



Capacity Building and Ombudsman Institutions for the Armed Forces: Challenges and Opportunities

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Background and Objectives

Capacity building is simply one element that makes up the broader umbrella of institutional development. Institutional development seeks to improve the efficiency and performance of an organisation, but do so in a sustainable way by improving the capacities of the institution and its employees.

Military Ombudsman institutions have a long history of institutional development and capacity building. For example, the German Parliamentary Commissioner provided considerable external support to Bosnian Parliamentary Military Commissioner in establishing its legal framework. Numerous institutions were consulted for advice by the South Africans as they prepared to set up their own Military ombudsman institution. In addition, ICOAF has served as an opportunity over the past three years to increase cooperation between ombudsman institutions for the armed forces from around the world, in addition to sharing common problems and good practices. However, there is still considerable potential for greater cooperation for institutional development.

As such, the workshop seeks to draw upon the diverse and wide-ranging experiences of the participants to:

- Identify the needs and challenges faced by those states seeking to establish a Military ombudsman institution.
- Share the experiences and identify the good practices and lessons-learned among those who have recently set up ombudsman institutions or other similar bodies.
- Identify avenues for cooperation and the sharing of good practices and lessons-learned between well-established and newer Military ombudsman institutions.

In doing so, it seeks to consider the needs and potential contribution of four main groups:

- States seeking to establish a Military ombudsman institution.
- States who have recently created a Military ombudsman institution.
- States with well-established institutions.
- Organisations involved in institutional development more generally.

Capacity building is a process which aims to facilitate individual, organisational and institutional learning. The process seeks to build social capital and trust, and develop

knowledge, skills and attitudes. This workshop approaches the process in two main ways.

- Temporally:
 - Past – experiences with creating and setting up Military ombudsman institutions
 - Present – challenges faced and good practices
 - Future – identifying areas in need of improvement and areas for greater cooperation between institutions
- And at three different levels:
 - Context – the political and regulatory context and relationship with other institutions
 - Organisational – the overall capacity of the organisation itself
 - Individual – individual staff within a Military Ombudsman Institution

Format

The workshop will involve three sessions of open discussion, each structured around a series of key questions. Each session will have three panellists and a chairperson. Discussions will proceed as follows:

- The chair will address the first question to the panellists, who will each provide a short response.
- The responses from the three panellists will then serve as the basis for a short plenary discussion.
- The chair will then address the proceeding question(s).

The workshop will be held under the Chatham House Rule.

- Lessons Learned in Establishing Institutions
 - What role was played by you or members of your office in the lawmaking and consensus-building process pertaining to the institution? What problems did you encounter in acquiring the necessary funding or powers to effectively carry out the organisation's mandate?
 - Was there broad support among relevant stakeholders or was there resistance from government officials or the armed forces? If so, what were the reasons for their resistance and how were these points of contention resolved? Did any of these unresolved problems crop up later on?
- Present Challenges and Methods
 - Have efforts been made to expand or otherwise modify the scope or mandate of the institution since its establishment? If so, what was the reason behind such a change, how did you go about it, and how successful were these efforts?
- Future Challenges and Avenues for Cooperation
 - What role can ICOAF play in promoting good practice (including in legislation)?
 - Is there a role for ICOAF in engaging other relevant actors, including civil society or members of parliament.
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 - **Institutional Development at the Organisational Level**
- Lessons Learned in Establishing Institutions
 - How did your institution develop effective procedures and protocols to implement your mandate and how were these adapted as time went on?
 - Were there any unforeseen problems that became apparent after your institution opened its doors? What did you learn from them and how could they have been avoided?
- Present Challenges and Methods
 - What are some of the greatest ongoing challenges your office faces in carrying out its mandate? How might these obstacles be overcome?
- Future Challenges and Avenues for Cooperation

- How could your institution increase cooperation with other institutions that are in need of greater assistance? What kind of assistance do you think would be useful?

Institutional Development at the Individual Level

- **Lessons Learned in Establishing Institutions**
 - In setting up your institution, what were some actions taken to ensure that staff (including the ombudsperson) were effectively trained or otherwise prepared to handle their responsibilities?
- **Present Challenges and Methods of Capacity Building**
 - What are some challenges that your office has faced in recruitment, appraisal, training and retention of staff? How have you identified training needs and has your office identified good practice in training new staff?
 - Has your office undertaken any efforts to build the capacity of Military Ombudsman institutions in other states?
- **Future Challenges and Avenues for Cooperation**
 - What challenges remain in improving individual capacity within your organisation?
 - Would there be benefit in increasing cooperation at the individual level between ICOAF members (through, for example, a knowledge exchange programme involving temporary secondment of both experienced and new staff between institutions)?