Vienne et à Belgrade et j'aimerais saluer les délégations de ces trois pays particulièrement.

Je suis finalement ravi que le prochain rendez-vous avec l'histoire de cette conférence est déjà déterminé. Ce sera en Norvège and I'm most happy to you, Kjell Bratli, for organizing this, I'm sure equally well. But now it is my pleasure to look forward to the proceedings of this conference and I thank you very much for your attention and time.

Pierre Daigle: Merci Ambassador. It's a great pleasure for me now to be able to introduce to you our keynote speaker, the Honourable Peter MacKay, Minister of National Defence. Mr. MacKay was first elected as a Member of Parliament in 1997. In his first five years in the House of Commons, he served as House leader for the Progressive Conservative caucus. Following the unification of the Progressive Conservative Party and the Canadian Alliance party in 2004, he was named Deputy Leader of the Conservative Party of Canada.

Mr. MacKay was mostly recently re-elected in 2011 and reappointed as Minister of National Defence. He's also served as regional Minister for Nova Scotia. Prior to his current responsibility, Mr. MacKay served as Minister of Foreign Affairs, Minister of the Atlantic Canada Opportunity Agency and Minister for the Atlantic Gateway. Mr. MacKay has been Minister of National Defence for five years. He's visited the men and women in uniform everywhere that they're employed and deployed. He enjoyed close contact with the troops and the troops appreciate very much seeing their Minister as they serve proudly their country. They like the Minister too because he's a very tough rugby player. Ladies and gentlemen, it is a privilege for me to introduce to you our Minister of National Defence, Minister MacKay.

Hon. Peter MacKay: Thank you very much, Mr. Ambassador, our Vice-Chief of Defence Staff, Admiral Donaldson, ladies and gentlemen, participants in this conference, members of the Canadian Forces and all of our allied forces, welcome to the 4th Annual International Conference of Ombuds Institutions for the Armed Forces. I'm very proud that our country has co-hosted this event with the Geneva Centre for the Democratic Control of Armed Forces and on behalf of the government of Canada, I want to take this opportunity to welcome you this morning to our nation's capital and to thank you for your attendance at this important conference. Merci pour votre assistance à cette conférence tellement importante.

This, I believe, is an opportunity that we all share to consider how to best protect the rights and the well-being of our men and women in uniform, a cause that I know we all strongly embrace. It's fitting that we're gathered here in this building, named the John

G. Diefenbaker building, and for those of you from away, John Diefenbaker was Canada's 13th Prime Minister. He served as a Member of Parliament for 39 years and he was one of 600,000 Canadians who put on the uniform of the Canadian Forces and served our country in WWI. He served overseas as an Infantry Lieutenant before he returned to Canada in 1917.

He had an incredible career. First as a loquacious lawyer, later a fiery politician, and a career that in my mind exemplified service to our country and one that had at its very core its firm belief in the rights of all Canadians. It was in fact his Progressive Conservative government of the day that introduced Canada's first Bill of Rights. In Diefenbaker's spirit and in this building, you're pursuing common objectives of promoting and protecting the welfare and the rights of men and women in uniform.

So in keeping with the spirit of this conference, I would like to share my perspectives on some of the current challenges related to the welfare of our personnel. I want to begin my remarks with a bit of context to underscore just how busy Canada's military have been in recent years and the challenges that we face. When I first became Minister of Defence as was referenced in 2007, Canada's forces were going through one of the busiest periods in their history, in recent history. The operational tempo was its most active since the Korean War in the 1950s. Canada has just taken on a much bigger role on the world stage, in large part thanks to our important contribution to the international efforts ongoing in Afghanistan.



In 2006, we deployed from Kabul into Kandahar which was the spiritual home of the Taliban and into what I would call the cauldron of a full-fledged combat mission. Afghanistan as we know is a place where we had been engaged for over a decade now. Canada has also demonstrated leadership in other international operations of which we are proud, providing emergency relief following a devastating earthquake that struck

Haiti in 2010, participating in the UN-mandated NATO led mission to protect Libyan citizens in 2011, a mission that was under the command at NATO by Canadian Lt. General Charles Bouchard, and in supporting various international counter-terrorism counter-narcotics missions around the world, including the HMCS Regina that we have in the Gulf today.

Of course, even when so many of our troops were deployed or preparing to deploy overseas, we continued to deliver on our No. 1 priority and that is protecting Canadians here at home. Providing security in a country such as ours is a challenge in and of itself. Many would know that we have the second largest country in terms of land mass on the planet and a great deal of our territory can be difficult to access, particularly in the winter months. We have the largest coastline in the world, bordering three oceans and our nation spans six time zones, including extensive – expansive prairies, the ubiquitous Canadian shield with its lakes and muskeg, the Rocky Mountains and, of course, our immense Arctic region which in winter presents one of the harshest environments anywhere in which to operate.

As I'm sure you can imagine, all of this means that critical operations here at home, things like monitoring and surveillance of our territory as well as the provision of search and rescue requires extraordinary effort and meticulous planning and preparation. These are huge responsibilities and occasionally our military is called upon to respond to natural disasters. Just last year for example, we sent troops to assist local authorities in dealing with floods in three of our provinces.

We've also had to make do in terms of supporting civilian authorities, to help with evacuation in some of our remote communities that were threatened by forest fire. So hurricanes, avalanche and as you would expect, snow storms push our personnel often to the limits and beyond. Mother Nature can be a ferocious foe for the military of Canada.

Les dernières années ont été fort mouvementées. Depuis la fin de notre mission de combat en Afghanistan et la transition à la mission de formation de l'OTAN dans ce pays, nous avons repris un rythme opérationnel plus normal. Par conséquent, nous avons pu réorienter nos priorités des besoins opérationnels immédiats vers la mise sur pied de la force de l'avenir et la préparation qui nous permettra de relever les défis de demain. Nous prenons des mesures visant à harmoniser nos ressources avec nos priorités à long terme et l'environnement économique actuel.

Nous traversons une période difficile, mais nous nous en tirons extrêmement bien et c'est en grande partie grâce au dévouement, au professionnalisme et à la détermination de nos militaires. Cela dit, les dernières années n'ont certainement pas été faciles pour les membres des Forces canadiennes et leurs familles. La vie militaire en soi est difficile.

Le rythme opérationnel a été éprouvant et la décennie d'opérations en Afghanistan a certainement exercé une pression supplémentaire sur nos militaires et leurs familles.

So what we do to ensure the well-being of our personnel is of great importance to all. As Minister of National Defence, I consider this my No. 1 priority. Our government recognizes the tremendous contributions our men and women in uniform make to the service of Canada and to countries abroad. We also recognize our responsibility to ensure their well-being as well as that of their families who depend on them. That is why we've put renewed emphasis on the support that we provide our personnel. We've done this by setting up a number of programs to improve the care for our ill and injured and wounded soldiers. Some of you may have noticed that yesterday, we had a large marathon taking place here in this city. The proceeds from that marathon, 18,000 participants, much of which goes to the Military Families Fund and a program, a very unique program called Soldier On for those members who have been wounded as a result of their action.

So putting in place programs in support for our military remains a priority. We put support centres on bases across the country to facilitate and streamline the delivery of services to personnel and their families. These centres are known as Joint Personnel Support Units or Operational Support Units. Taking steps to ensure that they have access to the same standard of care across the country is enormously challenging and by creating tools to assist military families to find the help that they need, so increased accessibility is key to all of this and we've set up programs with initiatives specifically designed to support psychological injury, emotional wounds, including operational stress disorder.

As an example in 2009, the Canadian Forces launched the Be the Difference campaign, an awareness campaign that aims to build a culture of understanding for mental health problems in the armed forces. We've seen great leadership from our leaders within the Canadian Forces, including the Chief of Defence Staff and our Vice-Chief of Defence Staff, by speaking openly about these issues, breaking down the stigma, reminding our forces there is no damage or deterrent in speaking about these matters.

We also have a team of almost 380 mental health care practitioners who work hard every day to provide excellent care to those injured members. There has been a boost in benefits around health care since 2010 of over \$2 billion. \$52 million as part of what was called the legacy of care. We've invested in new equipment to deal with things such as ambulatory care, helping those who have suffered grievous bodily harm get back on their feet literally through new advances in technology.

And less than two weeks ago, I had the pleasure to announce an additional \$11.4 million in funding so we can hire 50 more mental health care workers to provide the care for

our ill and injured men and women in need. We continue to commit to this challenge. We've committed to doubling the number of mental health care professionals since taking office and we've almost reached that goal.

On the role of the ombudsman itself, I would like to spend a few moments if I could speaking on this subject. Je veux que ce soit clair. Ce n'est pas seulement parce que nos militaires constituent notre ressource première que nous avons pris toutes ces mesures, mais également et par dessus tout, parce qu'ils sont des citoyens en uniforme.

Our members, they're part of a huge institution that has its fair share of rules and procedures. It's very much a rules-based institution. It's a place that many times puts demands well above and beyond those expected of our average citizens and yet even through these demands of service, while there are many, things like frequently being posted in different locations, time away from loved ones which is very personally taxing to miss birthdays and anniversaries, children's births and also the inherent risk to life and limb, these put, in some cases, tremendous personal stress on our members and these decisions are sometimes well beyond their control and so they deserve fair and equitable treatment first and foremost. We place their rights and well-being in high regard and here in Canada, we have a number of institutions and frameworks in place to help us do just that, including the Office of the Ombudsman, a grievance process which ensures the transparent and effective treatment of all cases. Fairness and equity after all must be the guiding principles. As someone who practiced law, I always keep in mind the old legal maxim that says "Justice must be done, but also must be seen to be done."

We have a strong defence ethics program managed by our Chief Review Services. We also have legislation such as the Veterans Bill of Rights, our new Veterans Charter, and a Veterans Ombudsman, a Military Police Complaints Commission. We also have an Office of the Ombudsman for the Department of National Defence and Canadian Forces, as you know, and since its creation in 1998, the Ombudsman's Office has been asked to provide an impartial conflict resolution mechanism, a mechanism that is to foster healthy work places for our men and women in uniform. I believe that such an office should be a mechanism whereby military members can voice their concerns through an independent, impartial body should they ever feel that they've been treated unfairly or wrong in one way or another.

The presence of an ombudsman needs to create trust for our institution and service personnel. I see the main role of an ombudsman as a mediator who is always working to resolve complaints and problems, practically, progressively and in a timely fashion. There is a difference from advocacy. In my view, an ombudsman carries more responsibility and carries the potential to impact more people and set a precedent because it can change institutional cultures and shift institutional assumptions. Therefore, to perform effectively, to perform this function effectively, an ombudsman

must always uphold the very highest of standards and conduct for himself or herself accordingly. This is vitally important. Conversely, nothing undermines credibility or drives cynicism higher to have that office assailed.

The high operational tempo of the past decade that I've mentioned earlier has created challenges for our people, as do the ongoing challenges that are taking place at Defence and when facing such situations, it's perfectly normal for our personnel to have questions, sometimes challenge assumptions, questions about their rights, about the resources at their disposal, about the programs and the tools that exist to meet their needs or the needs of their families and questions about the best course of action to deal with a particular issue. Above all, the Office of the Ombudsman must be impartial. It must help resolve problems and it must be a trusted part of any given institution in our countries.

And so, if you will allow me to conclude with comments on the importance of this conference, ladies and gentlemen, I think it's safe to say that all of our military institutions have to adapt to the evolving strategic environment in which we live, complex, legal and sometimes constitutional dynamics and a difficult economic dynamic. Almost every country represented here today has faced a high operational tempo and at the same time, we all know that many of the most pressing threats that we face are transnational by nature. We need only to think of terrorism, vulnerabilities in cyberspace, international crime, human smuggling, piracy, all of which there is a critical need for the world to respond.

This means that international cooperation between militaries is not a luxury, but a necessity, particularly if we want to be effective in meeting the challenges of the 21st century. I believe this applies certainly to ombuds institutions of our armed forces. The demands and pressures of our personnel and on our personnel are often similar, complex and not going away. Ombuds institutions need to be equally nimble and I would add compassionate and possessing great wisdom and humanity in administering what they do in an impartial way. They need to continuously adapt to the issues and problems that arise in the world, our societies and our armed forces continually evolve.

And I think this conference, if I could conclude on this note, is an enormous opportunity to exchange ideas, experiences, lessons learned and best practices, as was mentioned by the Ambassador. Some would say that the world is getting smaller. It's certainly getting more complex and the need for collaboration has never been higher and I know that you're all eager to get started on your discussions. So let me end by thanking all of you for your fine work in ensuring that our armed forces rights and well-being are being protected. I know that there are over – or almost 50 participants here, representing 25 countries, including new participants, which indicates growth in the right direction. I hope that you have a productive conference here. I hope you're able to navigate some

of the construction that is happening here out front. I think that that is indicative of all of our governments that are constantly under construction and trying to improve. And so I wish you all the very best in your endeavours here and during your time in Ottawa. Merci beaucoup.

PANEL 1: DOMESTIC OUTREACH

Drawing from existing experiences and challenges, the objective of Panel 1 was to focus on domestic outreach. The panel discussed what outreach is, how it should be defined and applied, as well as the common elements that exist between our practices.

Session A: Defining and Applying Domestic Outreach

- What is domestic outreach and who is the intended audience of your office's outreach effort?
- What are the intended consequences of domestic outreach? (To improve your office's perception, educate your constituents, to publicize your office, to gather more complaints, etc.)
- What are some of the obstacles or constraints (financial, logistical, geographical or other) that your office has faced in conducting outreach?



Colonel Jacques de Keyser, Complaints Manager of the Belgian Armed Forces (Belgium) provided an overview of the Belgian Armed Forces' approach to raising awareness of the problems caused by interpersonal conflicts, harassment, inappropriate behaviour and complaints. He noted that although harassment has existed for a long time, it is only in recent years that the direct and visible effects on the life, health and environment of the victims have been recognized. In this way, it is clear that the operational effectiveness of the Armed Forces is being challenged as a result of the dangers that can arise for both the victims and the organization/units to which they belong. However, Colonel de Keyser added that, in recent years, individuals generally no longer accept being the targets of attacks and tend to file complaints and ask more questions. As a result, specialized networks have been created, awareness campaigns on these new networks have been conducted, and regulations have been established. Unfortunately, despite these efforts, Colonel de Keyser noted that many individuals are still unaware of the options available for their defence. He went on to discuss the importance of continued outreach and of creating awareness not only with individuals but with the organization. He described different types of outreach campaigns, such as educating all parties – from the subordinate to the leader – on what is allowed and not allowed. This is done in a variety of manners, including: briefings, directives, brochures, presentations to schools and units, media, Internet, and social media. At the heart of these outreach campaigns is the need to change the way people think – the *culture* of the organization. He continued with an overview of the two networks of the Belgian Department of Defence, which focus on prevention and correction. The formal process is the result of legislation. The informal process – the complaint management service for which Colonel de Keyser is responsible – involves mediation services, intervention

services and a lessons learned section. The informal network was established three years ago, and although one might think its creation would have resulted in an increase in complaints, Colonel de Keyser indicated that this has not been the case. In fact, the complaint management service has established a sort of social and human buffer between the various parties involved, which they appreciate.



 **Mr. Indrek Tedder, Chancellor of Justice (Estonia)** noted that outreach is not only about making the information accessible – it is about actively giving the information to all who might need it. He indicated that outreach must not be used to justify the necessity of the existence of an institution: “If you have to say You are important, You are not.” As part of his outreach efforts, Mr. Tedder informs society only about important cases – cases that may have an influence on many people or a few people intensely – to prevent the overflow of information. In fact, he rarely gives speeches or writes articles where he touches only the theoretical aspects of ombudsman work. The reason for this is that he wants to give people the information they can use in everyday situations. Mr. Tedder went on to explain that he provides information about his institution to military personnel in a slightly different way. He uses the media rarely, instead preferring to go on site to speak with armed forces personnel face to face. To strengthen his outreach, Mr. Tedder launched a series of lectures (in addition to inspection visits) that he gives to all new conscripts after they arrive at their battalions. Since he cannot be in the battalions at all times (nor does he want to be), he has to make sure that conscripts are willing and able to protect their fundamental rights and freedoms firstly themselves. For Mr. Tedder, the biggest difficulty in outreach is how to make sure that conscripts understand that it is not so important what the ombudsman’s functions are, but that they know what are their rights and obligations.



Mr. Alain Gauthier, Director General of Operations for the National Defence and Canadian Forces Ombudsman (Canada) highlighted some of the objectives and advantages of face-to-face outreach visits and activities, such as increasing awareness, understanding and relevance of the Ombudsman's Office; obtaining a more coherent and holistic understanding of the local environment in which individuals are initiating complaints; and targeting a broader spectrum of people. With regard to this last objective, he noted that since most traditional ombudsman institutions do not have the authority to implement or direct change, it is critical to have the support of a range of decision-makers and those who influence the decision-makers. Mr. Gauthier went on to explain how the main challenge of the Office when undertaking domestic outreach is dealing with general misunderstandings and misconceptions of the ombudsman's role and mandate (including among senior leadership), which can result in a reluctance to speak openly or discuss any potential issues. In order to address these misconceptions and misunderstandings, the Office's outreach activities aim to foster dialogue and openness to ensure that all involved fully understand that the Office exists to work *with* them, not against them. Mr. Gauthier also provided a summary of outreach activities that the Office conducts regularly, such as Ombudsman base/wing visits, visits to Reserve units, staff participation in departmental activities and events, and publications in various media. In concluding his presentation, Mr. Gauthier stated that the Office will be implementing social media tools in the near future to support communications and engagement of constituents and stakeholders. He emphasized that social media will be used to complement – not replace – traditional forms of outreach, which provide the added benefit of personal interaction.

Session B: Measuring Satisfaction and Effectiveness of Domestic Outreach

- What are your most effective methods of conducting outreach?
- How do you know this method is the most effective?
- Have you conducted any studies or surveys to evaluate client satisfaction?



Mr. Paul Kiss, Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces (Austria) presented on the effectiveness of the Commission's outreach methods, giving much credit to the organization's independence, structure, legal framework and working principles. He noted that the work of the Commission is widely accepted by the soldiers, the civilian Force members and the Austrian population as a whole, and that so far all of the Commission's recommendations have been implemented by the respective ministers of defence (and rarely with prompting on the part of the Commission). Mr. Kiss further explained that the Commission achieves outreach through a holistic approach. Its annual report is the means of choice to reach all persons affected, the Ministry itself, as well as the individual soldiers, commanders

and instructors. The report provides a comprehensive picture of the Commission's work and is eagerly expected by a wide public and decision-makers alike. In fact, the report has become a measuring stick for the Austrian Armed Forces, as well as decision-makers in the Ministry of Defence, with regard to the public image. Finally, Mr. Kiss addressed evaluation of client satisfaction. He indicated that the majority of complainants know – from statistics in the annual report – what kinds of arguments/complaints are likely to succeed with the Commission. In this respect, the report contributes considerably to awareness building. Although some grievances keep reappearing (perhaps as the result of a forgetting curve), such issues show the transitory, yet perceptible, effect of the Commission's decisions and the need for its continuous alertness and a conscientious manner of dealing with complaints.



Captain Navy (Ret) Kjell Arne Bratli, Parliamentary Commissioner of the Royal Norwegian Armed Forces (Norway) explained that Norway is a country of “organisations and unions,” including a ‘union’ of spokespersons in the military – a kind of ‘soldier ombuds system’ with advisory rights in the military and with close ties to the Ombudsman. Mr. Bratli went on to explain the various outreach methods of his organization, in particular: general inspections and Ombudsman visits to military units/establishments/schools; meetings with, and lectures to, the soldiers spokesperson system; frequent contact with parliamentarians and the military labour unions; contact with Veteran associations and family representatives; and meetings with the Minister of Defence and the Chief of Defence. Although Internet, Intranet, helpline, hotline, e-mail and Skype are among the Ombudsman's methods of reaching out to the military community, Mr. Bratli emphasized the need to build social capital and trust through direct relations face-to-face. For this reason, the Ombudsman is not using social media. Mr. Bratli indicated that the results of the Ombudsman's work speak for itself when it comes to the effectiveness of its outreach methods: No case is unsolved since 1952; they receive some 4,500 contacts per year; they conduct between 1,200 to 1,500

'personnel talks' per year; and they receive 100+ 'heavy' complaints cases per year. Additionally, surveys conducted by the soldiers spokesperson system show a high score for the Ombudsman; feedback from the unions is very positive; and feedback from complainants and administration is that the Ombudsman is impartial and fair. In conclusion, Mr. Bratli mentioned that a major obstacle to a more effective Norwegian military is continuous evaluation and detailed reporting. Leaders at most levels feel they are not getting time to do what they are meant to do. Mr. Bratli indicated that he is therefore cautious in adding another bureaucratic burden.

Session C: Current and Future Practices of Domestic Outreach

- How do you conduct domestic outreach?
- How can you improve current practices?
- How can you better implement technology to make your office more accessible to those you are attempting to reach? Use of social media, website, hotlines, etc.



Mr. Hellmut Königshaus, Parliamentary Commissioner for the Armed Forces (Germany) introduced the two routes available to German soldiers for making complaints: the ordinary, official channel inside the military structures and petitions to the Parliamentary Commissioner for the Armed Forces. He explained that confidence in the parliamentary route is considerably greater, as demonstrated by the substantial increase in complaints to his office versus the steady decline through military channels. Mr. Königshaus highlighted that the important role of the Commissioner is quite clear to everyone in Germany. In fact, the establishment of a Commissioner was the fundamental condition for the German population accepting the re-establishment of its military forces. Mr. Königshaus explained that the Commissioner's mandate is twofold: he is there to protect the basic rights of servicemen and servicewomen as well as their dependents, and secondly, to act as an auxiliary body to the German parliament. In his supporting role, the Commissioner is required to carry out the orders of Parliament; however, he noted that Parliament has never issued a concrete order to the Commissioner. With regard to his office's powers, Mr. Königshaus pointed out that he cannot issue orders to the military or ensure that his decisions are carried out; however, he does have other options, including going public, addressing the military leadership directly, and bringing his concerns to Parliament. Through this three-pronged approach, to date every issue raised by the Commissioner has been successfully dealt with. Mr. Königshaus went on to describe some of the challenges that his office has encountered in exercising its responsibilities. For example, many have questioned the Commissioner's authority to deal with particular issues (such as equipment and weaponry for soldiers and the separation of serving mothers from their children) but for

Mr. Königshaus these issues are not just political – they are about safeguarding the basic rights of the soldiers. He suggested that ombuds institutions should not merely try to correct individual problems retroactively; instead, they should try to pick up on structural problems as they emerge, shape the course of events, and speak out on what they see. In conclusion, Mr. Königshaus acknowledged the excellent work being done in various countries to help soldiers who are suffering from post-traumatic stress disorder. He noted that Germany still has a lot to learn and more to do in this regard.



Mr. Darren Beck, Head of Office for the Service Complaints Commissioner for the Armed Forces (United Kingdom) explained how domestic outreach is fundamental to the role of the Service Complaints Commissioner (SCC), highlighting that the UK Armed Forces have global reach and, to be successful, so must the SCC. In this way, outreach involves getting out and seeing, and being seen by, Service personnel wherever they are. Mr. Beck added that the SCC gains significant benefits from its investment in outreach activities that go beyond signposting, increased awareness and accessibility. Indeed, some elements contribute to the SCC's annual assessment of the efficiency, effectiveness and fairness of the Service complaints system. In discussing the SCC's various outreach tools, Mr. Beck explained that the organization's most vital component is its website, which provides easy access to relevant information and, importantly, is also accessible to Service families and those offering support and assistance from outside defence. Other domestic outreach tools of the SCC include branding, networks and web-links, infomercials, leaflets and posters, training of those selected to command, frequent visits to units, and annual reports. With regard to media engagement, Mr. Beck explained that the SCC maintains a deliberately low profile due to the risk of being drawn into matters that may be misreported and the danger that this could put Armed forces personnel off approaching the SCC. Mr. Beck acknowledged that there is always scope for improvement in the SCC's outreach practices.

In particular, the SCC would like to increase performance measurement of its outreach activities and find more efficient ways to deliver them, increase accessibility, keep pace with changes in defence, work more closely with the Ministry of Defence and Armed Forces, as well as learn from others, particularly the defence ombuds community. With regards to technology, Mr. Beck indicated that the SCC makes good use of the Internet (including website) and e-mail, but emphasized the need to be mindful of security and of losing the personal touch. He added that, due to security and confidentiality issues, the SCC cannot currently take advantage of social media. As a final point, Mr. Beck stated that the challenge of outreach is to *not* focus on outreach activities at the expense of delivering actual support to the Armed Forces.



Mr. Saša Janković, Protector of Citizens/Ombudsman (Serbia) began his presentation with a brief overview of the Protector of Citizens, including the fact that the Ombudsman is elected by and reports to Parliament, and received 10,433 registered contacts in the previous year. Mr. Janković then went on to describe some of the more frequent and most efficient, modern and imaginative types of outreach activities that he has learned about during his encounters with colleagues around the world. During this discussion, Mr. Janković emphasized that accessibility makes up part of the core character of the Ombudsman institution and that outreach activities enable the organization to achieve this accessibility. He noted that the usual advice that floats around – especially to rookie/new ombudsmen, including himself five years ago – is that the more outreach, the better. And while Mr. Janković recognized that outreach is certainly one of the indicators of success of an ombudsman, he questioned whether there is a limit to “proper” accessibility. Mr. Janković suggested that there might be such a thing as over-accessibility, and that it works against ombudsman institutions and their goals. He elaborated with dilemmas he has regarding accepting e-mails as an official channel for complaints, and communicating via Twitter. In conclusion, Mr. Janković explained how accessibility through outreach can be overshoot, resulting in serious negative effects not smaller than those which arise from undershooting it, including: receiving too many petty complaints, which wastes human resources; the chat-room effect, whereby the ombudsman becomes a relief rather than an oversight authority; and raising unfounded expectations both in substance and in speed of action, which can result in dissatisfaction with ombudsman institutions. Mr. Janković also believes that there are some deeper, societal effects that over-accessibility might have, such as encouraging citizens’ passivity, promoting paternalism, contributing to the overall information noise and leading to less rather than more. Despite these reservations, Mr. Janković has remained an extremely accessible Ombudsman, as demonstrated by his frequent lectures and workshops, daily inspections, 24-hour urgent phone line, personal mobile phone that is available to thousands including all media, and significant online and social media activity.

PANEL 2: CAPACITY DEVELOPMENT

Capacity development seeks to improve the efficiency and effectiveness of an organization in a sustainable way, by improving the capacities of the institution and of its employees, as well as through improvements in the political and legislative context within which an institution is situated. It is both a basic technical project of improving skills and systems, as well as a political process that seeks to better situate an ombuds institution vis-à-vis the people, the military, and the other branches of government. The objective of the second panel is to consider the capacity development needs of: those seeking to establish an ombuds institution, states that have recently created an institution, well-established institutions. As well as discussing capacity development needs within ombuds institutions themselves, the panel will also seek to identify areas in which ombuds institutions may be able to provide assistance to other institutions and generate greater international cooperation.

Session A: Experiences of Newly-formed Institutions and Challenges Faced During and After Establishment

- What were the challenges faced in creating the institution, i.e., in drafting laws, securing sufficient funding, obtaining support among stakeholders, overcoming resistance from officials, etc.?
- What were the unforeseen problems or challenges encountered after the office opened its doors? How did you develop effective procedures and regulations and how did you calculate resource needs? What were your first priorities?
- Does your office have a strategic plan? How was the plan developed? What challenges have you faced in meeting your objectives?
- What advice would you give to other institutions that are in the process of being established?



Senior Colonel Major Nouri Ben Taous, Ministry of Defence (Tunisia) briefed conference participants on the Tunisian Armed Forces' current missions and described the Tunisian concept of 'ombudsman.' He explained that Tunisia is going through a delicate and challenging political transition. More specifically, the Armed Forces have conducted reforms of their missions and their organization in light of the establishment of a new democratic process. He added that they have assisted in many missions, including those aimed at securing democratic transition, safeguarding the revolution's objectives as well as protecting the citizens, the public and private institutions. Mr. Ben Taous indicated that the government is initiating reforms in all sectors in order to create a constitutional state according to the foundations, principles and values of

democracy. To this effect, the Ministry of National Defence has enhanced its legal framework, including the implementation of good governance and a transparent oversight system. According to Mr. Ben Taous, the Ministry would like to learn from other countries and organizations (such as DCAF) and would like to establish partnerships with other international centres, especially with countries that have gone through a democratic transition. Mr. Ben Taous went on to discuss the concept of the Administrative Mediator, whose mandate is to resolve disputes between administration and citizens and to defend citizens' rights. He explained that the Ministry participates in the reform process in order to meet the needs of military personnel, ensure their rights, and help with their concerns. The Ministry achieves this with support from numerous internal organizations, including the Directorates of Military Justice, Military Security and Social Action; General Inspection of the Armed Forces; and the Office of Citizen Relations. He added that these organizations work together with the use of specific mechanisms (such as training and outreach) in order to establish a link between the administration and military personnel. In conclusion, Mr. Ben Taous indicated that in order to accelerate the defence sector reform, the Ministry proposed to the constituent assembly that a provision be included in the new constitution for parliamentary control of the Armed Forces. Mr. Ben Taous believes that Tunisia will benefit from ICOAF and will find the appropriate mechanisms and procedures to secure the concept of ombudsman in the Tunisian Armed Forces.



Lieutenant-General (Ret) Themba Matanzima, Military Ombudsman (South Africa) discussed the establishment, challenges and lessons learned of the South African (SA) Military Ombud Office. He indicated that the concept of the SA Military Ombud was first contemplated in the late 1990s as an independent external mechanism to deal with soldiers' complaints and grievances as well as for the public to lodge complaints about the official conduct of soldiers. The Office was eventually

launched with the promulgation of the *Military Ombud Act* and the swearing in of Lt Gen (Ret) Matanzima in May 2012. The Ombudsman explained that in order to ensure the Office was aligned with the latest trends and best practices, a number of national and international benchmarking exercises were undertaken. The SA Military Ombud proposal was then developed based on a combination of the Canadian and German systems, followed by a Strategic Plan that addressed statutory requirements, internal strategic planning and the establishment of the Office. Lt Gen (Ret) Matanzima went on to provide lessons learned from the benchmarking exercise, such as the need for the organization to be independent and for standard operating/working procedures to be clearly defined, and to not underestimate the time it takes to establish an Ombud office. In conclusion, Lt Gen (Ret) Matanzima made the following recommendations for establishing a Military Ombud Office: conduct benchmarking as widely as possible and determine best practices; ensure multi-dimensional inputs in the legislative process; ensure political buy-in and placement within macro government structures, as well as clear accounting and reporting lines; ensure that necessary support mechanisms are implemented; promote the concept vigorously; and liaise with existing Ombud organizations.



Doctor Susan Atkins, Service Complaints Commissioner for the Armed Forces (United Kingdom) detailed the events leading up to the creation of the Service Complaints Commissioner (SCC) in 2007. She indicated that the concept of an Ombudsman was not welcome to the Military, who believed it would undermine the chain of command. As a political compromise, the *Armed Forces Act* extended the existing auditor role to include independent oversight of how individual cases are handled by the chain of command – resulting in the creation of the SCC. Dr. Atkins highlighted that the SCC has no power to investigate complaints – it can only refer them to the chain of command and report to Ministers and Parliament on the efficiency, effectiveness and fairness of the complaints system. In building the office, Dr. Atkins faced several challenges: remit, resources and resistance. For example, it was difficult to explain the remit in terms that would persuade complainants and their families to use the SCC's services and to meet the criticism that the SCC was a "toothless tiger." Dr. Atkins also had to deal with limited resources upon starting the post – no staff, no office and little publicity, as well as no means to assess the potential number of complaints to the SCC and thus the resources needed. Her third main challenge was resistance from Service Chiefs, who have now come to accept the value of an SCC but are reluctant to expand its powers. Dr. Atkins went on to explain her approach at set up: she was realistic, she consulted a number of ombudsman/complaint commissioners in the UK and internationally, she drafted a strategic three-year vision and got buy in from Service Chiefs, and she lead by example (i.e., produced reports that showed Service Chiefs not only what she expected of them but also how to do it). Dr. Atkins has since set new three-year goals that focus on accountability rather than leading by example. A number of the challenges Dr. Atkins' faced at set up remain today, albeit in a different

form, and others have emerged, namely flux and change among Service personnel, including the most senior levels. Dr. Atkins outlined how she is meeting these challenges by developing expertise, demonstrating accountability, holding the Services to account, and having a wide outreach programme. In conclusion, Dr. Atkins provided a list of recommendations for new and prospective defence ombudsman institutions. Among these were to: develop a vision; figure out what Ministers, officials and the Armed Forces really want you to do; figure out your strategic strengths and working style; and determine the likely challenges to your independence and how you will guard against them.

Session B: Existing Methods and Practices of Capacity Development

- What are some of the greatest ongoing challenges faced by your office? Have efforts been made to adapt the mandate of the office to meet these challenges?
- What are some methods your office has undertaken to build capacity, both internally and externally (within the armed forces or within other relevant domestic institutions)? Have these methods been successful?
- How does your office measure success? Does it undertake regular evaluations, such as surveys, or set goals or benchmarks to try to measure its results?
- What challenges have you faced in identifying and training effective staff? What steps have you taken to ensure institutional knowledge is not lost when staff or the office-holder leaves?



Dr. Ramón Custodio López, Comisionado Nacional de los Derechos Humanos (Honduras) opened his presentation with an overview of the extensive role and mandate of the National Commissioner of Human Rights for the Republic of Honduras. One of the Commissioner's powers, of course, is to follow up on any allegations of human rights violations committed by the Armed Forces, with which it maintains a close relationship. Dr. López then discussed the numerous challenges of the Commission. Internally, these challenges include maintaining the Commission's independence, impartiality, truthfulness, lawfulness, and respect for existing laws. Externally, the Commission is dealing with reduced public spending; delays in payments resulting from changes to the financial administration policy; the creation of a parallel organization by the State Secretary of Justice in an attempt to usurp the powers of the Commission; and lack of support in the operational management of certain projects. In addition to addressing these challenges, the Commission is focused on capacity development. Dr. López described the various methods that the organization is using to build capacity, such as: developing institutional and multi-sector partnerships; building relationships based on respect for their allies and correcting problems through mutual agreement

rather than as an adversary (i.e., exposing malpractice); practicing alternative dispute resolution; accepting healthy criticism and fixing mistakes; supporting training and best practices in human rights; working on the renewal of obsolete laws of the Armed Forces; and participating in events of the Human Rights Initiative, which involves 30 countries of the Western hemisphere. When it comes to measuring the success of the organization, Dr. López indicated that the Commission relies on a number of indicators, including reports of the National Anti-corruption Council, internal assessments, the organization's frequent communications, daily media coverage, favourable court decisions, and legislative initiatives promoting human rights. In conclusion, Dr. López explained how the Commission identifies and trains effective staff, in particular, through education in guiding principles and values for dealing with complaints, reviews of the staff recruitment process, and the continuous monitoring and auditing of institutional resources.



Mr. Cherif Thiam, Chargé de Mission – Médiature de la République (Senegal) explained that Senegal's government operates under the rule of law of a modern republic state and that in order to protect the citizens' rights there was a need for independent administrative authorities like the Médiateur de la République (Republic Mediator). Because of the country's history, they still have traditional channels ("clans") to settle cases in the rural regions, while the Republic Mediator settles cases in the urban regions. He provided examples of different cases where a citizen might be unsatisfied or in dispute with the public administration. The Mediator was created to consolidate the state of law for the equality of citizens and the legality of the actions of the public authority. It serves as a mediator for the citizens and Armed Forces and as an informed and impartial advisor of the Administration. Mr. Thiam discussed the Republic Mediator in relation to the armed forces sector, as well as the nature of military grievances. He stated that the Mediator and the Chief of the General Staff of the

Senegalese Armed Forces have an excellent relationship. Also, the authorities willingly and fully share information with the Mediator. Mr. Thiam then described the challenges of the institution and the actions they are taking to consolidate and build their capacities, such as improving the structure of the organization and the skill sets of staff, and sending staff to training sessions throughout the African continent. He added that the Mediator also provides training on the institution to Officer Cadets. Lastly, Mr. Thiam noted that the Republic Mediator is an important participant of the institutional cooperation in the West African Region, Africa and the world.



 **Mr. Philippe de Maleissye, Secrétaire général du Conseil supérieur de la fonction militaire (CSFM) (France)** began his presentation by pointing out that a good system is a system that works for a given country at a given moment. He believes that conferences such as ICOAF help countries acquire new ideas from other systems and then determine what might work for them. Mr. de Maleissye went on to discuss the effectiveness and challenges of the French system. In France, mediation is provided to military personnel through two institutions: the Military Members Recourse Commission, which handles complaints and gives advice to the Minister, who has the final authority; and the CSFM (Superior Military Council), which is an assembly of military members that is in direct dialogue with the Minister on all issues related to military life. The CSFM is very efficient and completely independent of the military and political authorities and has total freedom of speech on military issues. Mr. de Maleissye then explained the assessment tools used to verify the effectiveness of these institutions, including statistics and quality indicators. He then outlined the aspects of the institutions that can be improved. In particular, the level of participation can be increased among local leadership, which is unfamiliar with the mechanisms and their advantages. In fact, some leaders believe these mechanisms will complicate matters, even “paralyze” the chain of command, instead of helping. Mr. de Maleissye indicated that another area of improvement involves increasing military personnel’s level of awareness of the institutions.

In conclusion, he explained that these issues can be improved in a number of different ways, including: a communications policy that incorporates publications, media, Internet and Intranet; and outreach visits to military personnel. He highlighted that methods for improving the institution are continuously revisited because military personnel and situations change.



Mr. Georgy Kunadze, Assistant Commissioner for Human Rights in the Russian Federation (Russia) explained that there is no specialized ombudsman institution for the armed forces in Russia, due to the broad scope of protection required for military personnel and family members of military personnel. Furthermore, a general ombudsman is less expensive, has a broader mandate and is less likely to develop a special rapport with the chain of command. Mr. Kunadze highlighted the Human Rights Commissioner's legislations, mandate, organization and processes. As an aside, Mr. Kunadze explained that due to Russia's "clannish society," the Commissioner is able to settle many cases of human rights abuse through informal contacts, more quickly and efficiently than through the official channels. While the Commissioner receives approximately 1,500 complaints annually, the office continues to find that few conscripts are aware of the institution and its mandate. The Commissioner considers it a priority to make his office known to all servicemen. In the last half of his presentation, Mr. Kunadze outlined some of the issues plaguing Russian servicemen, including hazing, illegal orders, inappropriate and dangerous use of servicemen's labour, and coercion into compulsory service. The most burning issue haunting several generations of Russian military servicemen is housing and accommodation. Legally, the Ministry of Defence must provide servicemen, who have served for at least ten years, with free housing. Due to tight budget constraints in the Ministry of National Defence, up to 50,000 servicemen have not been provided with the housing that they are due. Mr. Kunadze concluded by attesting that the examples he has provided account for only a section of

the complaints brought forth to the Commissioner. The Russian Armed Forces continues to be affected by a diversity of issues and challenges.

Session C: Future Cooperation in Capacity Development

- What role can ICOAF play in identifying and promoting good practice?
- Has your office identified areas that need improvement? How might these issues be resolved? How could greater cooperation resolve these problems?
- Has your office cooperated and shared good practices with ombuds institutions from other states or with other domestic ombuds institutions? Would more of this be useful? How might such cooperation be increased or improved?
- What kind of assistance from other ombuds institutions would your office benefit from? What types of assistance can your office provide to other similar institutions?



The Honourable Mohamed Rukara, Ombudsman (Burundi) explained that the Office of the Burundi Ombudsman, which was officially established in January 2010, is an independent constitutional organization that contributes to the promotion of democracy and to strengthening the state of law. The Ombudsman, who is elected by Parliament, provides mediation and conflict prevention services, and oversees the good governance of administrative bodies, including the Departments of Defence and Security. The Honourable Rukara pointed out, however, that other mediation services exist within the Department of Defence, such as with the chain of command, Military Chaplaincy, Inspector General, and the Department for the Promotion of Social Affairs. The Honourable Rukara emphasized that the Office tries to avoid simple “no” answers to requests, even when the issue is outside of their mandate. In this way, the Office has become a place of guidance for citizens. Additionally, the Honourable Rukara discussed some of the successes of the Ombudsman’s Office. In particular, they have made significant improvements in the area of conflict prevention. He explained that complaints brought before the Office are also opportunities for them to identify areas of tension and to reflect on strategies to prevent conflicts. In this line of work, the Ombudsman uses dialogue and activities that bring people together to achieve his goal. For example, the Ombudsman organizes sports (such as football tournaments) and community activities in an effort to reinforce dialogue and trust between occupational groups. The Honourable Rukara also indicated that he participates in community development activities, which promote reconciliation between authorities and citizens, and solidarity between corporations and social groups. The Ombudsman also explained Burundi’s efforts of cooperation extend beyond its country; they similarly rely on international solidarity, such as through participation in missions of the African Union.

In conclusion, the Honourable Rukara highlighted that the Burundi Ombudsman's Office has accomplished much to date, and that the successful completion of all duties will depend, of course, on the diligence of the members of the Office, but also on the cooperation of, and exchange of information among, all stakeholders.



Doctor Hans Born, Senior Fellow, Researcher (DCAF) provided a summary of findings from the panel presentations on capacity development and their follow-on discussions. He highlighted, for example, the common line that capacity development is a way to improve the efficiency and effectiveness of ombuds institutions, such as through improvements to the organization's skills, staff, procedures and legal framework. He also noted that capacity development has a political dimension, which involves overcoming political resistance in Parliament, the Ministries and the Armed Forces, in order to convince them to improve. Another important point that Dr. Born took away from the presentations is that ombuds institutions should not only be thinking about capacity development of themselves, but of the Armed Forces foremost, as well as Parliament and society. He reinforced that Ombuds institutions must convince constituents that complaints, per se, are not necessarily bad: they can serve as early warning signs – as a means of identifying issues so that problems can be avoided in the future. Dr. Born went on to recognize the large diversity of states and offices in attendance at the conference, both in terms of the type of system and the level of maturity. Another finding that Dr. Born emphasized was that external partners cannot do capacity development – it is the responsibility of each ombuds institution to continuously develop its capacities, and each state is best positioned to deal with their own institutions. He added that, at the very most, organizations such as ICOAF and DCAF can modestly offer their support. Additionally, Dr. Born pointed out that currently little is known about the exact needs of ombuds institutions. He therefore asked that participants, when thinking about future development, consider whether they want to

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team up with other organizations or continue within the unique context of the armed forces. He also recommended that participants obtain an overview of what is being done on a national, regional and global level before making a decision. Dr. Born concluded with the following questions to conference participants: what future cooperation is desired, feasible and sustainable in the area of capacity development; what role can ICOAF play; what type of activities and tools are required; and how can DCAF be of assistance? He detailed some of the initiatives that DCAF has already undertaken (i.e., ombuds institution handbook and website, comparative studies on good practices, etc.), and emphasized that they can expand upon this if there is a need.



CLOSING

At the closing of the conference, **Mr. Benjamin Buckland, Researcher (DCAF)** provided a presentation on DCAF's recent publication *Ombuds Institutions for the Armed Forces: A Handbook* and on the ICOAF.org website.

Captain Navy (Ret) Kjell Arne Bratli, Parliamentary Commissioner of the Royal Norwegian Armed Forces (Norway) followed with an announcement of the Fifth International Conference of Ombudsman Institutions for the Armed Forces, which will be held in Oslo, Norway on 20-22 October 2013.

Finally, the conference concluded with the consolidation of the final conference statement.

CONFERENCE STATEMENT



4 ICOAF Conference Statement

As the International Conference of Ombuds Institutions for the Armed Forces (ICOAF) enters its fourth year, the conference has reached a milestone.

The 4th ICOAF held on 23-25 September, 2012 in Ottawa, Canada has been instrumental in carrying ICOAF into new territory, both figuratively and literally as it is the first conference held outside of Europe, while at the same time remaining true to its roots.

Strengthened by its venture outside the European continent and by the inclusion of numerous new participating institutions from five continents, participants discussed the important issue of domestic outreach, and how to bring about greater awareness to those individuals each ombuds institution is mandated to assist. Participants also had a fruitful exchange on the increasingly important topic of capacity development, and the challenges all ombuds institutions face in always seeking to improve their institutions. As such ICAOF has become an important tool in promoting and ensuring democratic oversight of the armed forces, while protecting against maladministration and human right abuses.

The Conferees declare that:

1. The Ottawa conference sought to expand cooperation of independent institutions represented at the three previous International Conference of Ombuds Institutions for the Armed Forces.
2. The Ottawa conference specifically sought to advance the intentions and aspirations of the previous three conference memorandums, which have underlined the importance of the democratic control of armed forces in countries with a democratic constitution through transparency and focused on the many benefits which flow from this.

3. Outreach is a key mechanism by which an ombuds institution can enhance the awareness, understanding and relevance of its mandate directly with those it represent. It should also be viewed as an important tool that enables the ombuds institutions to listen to how their constituents live the reality of military service and the impact it has on them and their families.
4. Outreach is one of the many valid means of measuring satisfaction with and the effectiveness of an ombuds institution in delivering its program to promote and protect the human rights of armed forces personnel.
5. Outreach in its various forms is a function already in place in many ombuds institutions and this practice must continue as well as evolve to embrace new and emerging technologies as pertinent and worthwhile methods of meeting the needs of their constituents.
6. Outreach can be an important activity to pursue for the emerging ombuds institution actively seeking to increase its profile within the armed forces community it is mandated to represent.
7. Capacity development is important to improve the functioning of ombuds institutions, to assure that complaints are effectively and efficiently addressed and to ensure that ombuds institutions contribute to the effective and accountable governance of armed forces.
8. Capacity development is a task undertaken by both newly established and well established institutions and is a persistent on-going effort.
9. A needs assessment of capacity development and ombuds institutions for the armed forces conducted by DCAF would greatly assist in expanding knowledge of other ombuds institutions. The aim of the study would be to identify the needs and the willingness of ombuds institutions to be involved in this important area of work.
10. Future conferences will continue to seek to expand participation of other ombuds institutions for the armed forces.
11. The Fifth International Conference of Ombuds Institutions for the Armed Forces will be held in Oslo, Norway on 20-22 October 2013.

Ottawa, 25 September, 2012.

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PHOTOS



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OTTAWA, CANADA 23-25 SEPT 2012