



## **7<sup>TH</sup> CONFERENCE OF OMBUDS INSTITUTIONS FOR THE ARMED FORCES (ICOAF)**

**Prague, 25-27 October 2015**

### **Conference Statement**

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

Jointly hosted by the Ministry of Defence of the Czech Republic and the Geneva Centre for the Democratic Control of Armed Forces (DCAF), the 7<sup>th</sup> ICOAF took place in Prague on 25–27 October 2015. The 7<sup>th</sup> ICOAF focused on the role of ombuds institutions<sup>1</sup> for the armed forces in democratic societies.

With the inclusion of old and new institutions from 37 states, the conferees had a productive exchange aimed at strengthening their institutional expertise. As such, more than ever, ICOAF has become an important initiative in promoting and ensuring democratic oversight of the armed forces, while protecting against maladministration and human rights abuses.

The Conferees declare the following:

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<sup>1</sup> Ombuds institutions for the armed forces come in many different iterations and possess widely different mandates; however, for the purposes of this conference, we define ombuds institutions for the armed forces as those organizations that are mandated to receive or investigate complaints from within or relating to the armed forces in their respective jurisdictions. Ombuds institutions for the armed forces typically can be classified into three models: general ombuds institutions mandated to oversee all members of society and all branches of government, such as protector of citizens, public defender and ombudsman; ombuds institutions with exclusive jurisdiction over the armed forces, such as parliamentary commissioner; and ombuds institutions integrated within the armed forces, such as inspector general. They are also referred to here simply as ombuds institutions.

## Introduction

1. Building on the successes of the previous six International Conferences of Ombuds Institutions for Armed Forces in Berlin (2009), Vienna (2010), Belgrade (2011), Ottawa (2012), Oslo (2013), and Geneva (2014) the Prague Conference sought to strengthen cooperation and sharing of good practices among independent 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 within and by the armed forces

## The role of ombuds institutions for the armed forces in democratic societies

4. Ombuds institutions for the armed forces play an important role in fostering a stable environment from which a healthy and democratic society can flourish, by preventing and correcting maladministration and protecting human rights.

## The centrality of human rights

5. The protection of human rights is a fundamental responsibility of ombuds institutions for the armed forces. In instances where the armed forces do not respect the human rights of its personnel or civilians to which it is supposed to serve, it is crucial that oversight bodies, such as ombuds institutions, are mandated to receive and investigate complaints to prevent further transgressions.
6. All armed forces personnel, in particular military leadership, should also receive training on human rights.

## Civil and political rights

7. The conferees agree that civil and political rights need to be protected in accordance with the demands of military service. We acknowledge that states have many different and often competing frameworks as to how armed forces personnel in their personal capacity should be included in politics and whether their civil and political rights should

be curtailed. Armed forces personnel should be afforded the same rights as all citizens except insofar as these limitations are necessary, proportional and prescribed by law.

8. Participants highlighted the importance of a right to complain. Conferees found that armed forces personnel do indeed have the right to complain, and that this right is often protected with additional laws, such as whistle-blower legislation.

#### Conducting investigations

9. Investigations and access to information are vital components of all ombuds institutions' mandates. Staff of ombuds institutions should receive specialized training, particularly on receiving complaints, investigating complaints, and reporting on the investigation's outcomes, as well as on how to use mediation effectively.

#### Ensuring independence

10. Ombuds institutions must remain independent from the bodies that they are mandated to oversee. Therefore, the institution must be perceived to be acting impartially, and remain above politics and other partisan divides. Ombuds institutions must also retain financial independence and control of a budget sufficient to fulfil their mandate. Finally, ombuds institutions should not be prevented in carrying out the work they are mandated and reporting to the appropriate authorities.

#### The role of civil society

11. For those institutions that are mandated to do so, civil society is a very useful source of information. Ombuds institutions can cooperate with civil society where possible to ensure greater accountability and transparency of the armed forces.

#### Conclusions

12. The participants also noted that regional organisations can play a very useful role in promoting and ensuring democratic oversight of the armed forces, including ombuds institutions.
13. Throughout of the conference, it has been noted that there still remain gaps in capacity and limits to the resources to fill these gaps. Therefore, the conferees request DCAF to facilitate capacity building exercises between ombuds institutions.

14. Future conferences will continue to expand and deepen the cooperation between ombuds institutions.
15. ICOAF remains open to relevant institutions from states that have not participated in the previous conferences.
16. The eighth ICOAF will take place in the Netherlands in October 2016.

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